

# STIMSON

## UNDERSTANDING IMPACT OF POLICE, JUSTICE AND CORRECTIONS COMPONENTS IN UN PEACE OPERATIONS



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## **GLOSSARY**

CAU	Corrections Advisory Unit
CLJAS	Criminal Law and Judicial Advisory Service
DDR	Disarmament, Demobilization and Reintegration
DPKO	Department of Peacekeeping Operations
ECOWAS	Economic Community of West African States
EOM	Expert on Mission
FPU	Formed Police Unit
HNP	Haitian National Police
ILAC	International Legal Aid Consortium
IOM	International Organization for Migration
JCSC	Justice and Corrections Standing Capacity
LNP	Liberia National Police
MDTF	Multi-Donor Trust Fund
MINURCAT	United Nations Mission in Central African Republic and Chad
MINUSTAH	United Nations Stabilization Mission in Haiti
MONUC	United Nations Mission in the Democratic Republic of Congo
MONUSCO	United Nations Stabilization Mission in the Democratic Republic of Congo
MOU	Memorandum of Understanding
MoJ	Ministry of Justice
OECD	Organisation for Economic Co-operation and Development
OIOS	Office of Internal Oversight Services
OROLSI	Office of Rule of Law and Security Institutions
PSCs	Prosecution Support Cells
PCC	Police Contributing Country
PNC	Police Nationale Congolaise
PNTL	Policia Nacional de Timor-Leste
QIP	Quick Impact Project
SGBV	Sexual and Gender-Based Violence
SLP	Sierra Leone Police
SPC	Standing Police Capacity
TAM	Technical Assessment Mission
UNAMSIL	United Nations Mission in Sierra Leone



UNCT	United Nations Country Team
UNDP	United Nations Development Program
UNIFEM	United Nations Development Fund for Women
UNIOGBIS	United Nations Integrated Peace-Building Office in Guinea-Bissau
UNIPSIL	United Nations Integrated Peacebuilding Office in Sierra Leone
UNMIK	United Nations Interim Administration Mission in Kosovo
UNMIL	United Nations Mission in Liberia
UNMIS	United Nations Mission in Sudan
UNMISSET	United Nations Mission of Support to East Timor
UNMISS	United Nations Mission in South Sudan
UNMIT	United Nations Integrated Mission in Timor-Leste
UNOCI	United Nations Operation in Côte d'Ivoire
UNODC	United Nations Office on Drugs and Crimes
UNOGBIS	United Nations Peacebuilding Support Office in Guinea-Bissau
UNOTIL	United Nations Office in Timor-Leste
UNPD	United Nations Police Division
UNPOL	United Nations Police
UNTAET	United Nations Transitional Administration in East Timor
UNOPS	United Nations Office for Project Services

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## Preface

Over the last decade (more precisely, since a deployment low point in the spring of 1999), the presence of United Nations peacekeeping operations has grown from about 14,000 troops, police and civilians to about 121,000 in March 2012, with Sub-Saharan Africa becoming its major deployment area. Its mandates have become increasingly complex as the UN Security Council has directed the missions to re-establish national governance and the rule of law in countries emerging from (and, sometimes, teetering on the brink of) internal wars. As the 2000s unfolded, the Council gave UN missions broader police development mandates, followed by mandates to help restore criminal justice systems more broadly, and eventually requiring significant advisory support to national prison systems. Periodically, leaders in the UN Secretariat, including Undersecretary--General for Peacekeeping Operations Jean-Marie Guéhenno, would warn of peacekeeping overstretch—that the UN's assigned tasks were outrunning its ability to accomplish them well, or in some cases, at all. But the political and conflict-related exigencies of Liberia, Côte d'Ivoire, Haiti, Burundi, Sudan, Timor-Leste, Darfur, Chad, Somalia and now Libya and Syria brought about calls for UN action of various kinds, from expeditions with 20,000 troops to observer groups of 300 unarmed personnel.

The UN rule of law community recognizes that an emphasis on quality of people and plans, what the UN calls a “capability-based approach,” has to replace a quantity-based approach to mission building. The UN's Department of Peacekeeping Operations (DPKO) hopes that the Organization can better meet the needs of UN peace operations, host governments and local communities with fewer but more highly-qualified people. But it does not have solid grounds for arguing that fewer, more capable people would better execute its current models for peacekeeping and peacebuilding (the former intended to safeguard the work of the latter). DPKO is betting that it already has a good “theory of change”—a combination of expectations about UN activities and how and why they will work to, in this case, implement a Security Council mandate. These constructs are “hidden, typically in the minds of policy architects and staff.”<sup>1</sup> They live, in other words, within the somewhat fractured and fractious community memory of those who build plans for operations and those who execute them in shifting operational environments in which missions are assembled. Part of the aim of this research was to unshroud the theory of change driving the UN's work specifically in the areas of police, justice and corrections, the three mechanisms most familiar to most people as the enforcing agents of the “rule of law.”<sup>2</sup>

Analysts and policy makers alike tend to use the word “deployment” when referring to the start-up period of UN operations, but that implies a more orchestrated and controllable enterprise than a complex UN operation ever can hope to be. Its troops are raised from amongst its member states, as are its growing numbers of non-military police. Its international civilians are sometimes borrowed from UN agencies, the Secretariat itself or cooperative UN member states. The rest are recruited on the job market by a system that takes 9 – 15 months to complete a hiring cycle. Missions are buffeted by political winds blowing from many directions, reflecting the sensitive political nature of their tasks, about which there is growing uncertainty, inside and outside the Organization, about “where this will end” —a growing worry about being able to leave behind, in several of its current mission areas, at least a minimum necessary amount of peace, that may still fall short of widely shared well-being.

In this environment of political and operational uncertainty, the Stimson Center's Future of Peace Operations Program responded to a request from the Office of Rule of Law and Security Institutions (OROLSI) in DPKO, especially the Police Division and in coordination with OROLSI's Criminal Law and

Judicial Advisory Service (CLJAS), to study the effects, or more specifically, the impact that police, justice and corrections components in UN peace operations have on the areas in which they work.

Research for this project began with a desk review of internal UN reporting materials and analyses, UN public documents and third party analyses, especially those based on field research, compiling data on MINURCAT (Chad portion), MINUSTAH (Haiti), UNMIS (Sudan), UNMIT (Timor-Leste), and UNOCI (Côte d'Ivoire), as well as four field visit missions: MONUSCO (Democratic Republic of Congo), UNIPSIL (Sierra Leone), UNMIL (Liberia) and UNIOGBIS (Guinea Bissau). Comparably structured case portfolios were built for each of these missions to facilitate thematic analysis within and across cases and to assess issues of sequencing as well as tradeoffs between urgency, duration, scope and scale of assistance under different assumptions about the operational environment (particularly its politics, levels of violence, and terrain/climate).

Field visits generated more than 200 semi-structured interviews with mission, government, NGO and civil society representatives. They were preceded by extensive interviews with UN Police Division (UNPD) planners and mission managers and followed up by UN Headquarters interviews with CLJAS personnel.

Going into the study, we proposed to search for "minimum essential tasks" – those that 1) always seem needed in comparable ways across missions; and 2) seem to consistently have the desired effects on the host country's approach to police, justice and corrections. Approaching the end of the study, it is clear that while some tasks may indeed be essential, their successful implementation is often highly dependent on characteristics of a mission's operational environment over which the mission cannot exert direct control. These range from host state politics and culture to other international agencies' actions as well as those of donor countries and neighboring states. This does not mean that such activities are not worth undertaking but that most of their results are contingent. The long-term impact of those results will be difficult to tease apart from the results of other institutions' work. But shorter-term outcomes are more visible and some of these may also be durable, that is, last well beyond the presence of the supporting mission. Sometimes we can explain why this is so in one case yet not be able to predict similar performance in another because that case will be subject to different buffeting factors over time, such as political, economic or natural disasters. Peacebuilding will always be an interdependent venture but there are and will be areas within rule of law in which the imprints left by UN missions and their specialist components will be larger than those of other players. Finding them was one of the main objectives of this study.

## 1 STRUCTURE OF THE REPORT

This report has six sections in the main text and five annexes. Following this brief roadmap, the second section summarizes findings and presents recommendations, in section order, for UN police components and then for justice and corrections components, respectively. Section three addresses several critical factors external to UN peace operations and largely beyond their control that nonetheless affect how and the extent to which they fulfill their mandates. These range from the immediate operational environment to relations with implementing partners and the host government. Section four addresses issues more or less specific to UN police components, how they are selected, set up and run, with an assessment of the mandated tasks that they undertake in the mission area. Section five makes a similar assessment for justice and corrections components. Section six offers brief concluding observations.

## 2 KEY FINDINGS

### **General: Factors Enabling or Inhibiting Impact**

In post-conflict societies, governance may have severely eroded at the national level, where peace agreements are signed and at which UN peace operations normally engage. Governance may not have disappeared below the national level, however, and to be effective in supporting the reconstruction or development of the rule of law, missions and their partners in peace implementation will need to engage not only the national level and the central government but with decentralized system(s) of customary institutions that pervade many societies where UN operations deploy.

National and local ownership of policies and practices introduced in the course of a peace operation will be key to continuation of such policies and practices after the operation ends. Yet national and local ownership of many things are contested after war, both openly and clandestinely, including but not limited to political power and land. The post-conflict period also holds great opportunity for violence-wielding groups, the combating of which raises serious issues about crime and politics, as some of both will exist in each.

The physical environment into which missions deploy poses its own challenges, not only to logistics but to decisions regarding where to concentrate limited mission resources, which may be delayed in arriving or simply insufficient.

UN Headquarters (HQ) support and HQ-mission relations are important determinants of mission effectiveness, from initial mission scouting, planning, recruiting and supply to the rallying of high-level political support. But HQ needs to upgrade its abilities to do the kinds of regional and strategic analyses that could be most helpful to missions. The quality of the flow of information between them needs serious attention at both ends. If HQ desk officers had the opportunity (and budget) for more frequent informational (as distinct from assessment) visits to missions, they would be better positioned to develop and deliver the sorts of information and guidance that mission personnel complain they lack from Headquarters. With better knowledge management, the number and quality of mission-HQ exchanges could be adjusted to reduce missions' reporting burdens. Better knowledge management also requires better institutional memory at both ends of the conversation, with missions needing both handover protocols and assignment overlaps, especially for positions whose occupants change frequently (as, UNPOL on six- to twelve-month rotations).

Because missions lack programmatic budgets beyond small amounts of “quick impact” money, they rely on the UN Development Programme (UNDP) or the UN Office for Project Services (UNOPS) to process voluntary donor project funds in partnerships that work for the mission if there is unity of purpose and timely delivery of support. The mission generally loses control of the money, however, when it lands in a multi-donor trust fund. Project execution in turn has depended more on personal relationships than agreed upon rules.

Centralized decision-making styles in many host state governments mean that lines of communication and authority—and critical, even low-level activities—can easily be disrupted by the absence of a department or office head, and the development or implementation of necessary laws and policies can be stymied. Missions face perhaps irresolvable dilemmas in being asked to deploy quickly into places where politics can prevent the quick actions that peacebuilding precepts dictate, or with resources inadequate to substitute for capacities that government lacks; that is, enough to offer some security and stability but not sufficient for very much else.

### ***Recommendations: General***

(NB: Not every subsection in the study generates specific recommendations. The recommendations’ heading numbers match the text section from which they were drawn, starting with section three.)

## **3.2 Headquarters Knowledge Acquisition and Management**

- Pare back field reporting to the minimum essential information for each week or month, with flash reports as needed, more comprehensive reports quarterly and semi-annually, and annual reports summarizing “long-arc” issues of particular importance to mandate and peace implementation.
- Define “minimum essential information” through dialogue between HQ and field components and joint agreements at the respective annual heads of justice and corrections components meeting and heads of police component meeting.
- Allow desk officers/mission managers to make more informational visits to missions annually with no restraints on contacts within mission, while respecting the mission management chain.
- In turn, empower HQ mission managers to provide requested advice to missions, with appropriate intra-HQ coordination.

## **3.3 Mission Relations with Implementing Partners**

- In general, UNPOL should be better informed on where to seek partnerships that free resources to focus on their strengths. Gaps in specialized skill sets might be met by governments’ dispatching teams of experts to the mission, rather than seconded officers.
- QIPs should never be the principal source of funding for infrastructure projects as standard amounts rarely suffice to complete such projects. Rather, if UNPOL and/or host state police (as appropriate) articulate a vision and strategic plan, UNPOL can build donor confidence that voluntary funds will be well spent.

### 3.4 Mission Relations with the Host Government and Civil Society

#### 3.4.2 Mission leadership to national leadership

- If host state will is not behind substantive reforms, mission rule of law components should consider significantly downgrading expectations of what the mission aims to achieve, adjust associated benchmarks and communicate these changes effectively to host state counterparts, the public and implementing partners.

#### 3.4.3 Host government management style

- UN missions should encourage devolution of host-state decision-making authority to middle levels and local officials within a common set of operational rules; in this area the mission should also be leading by example.

### 3.5 Accountability

#### 3.5.2 Oversight and accountability mechanisms in host state institutions

- Building internal and external accountability mechanisms for host state police, justice and corrections institutions should be a mission goal from day one.
- Injecting accountability into a police structure may require a sharp shakeup in how the institution is managed, which requires full government support and possibly the temporary import of outside management.

### Police Component

United Nations Police (UNPOL) mandates have broadened and their deployments have grown considerably since 1999. The language for UNPOL mandates tends to migrate from one mandate to the next and the further tendency for the Security Council to use rather vague, hortatory language regarding mission responsibilities in this case can be and has been taken to mean that UNPOL should support all aspects of host state police development. The resulting comprehensive picture of UN policing is of an enterprise that is overextended, under-resourced and lacking sufficient institutional support. In the field, UNPOL simply do not exert the degree of influence or impact that self-reporting would lead UN Headquarters and Member States to believe, as third party reports have been saying for several years.

In recent years, awareness has been growing within the UN Police Division, its partners in the international community and especially UNPOL's counterparts in host state police institutions that this situation cannot continue. It is not that UNPOL is incapable of positive impact but at present, UN police do not even work to their own comparative advantages.

#### **UNPOL's comparative advantages in the context of police development**

Police development often requires difficult decisions and prioritizations, since limited resources are competing with overwhelming need. OECD emphasizes four areas that reform efforts in post-conflict contexts must address in order to effect lasting change: individual capacity, institutional capacity, individual integrity and institutional integrity.<sup>3</sup>

While UNPOL works in all four areas, many of its efforts focus on individual capacity, followed by individual integrity and institutional capacity. It tends to have the most impact in the areas of individual and institutional capacity. Individual integrity development efforts may establish an initial

baseline of professionalism but this is only sustainable when reinforced by institutional integrity, UNPOL's work in institutional integrity tends to be its weakest. Institutional integrity consumes considerable resources and receives a great deal of rhetorical attention but typically integrity development efforts start later than individual and institutional capacity initiatives and achieve less.

In this retrospective analysis of UNPOL impact over the past decade or so, we can see trends that indicate three levels of achievement for UNPOL, defined in **Table 1**. In **Table 2**, we allocate UNPOL activities to OECD's four categories of development and assign each activity an achievement level, based on the analyses conducted for this study.

**Table 1: UNPOL levels of achievement**

Level	Definition
1.	Activities/roles in which UN police components consistently have the potential to achieve at least short-term positive impact.
2.	Activities/roles in which UN police components have the potential to achieve positive impact if conditions are favorable.
3.	Activities/roles in which UNPOL have rarely achieved positive impact (or have achieved only minimal positive impact) regardless of conditions.

Level 1 refers to activities that can reach their goals in most cases, even where overall political and other conditions are not especially favorable, assuming adequate mission resources to task. Level 2 refers to activities whose success is contingent on a broadly favorable operating environment. Level 3 refers to activities for which there appears to be not much to show regardless of the state of the operating environment.

The impact study research affirms that institutional integrity is the most essential element of long-term impact. Without institutional mechanisms to ensure transparency and accountability, any short-term positive outcomes in the host state police development process will plateau and eventually diminish. Individuals who have been trained in both capacity and integrity tend to leave for more lucrative jobs where their skills are appreciated; basic institutional capacity and integrity remain unimplemented; morale diminishes and corruption grows. Therefore, while UNPOL currently has the potential for positive impact in its operational roles and in short-term host state police development, these short-term achievements are undermined by lack of police institutional development.

### **Implications for UNPOL**

Supporting the development of basic host state police operational capacities fits within current UNPOL capabilities for various reasons, most of which relate to the current model of UN Police: Police Contributing Countries (PCCs) tend to second general-duty police officers, because police with highly specialized operational skills are needed within their own institutions. Those with specialized administrative skills are scarcer still. Thus, the great majority of those seconded to UN police components are better suited to and more comfortable with performing operational police roles than building a police institution. And as good relationships and trust are critical for building integrity, frequent rotation of seconded UNPOL and lack of good procedures for building institutional memory further disrupt the continuity needed for values development. The current UNPOL secondment system is simply not prepared or resourced to build police institutional integrity in a sustainable way.



**Table 2: UNPOL activities and levels of achievement in operational and development roles**

<b>UNPOL operational and operational support roles</b>	<p>1 - UNPOL presence as a “security blanket.”</p> <p>1 - Monitoring local police.</p> <p>1 - Operational support for host state police planning and exercises.</p> <p>3 - FPU – deployment, use, command and control, equipment, coordination.</p>	
<b>UNPOL support for police development</b>	<b>For Individuals:</b>	<b>For Institutions:</b>
<b>Integrity</b>	<p>1 - Basic knowledge and adherence to international human rights standards and professional conduct standards.</p> <p>3 - Routine adherence to international human rights standards and professional conduct standards, particularly during times of emergency and crisis.</p> <p>3 - Routine adherence to financial propriety.</p> <p>3 - Willingness to hold colleagues to the above standards.</p>	<p>2 - Strategic police leadership, vision and planning.</p> <p>2 - Transparent, equitable, effective, accountable management and <i>implementation</i> of operational and administrative systems.</p> <p>3 - Effective flow of information within host state police and with the public and ministries.</p>
<b>Capacity</b>	<p>1 - Basic police ops training and on the job training.</p> <p>1 - Ongoing monitoring at station level.</p> <p>1 - Mid-management mentoring, advising and capacity-building.</p> <p>2 - Vetting.</p>	<p>1 – Putting a police leadership and rank structure in place.</p> <p>1 - Development of policies, procedures and practices that enable operational police planning and implementation of plans.</p> <p>2 - Development of budget and personnel systems; discipline and accountability systems; records and information systems; procurement of supplies and equipment; development of infrastructure; maintenance of equipment and infrastructure.</p> <p>3 - Extension of host state police presence throughout the country, and particularly in rural areas.</p> <p>3 - Integration of informal police structures with host state police and/or informal police development presence in rural areas.</p>

In the short term, in order to maximize impact within the current system, UN Police Division and field components will need to address fundamental issues of needed skillsets and abilities to plan and manage the development of needed host state institutional support for police. UNPOL should focus more on incorporating support for institutional integrity into early capacity development, starting early to encourage constitution of basic accountability mechanisms through vetting, basic training and probationary periods for new officers and transparency mechanisms for fundamentals such as budget and payroll.

Second, police components should support stronger foundations for institutional growth. All indications from the research are that giving 500 officers long-term basic training has more likelihood of generating longer-term positive impact than giving 2,000 officers short-term training. Host state police also need at least rudimentary recordkeeping systems that are developed locally and are both locally maintainable and consistently maintained.

Third, the Police Division needs to find UNPOL leadership who support and enable adaptive change in the police component's approach to solving the multiple and shifting problems that face its people daily. The success of UNPOL's work depends on its ability to adapt to context, to return policing responsibilities as soon as judged prudent and to accelerate that process with the regular transfer of knowledge, which, in the absence of mission program budgets, is its key stock in trade. That policy makes it essential that police components build and sustain good relationships with other UN actors in the mission area, primarily the UNDP and the UNOPS, as well as bilateral donors that can deliver the goods to match UNPOL's services. Although the desire to build more program funding into mission budgets has a certain appeal from the standpoint of efficiency, it runs counter to DPKO's expressed desire to hand over peacebuilding responsibilities to professional development actors as soon as consistent with the maintenance of national and public security after a complex operation's drawdown and departure.

In the long term, UN Headquarters needs to fundamentally rethink: a) its approach to recruiting and deploying international police whether as individual officers or as formed police units; b) the tools they provide to help UNPOL meet mandated goals, including strategic leadership, planning and models; and c) definitions, implications and limitations of UNPOL roles in comprehensive mandated tasks such as protection of civilians and monitoring, advising and mentoring. In these areas, UNPOL must lower its expectations as well as the expectations of the international community and host state government and people regarding what can be achieved with the resources made available to most peace operations in seven years, the duration of the average contemporary peacekeeping operation.

## ***Recommendations for UNPOL***

### **4.1 Designing and Building the Police Component**

#### 4.1.1 Recruiting the needed skills

- DPKO's plans for new missions with police development mandates should routinely include civilian specialist posts within the mission's police component, in lieu of a civilian Expert on Mission model of secondment from governments.
- UNPD should build and maintain a roster of pre-cleared civilian personnel with work experience in a police environment from which to directly recruit civilian personnel for missions.
- To be effective, civilian posts in mission police components should entail a minimum 2 year commitment so that post holders can build and sustain relationships with local counterparts.

#### 4.1.2 Pre-deployment and induction training

- Induction trainings should be interactive and include mission-specific preparation on current strategies, action plans and local laws, as well as guidance on mentoring and station visits.

## 4.2 Key Issues in Police Component Operations

### 4.2.1 Police component planning

- Plans for police development should be initiated locally, co-developed as early as possible in the mission's deployment and revisited at regular intervals, especially important junctures such as inauguration of new capacities (e.g., a forensics lab) or the completion of a cycle of professional development.
- Plans should emphasize essential administrative systems development (see also 4.4.3).
- Plans should stress capacity development over capacity substitution (i.e., training and mentoring, with experienced and well-briefed mentors, in lieu of major operational roles).
- Plans should stress longer-term (one year or more) over short-term *basic* training for new police recruits, including those with prior military experience (see also 4.4.4.1).

### 4.2.2 Knowledge management, turnover, handover and learning

- DPKO should negotiate a standard initial 12-month term of service for seconded UNPOL with the option to offer high-performing officers a second term to reduce turnover and give mentor/advisors in particular greater opportunity for impact in their work.
- Adopt a practice of two- to four-week overlaps in mission for handovers between UNPOL at all levels to facilitate information transfer and introductions to host state counterparts.
- Missions should engage in regular information exchange and visits to see how common problems such as trans-border crime are addressed, to facilitate sharing of good practice.

## 4.3 UNPOL Operational and Operational Support Roles

### 4.3.2 Operational support and assistance

- Given the command and control problems inherent in police components that have been sourced from several dozen countries, UNPOL should not seek out heavy operational roles without major, prior changes in police components' operational authority and in contributing countries' constraints on and preparation of police for UN service in compliance with UN standards and expectations.
- Any UNPOL operational support to host state police should work in tandem with police development efforts designed to enable transfer of operational responsibilities to host state counterparts on a transparent and mutually agreed basis.
- UNPOL leadership needs to continually articulate the intent and timeline for its operational pullback and to bring potential donors interested in building local policing capacity into the conversation with the host state (see also 4.4.4.3).

### 4.3.3 Formed police units

- UN FPU should be used as temporary security gap fillers in the early phases of a mission only if capable, well-equipped units with excellent mission language capacity and, ideally, local language capacity are available for rapid deployment. Units not meeting these criteria will be less useful than deployment of UN mobile training teams to develop host state public order police directly (see also 4.4.4.3).

## **4.4 Host State Police Development**

### 4.4.3 Building critical administrative support functions

#### *4.4.3.1 Personnel (vetting, recruitment, performance reviews and promotion)*

- Given constraints on the efficacy of vetting procedures in post-conflict settings, policies for newly rebuilt police services should stress the value of respect for human rights in policing and build in corrective mechanisms (e.g., probationary periods and reviews, disciplinary procedures, appeals processes, and dismissal if earlier crimes come to light after vetting is completed).
- Proactive recruitment of female police needs additional management support to improve the quality and professional development of female police. The possible need for (and repercussions of) additional training or education should be factored into planning.
- UNPOL should be leading by example to expand its current focus on recruitment of female police to encourage more female officers in mission leadership roles.
- Development of personnel management systems for police should be stressed immediately upon mission start-up, together with budgeting and internal integrity.

#### *4.4.3.3 Procurement, construction and maintenance*

- Police components involved with infrastructure development should collaborate with UNOPS or similar implementing partner to embed with the partner the requisite personnel to advise on the design and placement of police stations, including international building standards (e.g., for holding cells) and the requisite project management expertise.
- A Global Field Support Strategy-type document that addresses police facilities construction and similar projects should be developed to promote understanding of requirements and better partnerships in project implementation.
- Maintenance should be viewed as a kind of local ownership to be stressed in project plans and developed in their implementation; project officers and mentors should stress the importance of developing a “culture of maintenance,” especially preventive maintenance, the lack of which rapidly diminishes the utility of equipment provided and facilities constructed, as well as close accounting of funds allocated to maintenance programs.

### 4.4.4 Building operational capacity and professional values

#### *4.4.4.1 Training and skills development*

- UNPOL should support initiation of institutional development as soon as police training plans are drawn up; when it is part of a comprehensive strategic plan, long-term training can be incorporated more thoughtfully into a development sequence.
- Long-term training should be a minimum of one year and include classroom and iterative field training; if an element of training must be cut short, it should be classroom training.
- Long-term basic training should be followed by on-the-job training, effective mentoring and short-term specialized trainings to maximize the likelihood of long-term impact.
- UNPD and missions should engage donors on the value of focused long-term basic training supplemented by short-term specialized training programs for police.

#### 4.4.4.2 *Mentoring and advising in concept and practice*

- Develop standard definitions and guidance for monitoring, mentoring and advising and include them in the induction training package for all UNPOL.
- UNPOL leadership and guidance should inspire officers to step out of their comfort zone to develop and promote creative solutions that address host state counterparts' actual needs better than standard/existing programs, and should publicly reward such creativity.
- Programming initiatives should be recorded in the mission's or police component's knowledge management system for sharing, critique and possible replication.
- Monitoring needs to encompass observation, documentation and analysis with a view to building a picture of an institution's development trajectory that goes beyond a collection of holding cell numbers and case closure rates.

#### 4.4.4.3 *Public order management—investing locally*

- Use cadres of FPU trainers available to the UN Police Division to build “public order police” units in new mission areas, based on a common UN strategy and curriculum.
- Train and develop public order police units drawn from the population of the host state to replace UN FPUs at an early date in the mission cycle, subject to safeguards and incentives to ensure good performance.
- Develop partnerships with donors to contribute standardized equipment sets for public order police units trained by missions.
- Keep public order units trained by the UN under mission command and control as needed and embed an UNPOL trainer-adviser at the platoon level of each unit.
- DPKO should negotiate with police contributing countries to make available a relatively small number of professional, well-trained and well-equipped FPUs as first-responding units for public security in the first nine to twelve months of new UN missions while public order police units are trained by the mission.

#### 4.4.4.4 *Integrated Border Management and Security and Mission Collaboration*

- To maximize the effectiveness of integrated border management and security initiatives, missions should encourage the development of criminal intelligence capacity in the host state police service and emphasize it within the mission itself. It should also stress information sharing with counterpart agencies in neighboring states and host state participation in resource extraction certification and management initiatives.

#### 4.4.4.5 *Community-oriented policing*

- Tailor community-oriented policing programs to local circumstances and involve affected communities in the development of such programs.

#### 4.4.4.6 *Combating SGBV*

- Missions should support recruitment and inclusion of local female police into SGBV units but should also note the importance of female officers in other units and in stations, complementing and not to the exclusion of male officers in anti-SGBV roles.
- To keep the fight against SGBV from overwhelming host state policing resources, SGBV initiatives should be coupled with a prevention strategy targeted at groups considered the most frequent perpetrators of such violence.

#### 4.4.4.7 Recognizing and reducing domestic violence

- Responses to sexual and gender-based crimes should recognize that a large percentage of SGBV takes the form of domestic violence or other attacks that occur within domiciles (as, home invasions) and should link up with victim support and witness protection initiatives.
- As domestic violence is newly defined as a serious crime in many mission areas, missions should support vigorous public information campaigns to familiarize the public with the law and their rights, and support novel initiatives in these areas by host state police services.

### Justice and Corrections Components

Justice and corrections components of UN missions generally have increased in size in the last few years as the UN's approach toward rule of law has grown ever more holistic. Although they tend to be mentioned in the same phrase, justice and corrections institutions have different characteristics that strongly affect their predisposition to and interest in externally-suggested reform or advice.

The justice sector comprises prosecuting attorneys, judges, their courts and associated clerks and record keeping systems, defense attorneys, and in some jurisdictions, investigating magistrates. The justice sector is relatively impermeable to international intervention, partly because its stock in trade is confidentiality, judges prize their independence and the judicial environment—formal and informal—varies a great deal across countries.

In most countries where the UN sends missions, the investigative capacities of police or magistrates are marginal at best and the historical alternative has always been self-incrimination by the accused. Post-conflict criminal justice systems have the unfortunate tendency to fall back on that option. A combination of arbitrary arrest, the absence of concepts of bail or parole, poor record keeping and prevailing assumptions amongst the population (and police) that arrest equals guilt leads to situations where in most of the countries covered by this study, 80 percent of prison populations are pre-trial and/or pre-charge.

Faced with decayed and overcrowded prisons run by untrained volunteers, political appointees or the prisoners themselves, alert UN corrections advisers have in a number of cases improved prison food and water supplies, helping to keep more prisoners among the living. Several UN missions (e.g., MONUC/MONUSCO and UNMIT) have provided transport and other logistical support to mobile courts whose sittings inside prisons have the potential to reduce prison populations, if they work expeditiously. Public defenders and other attorneys hired by UN missions to represent wrongly imprisoned individuals have succeeded in freeing several hundred, but likely at a rate lower than that of new detainees coming through the door. Ultimately though, it is/will remain difficult to convince host governments to dedicate more resources to prisons when their average citizen may live on one to two dollars per day.

**Table 3** defines three levels of achievement for justice and corrections components. **Table 4** categorizes justice and corrections activities in the four OECD areas of development by the three levels of achievement. As with police, these assignments represent summary judgments based on substantial documentary review and field interviews but should be considered both preliminary and illustrative, as many more topics are discussed in text and noted in the recommendations that follow than are entered in Table 4.

Strategic planning is an area where missions have had an impact on justice and corrections systems. UN missions have access to and potential leverage with senior political leadership, while being viewed as more politically neutral than other international actors. In countries where host state

officials engaged in strategic planning and based implementation on an action plan, these practices were observed to diffuse across the broader national framework of government, as well as NGOs.

Support to legislatures and national law reform commissions is among the least visible but potentially most important elements of UN missions' support for the rule of law. Law reform has the power to provide long-term solutions to issues that host governments and missions find themselves hard-pressed to address. For example, law reform can reach some root issues in pre-trial detention and prison overcrowding by introducing alternatives to incarceration, and adjusting or tightening sentencing guidelines. However, the best technical advice cannot overcome political or procedural obstacles to the enactment of reformed laws nor is the mission's leverage alone likely to do so.

It is in courtrooms and judges' chambers, however, that international interventions often seem to make the least headway, perhaps because judicial independence is not just a goal of international intervention but an attribute of the judiciary that makes its members inaccessible to and/or unswayable by outside advice. The best answer to issues of access to justice and judicial inertia may be generational change and an expanded bench, drawing upon law graduates from reviving law schools and using mission-funded hires or contract personnel in the interim.

**Table 3: Justice and corrections levels of achievement**

Level	Definition
1.	Activities/roles in which justice and corrections components consistently have the potential to achieve positive impact.
2.	Activities/roles in which justice and corrections components have the potential to achieve positive impact if conditions are favorable.
3.	Activities/roles in which justice and corrections have rarely achieved positive impact (or have achieved only minimal positive impact) regardless of conditions.

Mission programming to improve access to justice mainly focuses on improving capacity and processes of the formal judicial system. It seems time that UN peacebuilding efforts pay greater attention to informal justice systems, as functioning customary justice reflects the social ties that bind communities and is the form of non-violent dispute resolution that large majorities of the populations in question use day to day.<sup>4</sup> Customary justice may be all there is left of effective governance when a mission first deploys. The "do no harm" principle alone suggests that greater time and effort be devoted to understanding the post-conflict roles of these institutions.

Finally, if donors could be made to overcome their prisons-last mentality, prison assistance offers potentially big and reasonably quick wins for UN operations. Efforts to promote mobile courts or magistrates to review the cases of pre-trial detainees, defense counsels hired as mission staff for the purpose of clearing those held illegally from the prison system, and efforts to account for every detainee/prisoner in every facility in the mission area could bring about substantial drops in the prison populations of most host states. Such actions would need to be coupled with reductions in arbitrary arrests and the institution of mandatory judicial review of evidence used to justify pre-trial detention.

**Table 4: Justice and corrections activities and levels of achievement in operational and development roles**

Justice and	1 - Tactical solutions by corrections officers to critical shortages of prison food
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<p><b>corrections operational and operational support roles</b></p>	<p>or water supplies.</p> <p>2 - Logistical support to mobile courts.</p> <p>2 - Bringing temporary international judges, prosecutors, defense attorneys and court administration personnel (transitional administration – DPKO; other missions – UNDP).</p> <p>2 - Salary support for attorneys and other personnel placed in ministries.</p> <p>3 - Strategic solutions to prison overcrowding in mission areas.</p> <p>3 - Infrastructure development.</p>	
<p><b>Justice and corrections development</b></p>	<p><b>Individuals</b></p>	<p><b>Institutions</b></p>
<p><b>Integrity</b></p>	<p>1 - Basic knowledge and adherence to international human rights standards and professional conduct standards.</p> <p>3 - Routine adherence to international human rights standards and professional conduct standards – particularly during times of emergency and crisis.</p> <p>3 - Routine adherence to financial propriety.</p> <p>3 - Willingness to hold colleagues to the above standards.</p>	<p>2 - Strategic planning.</p> <p>2 - Support to law reform in host state.</p> <p>3 - Effective flow of information within host state justice sector and with the public and ministries.</p>
<p><b>Capacity</b></p>	<p>1 - Support to legal education and training (partnering with UNDP).</p> <p>2 - Corrections officer training.</p> <p>2 - Justice system monitoring.</p> <p>2 - Corrections system monitoring.</p> <p>2 - Mentoring and advising for corrections staff.</p> <p>3 - Judicial training for current judges.</p>	<p>2 - Mapping of justice and corrections sectors.</p> <p>3 - Extension of host state justice and corrections presence throughout the country, particularly into rural areas.</p> <p>3 - Understanding roles and functions of informal justice mechanisms and their connections with the formal justice sector.</p>



## **Recommendations for Justice and Corrections Components**

### **5.1 Designing and Building Justice and Corrections Components**

- Corrections units in missions should as a rule have direct reporting lines to the Deputy SRSG for Rule of Law or equivalent.
- To better match the evolving independence of corrections units in the missions, a standalone corrections unit should be established within OROLSI.

### **5.2 Key Issues in Justice and Corrections Component Operations**

#### 5.2.1 Planning in justice and corrections

Strategic planning is most effective when:

- it sets realistic, achievable aims with indication of budgetary implications;
- donor support is linked to host state adherence to the plan;
- it is linked with a comprehensive action plan and project management tools;
- it is institution-driven rather than personality-based (a plan too closely linked with the outlook of one person has lower potential to endure political shake-ups and regime change);
- it is backed by institutional and administrative capacity building to enable follow through.

#### 5.2.2 Information sharing in justice and corrections

- Missions should circulate reports on capacity and process in the criminal justice system to interested stakeholders in the mission area, consistent with preserving confidentiality of investigations or criminal proceedings.
- Missions should circulate open reporting materials after a specified courtesy delay for initial reading by senior host state officials.
- Regular joint meetings with technical-level host state counterparts tied to reporting schedules can help to build a culture of regular, reciprocal reporting and information sharing.

### **5.3 Operations and Operational Support in Justice and Corrections**

#### 5.3.1 Law reform

- Missions should be prepared to support law reform as soon as they have government interlocutors with which to work and should recognize that such reform will likely require political support from above and beyond the mission itself.
- Missions should be prepared to implement interim support plans, in close consultation with host state counterparts, in areas of potential reform or restructuring not directly affected by pending legislation.

#### 5.3.2 Direct support to host state institutions

- Missions should only consider bringing in temporary international judges, prosecutors, defense attorneys and courts administration personnel in cases where the educational level, experience and capacity of local actors are extremely low or ethnic or other divisions within the population are so high as to render local actors incapable of reaching evidence-based verdicts.

- Corrections officers should be supported by the mission in their efforts to bootstrap improvements in prison conditions, while senior mission leadership works on strategic policy change.

### 5.3.3 Structural support to host state justice and corrections

#### *5.3.3.1 Mapping justice and corrections*

- Justice mapping initiatives should include courts of all levels, in urban, peri-urban and rural settings; formal and informal options for dispute resolution; and examples of issue-based and geographic patterns of system preference for formal or informal justice.
- Corrections sector maps should focus on infrastructure, prison capacity, and actual numbers of prisoners; on whether male and female prisoners, juveniles and adults are held separately; on capacity of prisons to feed inmates; and on administrative functionality, staffing, and security.

#### *5.3.3.2 Infrastructure development*

[see recommendations at section 4.4.3.3]

### 5.3.4. Building capacities of ministries, courts and prisons

#### *5.3.4.1 Training and skills development*

- Training plans should be made self-reinforcing with emphasis on training of trainers to sustain basic, specialized and advanced programs begun by the mission.

#### *5.3.4.2 Monitoring*

- Missions should consider running trials to determine which combination of monitoring and mentoring generates the best outcomes with host state counterparts by assigning locales initially and at random, either monitors with clear instructions just to observe and report, monitors free to offer occasional real-time feedback, or mentors who offer direct support but who report on their activities only to the mission. If there are clearly superior outcomes from one approach or another according to whatever indicators selected for the trial, the mission could adopt that as its operational standard.

#### *5.3.4.3 Mentoring (and advising)*

- Further thought should be given to how best to integrate co-location and mentoring by justice components. Co-located officers would be particularly useful to cement new administrative and bureaucratic practice introduced through training or policy reform.
- Component leader should convene regular, collective meetings with mentors to generate the best sense of progress and obstacles in the mentoring program, address obstacles and discuss guidance.

### 5.3.5 Promoting accessibility and understanding of the justice system

#### *5.3.5.1 Access to justice programs*

- Programs should be developed in partnership either with government or local civil society organizations to build local capacity for sustainable provision of basic legal information to the public.

#### *5.3.5.2 Courts, prisons, SGBV and domestic violence*

- The design and implementation of programs to combat SGBV should address causes as well as consequences, in particular violence reduction efforts focused on ex-combatants, which should begin with Disarmament, Demobilization and Reintegration programming.
- When a mission and its partners plan an impunity-fighting initiative with the government, the requisite commitments from the government to execute the plan, in the form of a signed Memorandum of Understanding, should be obtained before funds or personnel are committed to the endeavor.

#### *5.3.5.3 Looking beyond the formal: A policy approach to customary justice*

- Mission police, justice, civil affairs and human rights components should include customary justice mechanisms in any mapping of justice capacity at mission startup.
- As traditional justice tools and traditions gain greater attention in the peacebuilding community, CLJAS and mission justice components should work to develop a policy approach to guide missions' interactions with customary justice institutions and mechanisms.



## 3 FACTORS ENABLING AND INHIBITING IMPACT

### 3.1 The Operational Environment

#### 3.1.1 Politics and political economy

In a 2010 essay on UN peacekeeping, Tufts University scholar Ian Johnstone posed three questions regarding UN peace operations and their political environments: “How transformative should an operation seek to be? What are the parameters of consent? What is the relationship between internal and external actors over time?”<sup>5</sup>

The answer to the first question starts with the “core business” of peacekeeping, which Johnstone draws from the New Horizon initiative (first progress report): to articulate priorities and guiding strategies for all UN peacebuilders in a given area of operations (the integrated mission function); to provide a security umbrella for all peacebuilders; and to do elements of peacebuilding itself (police, justice, corrections and security sector reform).<sup>6</sup> Because mandate language is often rather broad, mission leaders have latitude to interpret it narrowly or expansively. Johnstone urges the latter course and engagement of both elites and people in peacebuilding, especially if the accord being implemented aspires to be more than a contract among armed actors, that is, includes elements of a new “social compact.” If it does, then merely deferring to leaders’ preferences “is not managing consent but abdicating responsibility.”

The parameters of that consent include acceptance—by the government and its political rivals—of an international armed presence and the negotiated peace process that it deploys to support. Consent does not necessarily extend, however, to the mandate and *its* implementation, since the mandate reflects the Security Council’s views on peace and not necessarily those of the government or its rivals.

Finally, UN peacekeeping has an “obsolescing bargain” with local authorities and people. If some tasks are not started early, they may not be started at all. Missions slow to deploy leave peace unimplemented and most UN missions have been slow to deploy (6–12 months for uniformed components, which are the most visible parts of an operation). Some host governments have obstructed even that modest progression, as did the government of Sudan regarding deployments to Darfur. Others (e.g., Burundi, Chad and Eritrea) have invited out missions that no longer serve their interests or objectives. “Political will” was revoked.

Political will is shorthand for the degree and quality of engagement with a mission by the host government, political and bureaucratic actors in the mission area; by the UN system at large; and by major donors of necessary supplemental resources. The range of political will can include: (1) full engagement in and support of the peacebuilding process and mission mandate, reflected in rapid top-level decision-making and congruent instructions to subsidiary bodies to implement those decisions; (2) partial engagement—some decisions are taken, others not, largely due to lack of capacity, leaving the mission unable to proceed without transgressing sovereign prerogatives; (3) passive consent—what “consent” is usually taken to mean as a defining attribute of peacekeeping: a lack of opposition to international presence; (4) partial or covert opposition: delayed decisions on critical legislation or quiet obstruction of reforms or deployments; and (5) overt opposition—where a host government may acquiesce to a mission under international political pressure but use its powers to block or to undermine deployment or activities.

Political will can vary over time (e.g., at mission start-up versus two to three or ten years on), over leaders, over regions of the country and over elements of the mandate or reconstruction program (e.g., liking the new facilities but not the transparency mechanisms). The political will of the host government may be influenced by a range of actors, from persuasive mission leadership to the leaders of neighboring states, regional powers and global powers. We return to questions of will and leadership frequently.

In assessing the political economies of post-conflict countries, Robert Muggah and Keith Krause stress the importance of “growing” local government<sup>7</sup> and giving municipalities, especially in Africa, greater autonomy and revenue-generation capacity on what they refer to as a Latin American model.<sup>8</sup> Mats Berdal similarly warns of the impact of national-level turbulence on local government. It is not the case, he argues, that “states collapse or fall apart and can then be put back together again.”<sup>9</sup> They never fully collapse, but can never just be re-assembled either:

War-torn ‘postconflict’ societies [...] do not collapse into complete anarchy. Alternative systems of coping, even governance, emerge that are built around bonds of loyalty, trust and mutual interest at a local level. While these represent a form of adaptation to extreme circumstances and may also have violence built into them, they will also have deep historical and cultural roots.<sup>10</sup>

Andrew Goldsmith and Sinclair Dinnen tighten the focus to the politics of police building, stressing that “it can only proceed at all if it is characterized by,”

1. Learning about the foreign setting in considerable detail before active engagement, in part through consultation with local groups as well as through better utilization of area expertise;
2. Displaying a degree of reflexivity and humility about the objectives behind police-building and how these might be perceived and responded to locally;
3. Adopting a methodology of practice that is flexible and adaptive to local circumstances, including the ability to defer to local knowledge and methods...; and
4. Practicing a kind of institutional reform that is not limited to the short-term technical aspects of police service delivery, but rather is grounded in the broader set of political relations, informal as well as formal, that constitute the terrain of police building.<sup>11</sup>

National and local ownership of many things are contested after war, both openly and clandestinely, a factor that UN policy documents tend to ignore. The Secretary-General’s 2009 report on early peacebuilding, for example, addressed extension of state authority as an answer to “impunity for serious crimes [...] which may have occurred before...,” not acknowledging that a transitional government and even the one that succeeds it may be led by the perpetrators of those crimes.<sup>12</sup> Peace is also likely to open further opportunities for neo-patrimonial networks with long and deep roots that divert public funds from the public sphere, to the extent that one remains functional.<sup>13</sup>

Limited policy development and implementation capacities of host state institutions impose considerable drag on mission mandate implementation even when political will is favorable to collaboration. Laws need to make their way past Ministers and through legislatures whose staff expertise may be stripped away after every election, especially if there is significant turnover in representation. Staff more often work for the member of parliament than for the institution and new members in any case may wish to place people in advisory positions who have their personal trust. It is a mistake, therefore, to think that either executive or legislative capacity in most mission host states will approach some ‘Weberian’ threshold of public service in the time that a UN mission

is present. Something less than this ultimately has to be acceptable to the mission, its bosses and implementing partners but is difficult to define in advance. It may even be inadvisable to define lest national and international players alike “teach to the test” rather than grappling for solutions that generate the greatest local good within the time and resources available to the mission.

### 3.1.2 Security and the climate for violence

Political violence (where “political” includes any motivation related to gaining or keeping power over public policy) can threaten the fabric of government (as in Sierra Leone 1998–99, Côte d’Ivoire 2002–11, Haiti 2004, and Timor-Leste 2006) or shred it (as in DRC 1998–99, Liberia 2003 and Libya 2011). Political violence may also erupt several years after a mission deploys (Kosovo 2004, eastern DRC 2007–09, Timor-Leste 2008, Côte d’Ivoire 2010–11). But only some of this violence can be characterized as “top down” in nature.

The early post-conflict period offers broad opportunity to “oligopolies of violence” and the issue is much more complex than one of “crime” versus “the state.” There is some of each in the other. Moreover, the presence of peace operations “reshapes the opportunity spaces” in which “violence entrepreneurs” operate.<sup>14</sup>

A focus on national politics and extending the reach of national government may also result in the devaluing of local violence that may arise from micro-level conflict dynamics. After several years of field research focused on the DRC, Severine Autesserre concluded that the only explanation left standing for the international community’s collective failure to deal effectively with the violence in the eastern part of the country is a “dominant peacebuilding culture” with a shared understanding “of elections (as a workable and legitimate peace-and state-building strategy), of local violence (as normal), and of the persistence of localized fighting (as unrelated to the success of the transition [to an elected government]).”<sup>15</sup>

In internal wars, social capital—“trust, norms and networks that facilitate coordination and cooperation”—can have a particularly dark side. Such wars may reinforce in-group solidarity (“bonding social capital”) while weakening or destroying relations between groups (“bridging social capital”): “During civil wars, group identity can be expressed through violence [...] such as expropriation of property or businesses, pillaging, rape and murder. Meanwhile, bridging social capital is destroyed, with consequences that can be just as serious as losses of physical capital.”<sup>16</sup>

Social violence may arise from disputes over land ownership and from clashes between pastoralists and agriculturalists over access.<sup>17</sup> When land disputes do involve violence, they often escalate beyond the ability of justice institutions to effectively handle and become a temporary military problem. In the face of major violence, the military (host state, mission and/or international intervention) will likely have the primary security role.<sup>18</sup> It has been critical in such situations to have well-defined joint Standard Operating Procedures (SOPs) for mission military and police components. MINUSTAH developed such SOPs in 2005, for example, and revised them in 2009, to minimize on-site confusion as to incident management and how, when and whether to hand over command from military to police, or vice versa, especially in close urban settings.

### 3.1.3 The physical environment

The physical environment of the mission area may impose its own costs and limitations on outcomes and impact. Current UN areas of operation range from the 19,000 square kilometers and roughly 1 million people of Timor-Leste to the 2 million square kilometers and 70 million people of

the DRC. Mountains, deserts, seasonal flooding, marginal ground transport networks and long lines of supply drive up the costs of deployment and operations, the cost and difficulty of building local infrastructure, and the prospects of finding and sustaining the personnel (mission and local) who will deploy to remote locations. Inducing local police to serve in locations remote from the capital is, however, a problem in missions of all sizes and configurations.

Potential mission impact decreases as deployment becomes more attenuated; adjusting the range of deployment and focusing on key regions may offer an opportunity to increase impact locally, as has been the objective for several years in eastern DRC (although even that degree of ‘focus’ is attenuating for a police component the size of MONUSCO’s). Not attending to mostly stable or hard-to-access areas can, on the other hand, allow local disputes to simmer and flare. These deployment dilemmas are reinforced by the reality of limited member state resources and competing demands for those resources.

#### **3.1.4 The resource environment**

Here we refer to the political, fiscal, and material resources that may be made available to or for the benefit of a mission, beyond its assigned personnel and budget. Political pressure from the international community, or from local communities, may alter the stance of the host government.

Reports and recommendations on UNPOL needs often focus on skillsets and host state policing needs—all important—but such recommendations assume that increasing the numbers of skilled police officers would result in an immediate improvement in UNPOL outcomes. Research for this study suggests that for changes in quality and quantity of UNPOL to make a difference, institutional support for UNPOL needs to be improved. Many skilled officers deployed with UN missions are frustrated with their limited impact but the most commonly noted performance inhibitors were not unqualified colleagues but lack of institutional support: weak or non-existent institutional memory and knowledge sharing mechanisms, little in the way of translation capabilities and insufficient strategic guidance. Similar issues apply in the other mission components researched for this report.

### **3.2 Headquarters Knowledge Acquisition and Management**

#### **3.2.1 Research and analysis at headquarters level**

Headquarters has not gone as far as field missions in developing fusion centers for information and analysis. Joint Mission Analysis Centers are still much smaller (on the order of four to six analysts) than would seem advisable for complex operations with multi-component mandates and many potential lines of analysis to create and maintain. However, Headquarters still lacks a comparable information fusion center, as proposed over a decade ago by the Brahimi Report, developed in detail by the Secretariat but turned aside by member states. The lack of such central analytic capacity sometimes makes the Secretariat less than the sum of its parts in this area. Better strategic analysis could serve a very important purpose for missions by offering broader capacity for research in mission-critical areas—including regional security analyses that missions need but lack time to generate. A further and complementary tie-in would be with the Groups and Panels of Experts now appointed by the Security Council on a regular basis to monitor the implementation of sanctions aimed at a number of countries hosting UN operations. These teams generate detailed information on the activities of criminal networks linked to sanctions violations.<sup>19</sup>



### 3.2.2 Headquarters assessment missions

Technical Assessment Missions (TAMs) with mixed technical expertise survey the mission area and make recommendations for mission size, structure and focus. But unless technical expertise is leavened with deeper country knowledge from the UN Country Team and other agencies, government experts or independent scholars, institutional and societal needs may be misinterpreted and local resources missed. TAMs typically do their field work in two to three weeks and write their report in an equivalent amount of time.

Still, some assessment and planning missions get most things right on the first take. For example, the justice planning team led by CLJAS/OROLSI/DPKO to eastern Chad in April 2008, as MINURCAT was getting itself organized, included representatives from OHCHR, UNHCR, UNICEF, UNDP and the EU. It characterized the state of the Chadian justice system and made four priority recommendations: on case tracking of individuals arrested by UN-trained police, increased UN support for mobile courts, support for 'key prisons' in the east and dialog with the informal justice sector. Its recommendations became MINURCAT priorities.<sup>20</sup>

Periodic, post-deployment, HQ-based assessment teams visit the field to assess progress against mandated goals or MOUs with the host government. If assessment teams are well-briefed, they can offer perspective that mission personnel may lose over time. Such teams can also make recommendations that missions may recognize as needed but as more awkward for the mission to originate than to implement as guidance from HQ. Mid-course assessment missions may recommend major course corrections in mandate implementation.

With the advent of modest standing HQ capacities in police and rule of law, Headquarters can also, to some degree, help Missions meet recommendations that assessment teams make, offering fresh eyes and extra labor to develop policy or draft guidelines, as the Standing Police Capacity (SPC) has done in Timor-Leste, Guinea-Bissau and Haiti.<sup>21</sup> A complementary Justice and Corrections Standing Capacity (JCSC), established in April 2011, has five justice and corrections officers capable of starting up justice and/or corrections components when new missions arise or providing extra capacity for ongoing peace operations. Thus far, JCSC has been used in UNMISS (South Sudan) and UNOCI (Côte d'Ivoire).<sup>22</sup>

### 3.2.3 Headquarters planning and guidance

New York Headquarters elements of DPKO (the Office of Military Affairs and the Police Division) develop initial Concepts of Operations (CONOPS) for the military and police components of new missions, as part of the Integrated Mission Planning Process. Subsequent updates of CONOPS are developed in coordination with the mission. The civilian elements of a mission generally do not have as detailed a guidance document at mission startup. DPKO does have a Policy on "Justice Components in United Nations Peace Operations" (first issued December 2009) that offers comprehensive, generic guidance on the development and work of mission justice components with local counterparts, which include "the ministry of justice, the courts, prosecutor's office, defense counsel, attorneys and customary or traditional justice mechanisms." A pioneering Policy Directive on "Prison Support in UN Peacekeeping Operations" was issued in December 2005.<sup>23</sup> UN Police have numerous guidelines on elements of police practice, from census to certification and reform, restructuring and rebuilding but have lacked over-arching guidance. A revised Policy on FPU was issued in February 2010 following 2008 performance assessments of FPUs in the field<sup>24</sup> and a Strategic Guidance Framework (SGF) is presently under development and slated for regional consultations with UN member states starting mid-2012.

The scope of police and justice roles in UN missions has broadened considerably since their re-expansion commenced in mid-1999 with the executive mandates in Kosovo and East Timor. Subsequently, missions have been assigned robust roles supporting police operations as well as reform of weak police services and justice sectors in Liberia, Haiti and the DRC. However, broadly worded mandates have tended to repeat for different missions and countries. For police in particular, in the absence of an overarching UN police strategy or better-informed initial TAMs, the result has been mission creep at a macro level. Conceptual terms such as “protection of civilians” (POC) and “monitoring, advising and mentoring” (MAM) are commonly used in mandates but can be problematic to operationalize. Both terms appear to have been taken to mean all-encompassing support to host state police at all levels throughout the country, as POC is viewed by UNPD and UNPOL alike as the basic task of community-oriented policing (section 4.4.4.5) and there is no intrinsic niche by location or level for MAM. Both are topics that the SGF could usefully and definitively address.

Over the past decade or so, the United Nations has also worked to develop and promote integrated missions, to improve coherence and impact of UN work. UN integration has been formal policy for some years and is gradually becoming entrenched as practice in field missions. Many interviewees commended improved coordination between mission units and UN agencies, observing that integration is well-progressed and bearing fruit in a number of missions.<sup>25</sup> However, while field missions have become increasingly well-integrated, the reverse appears true for HQ from the field’s perspective. Field-based interviewees perceived that integration blockages in HQ impacted the ability of field components to become fully integrated with UN agencies and presented a barrier to meaningful system change toward ‘Delivering as One UN’. Competition, mistrust and turf battles at HQ level undercut efforts to embrace integration in the field. HQ doesn’t have as strong an incentive to break down thematic walls as missions do.

On the other hand, interviewees also noted that wholesale integration is potentially counterproductive. Field and HQ interviews alike illustrated the perspective that the UN family benefits from the diversity of its institutions and their perspectives. It was observed that speaking as ‘one voice’ when dealing with host governments is important but that there is also added value in diversity of thinking, approach and response.

Field components did acknowledge a leading role for HQ in developing evaluation materials, impact assessment tools, survey models, data collection schematics and so on, as development of such tools can be time-consuming and challenging for field officers. A bank of templated resources that desk officers could adapt to match mission needs could enhance activities-tracking by HQ and field officers alike and support ongoing assessment of field work and the timely updating of policies and strategic plans.

### **3.2.4 Mission-to-headquarters reporting and feedback**

A well-maintained, steady, information stream between UN Headquarters and field missions is vital for the functioning and sustainability of missions. In general, interviewees found that HQ provided useful back-up for their field engagement. But information contained in field reports was not notably used by HQ and the time taken by reporting cut into their ability to do programmatic work. A few interviewees actively managed their reporting lines and informed HQ as to what information to ask for to understand field needs, outputs and challenges.<sup>26</sup>

Although SOPs exist to guide reporting requirements, few missions consistently adhere to procedure or reporting timeframes. Constructive and consistent feedback from HQ to acknowledge and

respond in substance to field reporting may promote adherence to reporting requirements. Interviewees highlighted as examples of particularly useful forms of feedback: the provision of comparative case material; relevant policy documents; historical examples of similar programs; and relevant contact points in other missions carrying out comparable projects.

A new online reporting mechanism has been developed by HQ to enable easier input and upload of information. Uniform reporting templates should be used and provided to all missions. A standardized, shared file storage system should be strictly enforced in field missions and HQ to ensure that all reports are easily accessible and to preserve institutional memory.

On the police side, regarding routine communications with New York, many interviewees described what seem to be broken feedback loops and their dissatisfaction with support and requests for information from New York. Some noted repeat HQ requests for information or requests that demonstrated a lack of communication and cohesion among HQ staff. Although the HQ staff is under considerable pressure, passing pressure to field personnel can be counterproductive to both.

HQ policy and planning support was generally regarded as helpful but some policies tend to be lost in the deluge of documents received upon arrival in mission and others were said to have only marginal impact on practice (another reason for common e-storage and access). The field also would like to see UNPD's new Selection and Recruitment Service focus on finding specialized skill sets and police who speak the mission language.

Field personnel described a different role for UNPD mission managers—that of providing more strategic guidance on UNPOL planning and evaluation efforts. Mission managers at Headquarters might be empowered to offer more guidance but only after winning the trust of the relevant Integrated Operational Team in the DPKO Office of Operations and the concurrence of their supervisors within UNPD Mission Management and Support Service and in the Office of the Police Adviser. If authoritative guidance only travels via code cable, however, 'empowerment' may mean little more than the consistent duty to draft such cables since they are signed at the level of Assistant Secretary-General and above.

On the justice and corrections side there was similar sentiment for routing field reports through desk officers for consolidation and uploading to shared-access e-storage. Important aspects in reports could be highlighted and shared at CLJAS team meetings and passed upward to leadership for visibility as part of an established knowledge sharing system. The use of code cables to ensure such visibility should be reduced to periodic cables that provide an overview of progress and/or flag particular concerns which necessitate acknowledgement and response from the ASG's, USG's or SG's office. Transmission of scheduled reports by code cable to raise their visibility within the system risks incorrect or missed storage of files and potentially disrupts the primary feedback relationship with the field, namely, through desk officers. Code cables should, however, be systematically stored in a protected network folder to maintain their confidential status. When a desk officer is on leave, a clear alternate should be designated to ensure support is maintained.

To HQ managers, mission police components can seem defensive, disinclined to develop joint plans with their host state counterparts, and also disinclined to accept third party evaluation of their work or offers of support. MINUSTAH appears to have sidelined a detailed and critical review of the Haitian National Police (HNP) by a regional police review team as well as offers of support in managing drug trafficking through the country.

At present, the preponderance of HQ visitations to missions involves mission assessment in one form or another. More effective support for missions will require more frequent personal contact between mission senior staff and HQ staff and opening the travel gates to HQ and mission personnel as often as possible, for informational rather than assessment purposes. In budget year 2011-12, visits to just ten missions are built into the HQ Support Account for UN Police Division and joint visits to eight missions by justice and corrections teams.<sup>27</sup> Member States may consider such travel unnecessary but it creates “bonding social capital” (the good kind) between HQ and missions that can be very valuable at critical periods.

- Pare back field reporting to the minimum essential information for each week or month, with flash reports as needed, more comprehensive reports quarterly and semi-annually, and annual reports summarizing “long-arc” issues of particular importance to mandate and peace implementation.
- Define “minimum essential information” through dialogue between HQ and field components and joint agreements at the respective annual heads of justice and corrections component meeting and heads of police component meeting.
- Allow desk officers/mission managers to make more informational visits to missions annually with no restraints on contacts within mission, while respecting the mission management chain.
- In turn, empower HQ mission managers to provide requested advice to missions, with appropriate intra-HQ coordination.

### **3.3 Mission Relations with Implementing Partners**

Mission-UNCT partnerships work for the Mission if there is unity of purpose with partner entities and timely delivery of appropriate support, all conditioned, of course, on the engagement of the host government. Partnerships are driven in part by most missions’ lack of program funds, aside from the \$1–2 million typically made available annually for Quick Impact Projects (QIPs).<sup>28</sup> Most QIP-funded projects have limited impact without consistent multi-cycle funding; lacking that, UNPOL are drawn into cyclical efforts to raise voluntary funds from donors with whom they may share national affiliation. UNMIL has established an UNPOL Donor Aid Coordination Team (DACT) composed of donor nationals that also facilitates coordination with UNDP and helped the LNP set up a similar unit to facilitate ongoing UNDP funding post-UNMIL.

Rarely, missions may have their own Trust Funds. A fund for MINURCAT was administered from New York, however, making quick collaboration with its EU field counterparts difficult, as the latter had delegated spending authority from their trust fund and MINURCAT did not.<sup>29</sup>

More often, the mission must coordinate with bilateral aid programs or work with a UNDP-administered Multi-Donor Trust Fund (MDTF). When funds solicited by mission personnel drop into an MDTF, the mission typically loses formal control of how they are spent.

Another path, recommended by the Senior Advisory Group on UN civilian capacity, would add project funding to assessed mission budgets where mission components, such as UNPOL, have “a comparative advantage in implementing a mandated task.”<sup>30</sup> Major donors and development agencies are reluctant to let integrated missions slip into the project and program management business, however. Missions taking up project management would also seem to run counter to recent efforts to limit the work of integrated missions to a somewhat arbitrarily defined “early peacebuilding” period.<sup>31</sup>

- In general, UNPOL should be better informed on where to seek partnerships that free resources to focus on their strengths. Gaps in specialized skillsets might be met by governments' dispatching teams of experts to the mission rather than seconded officers.
- QIPs should never be the principal source of funding for infrastructure projects as standard amounts rarely suffice to complete such projects. Rather, if UNPOL and/or host state police (as appropriate) articulate a vision and strategic plan, UNPOL can build donor confidence that voluntary funds will be well spent.

Justice and corrections components benefit from partnerships when funding, planning and implementing projects.<sup>32</sup> Donors and NGOs have been able to step in with funding for workshops and programs, with the assistance of UN components' trainers and experts. Local organizations may assist with training and gradually take on the functions being provided by internationals, creating sustained programming capacity. Examples include UNMIL's Legal and Judicial System Support Division (LJSSD), which has partnered with organizations such as The Carter Center and the American Bar Association on a number of training initiatives. These institutions in turn have partnered with local organizations such as Catholic Justice and Peace Commission, the Judicial Institute and the Law Faculty at Louis Arthur Grimes School of Law. UNOCI's Rule of Law Section has engaged with EU and German Development Cooperation (GIZ) on judicial and corrections capacity building and infrastructure projects. UNODC-led projects have aimed at rehabilitating prisons and establishing a professional corrections officer cadre in Guinea-Bissau. UNODC project managers have coordinated with UNIOGBIS and the governments of Guinea-Bissau and Portugal on funding, training and construction. In Haiti, MINUSTAH has collaborated with International Legal Aid Consortium (ILAC) and the government of Haiti on establishing 20 legal aid offices around the country.<sup>33</sup>

### **3.4 Mission Relations with the Host Government and Civil Society**

Cumulating experience with post-conflict peacebuilding suggests that international engagement with the central apparatus of government is not sufficient if the goal of the international community is more than minimizing conflict and preventing its recurrence. Mission components and their colleagues from the UN Country Team also need to engage civil society and work the problem from the grassroots upward.

#### **3.4.1 Component heads to mission leadership**

Leadership has always been and will always be one of the most important factors in mission success. This section focuses on the role of UNPOL leadership vis-à-vis the political level of the mission. A consistent inhibiting factor for missions is the lack of political will in host state politics and host state police leadership to push reform as part of police development.<sup>34</sup> Reform plans are approved but slow to be implemented; rank structures are put in place but the chain of command is not followed; evaluation forms are "around" but not used; or promotion procedures are developed but the procedure isn't followed and lacks transparency. Political will, when present, is rarely uniform across the government and senior levels of police, for a multitude of reasons.

As mission leadership deals with a constant volley of interests between stabilization and development, the long-term value of stabilization for long-term development can be overshadowed by more immediate security concerns that present themselves as a false choice of stabilization *or* development. Host government and politically appointed police officials focus on stabilization and staying in power, which financial transparency or fair and enforced performance appraisals may threaten. UN-supported police reform or institutional development programs can and have waited

years (as in Haiti, Timor-Leste, DRC, Southern Sudan and Liberia) for requisite legislation on the police or the courts to fall into place.

UNPOL leadership can also better inform mission leadership on how lack of reform from the top affects progress at middle and lower ranks. Mission leadership, in turn, should push for top-down government support for reform that gives identified future leaders incentives to stay in the police and enables them to move up through the ranks.

A review of mission leadership efforts to use political leverage on behalf of police-related political or institutional change suggests that such leverage, in general, is less than the UN system assumes it to be, from Security Council on down. Host governments may sign agreements that temporarily allocate police powers to missions in accordance with Council mandates—as in Haiti and Timor-Leste—but those agreements and the programs they call for may go nowhere unless originated by the host state police and approved by their political superiors, and may still run afoul of national political transitions or changes in the security environment as seen by the host state. Thus, in Chad, the government’s invitation to build police protection for refugees and IDPs on the Chad-Sudan border was revoked once a border accord was signed with Sudan, even though security in the east remained tenuous. In short, even if the host state seems over a barrel at mission start-up, it is still their barrel.

#### **3.4.2 Mission leadership to national leadership**

Relationships and reception of national authorities will vary from mission to mission but connection points and relationship building by key rule of law component leadership are vital to making and sustaining progress. As observed above, however, relationships may not suffice to overcome basic personal, political or institutional interests.

In Haiti, for example, despite government agreement to UN-led police reform in early 2006, the Haitian National Police did not fully buy into the HNP Reform Plan, contributing to HNP remaining a hollow, if more numerous, service three years later on the eve of the January 2010 earthquake. The experience of UNMIT was comparable, perhaps because what the government needed was the rebuilding of police in Dili, but what it got was a mission with a country-wide police reform mandate. What the UN experienced in turn was insubordination, as when the police and army (F-FTDL) formed a joint command, without consulting the UN Police Commissioner, in the wake of the attempted assassinations of the president and prime minister in February 2008.

Collaboration on police reform in Timor-Leste increased after UNMIT agreed, in March 2010, to give up its nominal autonomy in law enforcement more rapidly.<sup>35</sup> Although such handovers should be transparent, merit-based and mutually agreed, in practice law enforcement responsibility was returned to PNTL although Dili district (the capital, with 20 percent of the country’s population) had failed several handover qualification criteria. It was then agreed that Dili and other districts not meeting handover criteria would do so “within a reasonable time.”<sup>36</sup>

Reform of justice and corrections sectors can be equally difficult to incentivize.<sup>37</sup> In the DRC, for example, the national government has failed to keep pace with MONUSCO and international actors’ efforts to rebuild the court system and deploy judicial actors beyond the capital. While the incentive for President Kabila to extend state authority through the Police Nationale Congolaise (PNC) is clear, the incentive to develop a truly independent and functional judiciary is not. For different, though equally political reasons, corrections often lag other sectors in attention and resources. In the aftermath of civil conflict, when populations are struggling to feed themselves and rebuild, concerns

about conditions for ‘criminals’ fall low on the list of priorities of all but prisoners’ and detainees’ families.<sup>38</sup> Prison support does not win many fans or secure re-election for leaders.

- If host state will is not behind substantive reforms, mission rule of law components should consider significantly downgrading expectations of what the mission aims to achieve, adjust associated benchmarks and communicate these changes effectively to host state counterparts, the public and implementing partners.

### 3.4.3 Host government management style

In too many settings—missions and governments—centralized decision-making and chokepoints down the management chain can stifle innovation, disempower nascent middle managers and sidetrack timely solutions to pressing problems. Sometimes this reflects concern over ‘turf’, sometimes concern about losing access to unofficial income streams and sometimes the hollow nature of many national governing institutions, which experience rapid turnover at the tops of ministries while few chairs are occupied at implementing or oversight levels. ‘Big Man’ syndrome afflicts more than one continent’s governments and appears to be gender neutral as well. When the decision maker is absent or pre-occupied, decisions are not made.

Devolution of authority to appropriate middle levels or to regional and local authorities must be accompanied by clear devolution of decision-making and by training, advising and mentoring of officials receiving such authority. Even where nominal decentralization has occurred (e.g., from national capital to provincial governors), urgent issues can run afoul of blockages if authority is not further and clearly delegated. For example, a water shortage emergency occurred last year in Goma prison, DRC, while the regional Governor and his Ministers were away on retreat. Lower level officials argued that they did not have the authority to put fuel in water tankers, in order to drive them across town to refill the prison water tanks, without the Governor’s signature on a fuel purchase form.<sup>39</sup>

Failure to implement ‘chain of command’ also inhibits impact of UN training, mentoring and capacity building efforts. For example, training a superintendent of a prison can have little effect if he has neither the authority to make decisions nor clear command over his prison officers. Clear executive, management and administrative lines should be paralleled by appropriate pay scales, accountability and responsibility.

- UN missions should encourage devolution of host-state decision-making authority to middle levels and local officials within a common set of operational rules; in this area the mission should also be leading by example.

## 3.5 Accountability

Accountability mechanisms are critical early objectives of police, justice and corrections development, not because they can be instituted immediately but because they need a long time to take hold. At the same time, UN staff and Experts on Mission (including all UN Police and military observers) have functional immunity from criminal prosecution in the conduct of their duties under the 1946 Convention on United Nations Privileges and Immunities, which makes it somewhat awkward for UN missions to argue against impunity in the places where they serve.

### 3.5.1 Accountability mechanisms for mission personnel

As an intergovernmental organization, the United Nations has no criminal jurisdiction over its staff and asserts no disciplinary jurisdiction whatsoever over the uniformed personnel (military and police) who serve in its peace operations. In the last half-decade, in the wake of serious sexual exploitation and abuse scandals that first became public in MONUC in 2004, the UN has established Conduct and Discipline monitoring bodies at Headquarters and in every major mission. It has increased the investigative authority of its Office of Internal Oversight Services, and has developed a means of keeping track of individuals who have had allegations of serious misconduct levied against them that have been substantiated by OIOS or other investigation. But the missions have no power to detain those under investigation in the mission area and investigations stop once those under investigation leave the area. Sending states are requested to exert whatever authority they may have over crimes committed by their nationals overseas, but the UN cannot require that they pursue allegations nor does it often hear of the resolution of cases by sending states.

A 2009 Stimson Center study offers further analysis and recommendations for better accountability mechanisms for non-military personnel in UN missions.<sup>40</sup>

### 3.5.2 Oversight and accountability mechanisms in host state institutions

Police, judges and prison guards are placed in positions of power, with great potential for abuse; enhancing their operational capacity without instituting mechanisms to hold them accountable increases the risk of abuse. Thus internal accountability mechanisms for rule of law institutions need to be a priority from mission start up, forming a core tenet of any institutional reform process.

Yet accountability is also one of the most difficult and long-term units/functions that police and other rule of law institutions create, because it depends so much on values and on other systems that are also in development. At minimum, it relies upon professionalism (willingness to uphold standards and hold colleagues accountable as well); on having reporting systems in place (e.g., after action reports and consistently applied reporting procedures, so that complaints are not 'lost'); on forensics and ballistics testing; on the authority and will of internal accountability mechanisms to impose disciplinary sanctions; and on the appropriate justice or appeal board mechanisms being in place to ensure that accountability itself does not become arbitrary.

Those cases where police development has been relatively effective are also those in which internal and external accountability mechanisms have been established and police impunity has been reduced. In Sierra Leone, for example, the presence of substantial numbers of UN peacekeepers in UNAMSIL helped to stabilize the security environment from late 2001 through 2005 and a modest number of UNPOL helped with training of the Sierra Leone Police (SLP). The principal drivers of change, however, were a committed elected government (president) willing to support radical change, a national strategy to support that change, and a single donor (UK) willing to invest a time and money to the enterprise.<sup>41</sup> Further, former UK police superintendent Keith Biddle used his position as interim Inspector General of Police to recruit, train and promote the most promising young officers into middle management positions. Many recruited during his tenure (1999-2003) have since risen to senior positions in the SLP.<sup>42</sup>

Within the SLP, the Complaints, Discipline and Internal Investigations Department (CDIID) was established in 2000. Its officers are dispersed throughout the country, based at major police stations but reporting to the head of CDIID in Freetown. They have responsibility not just for taking complaints and investigating infractions but for reporting on the operating quality of stations and equipment, using standard checklists originally developed by the UN. In more recent years, however, growing police indiscipline has been traced in part to shortfalls in CDIID's work.



To combat criminal impunity in the army and police in the DRC, MONUSCO, in partnership with the International Organization for Migration (IOM), have contracted specialist investigators and military justice experts to assist Congolese military justice officials to investigate and prosecute serious crimes in Eastern Congo, primarily focusing on mass rape. The aim was to have five operational Prosecution Support Cells (PSCs) by end of 2011 but their substantive work was curtailed by delayed signature of the requisite Memorandum of Understanding by Ministries of Justice and Defence officials in Kinshasa. Without the MOU, PSCs were limited to providing logistical support to military investigations—airlifts, vehicles, computer equipment and so on. Access to military files and agreement to support investigations was finally confirmed through the MOU, which was signed in first quarter 2012.<sup>43</sup> (In the meantime, the rush to post temporary help to the PSCs, funded by Canada and implemented by the IOM in order to backfill the expected vacancies while the UN recruited the ‘permanent’ PSC, left the temporary personnel doing very little, at high cost to the donor.) Such political/legal delays have been common in the recent surge of complex UN peace operations (in addition to DRC, in Timor-Leste, Haiti and Liberia).

Although the PSCs are a novel experiment in the fight against official impunity, the problem remains a serious one in DRC, as it does in virtually all other mission areas.

Accountability is an area that would benefit from co-location and strict monitoring to ensure that culture, habit and practice of investigating complaints and assigning responsibility take hold. It goes without saying (although we are saying it anyway) that those monitoring and mentoring accountability mechanisms must themselves behave in a professional and ethical manner at all times if their presence is not to undermine what they and the UN are trying to achieve. They also must be held accountable for lapses.<sup>44</sup>

External accountability requires attention to capacity-building. Parliament, media and civil society organizations have an important role to play in providing oversight of public institutions. Legislative oversight, freedom of the press and monitoring access for civil society organizations are all important constituents of external accountability. Senior level advisors can play an important role by encouraging host state components to accept and respond appropriately to criticism and by promoting appreciation of oversight as a positive attribute of any peaceful, democratic society.

Observations from mission visits emphasized the importance of justice and corrections components following the proper institutional paths in doing their work. When trying to maximize progress it can be tempting to avoid ‘difficult’ interlocutors or slow moving departments in host state institutions. In the moment, this can seem understandable and necessary to get things done but components should take care that tactical shortcuts do not undermine accountability.

Missions are at different progress points in establishing internal and external accountability mechanisms but virtually all suffer implementation failures. Erasing habits of impunity, ‘big man syndrome’, crushing of criticism and histories of untouchable elites take time and persistence well beyond the duration of peacekeeping missions. Mission components will likely not be present at the maturation of the institutions that they seek to shape but can be present at the creation, planting the seeds for institutional culture change and encouraging development of national oversight and monitoring.<sup>45</sup>

- Building internal and external accountability mechanisms for host state police, justice and corrections institutions should be a mission goal from day one.
- Injecting accountability into a police structure may require a sharp shakeup in how the institution is managed, which requires full government support and possibly the temporary import of outside management.



## 4 POLICE COMPONENT

### 4.1 Designing and Building the Police Component

Historically, the UN Police Division has relied upon a model of officer secondments from member states in response to vacancy announcements circulated among member states. When missions mostly involved monitoring rather mentoring and advising, qualifying skill sets as late as 2001 were limited to language proficiency in the mission language, driving competency, and the ability to handle weapons and hit targets in timed tests.<sup>46</sup> By the turn of the century, the tasks of UN Police had become much more complex.

#### 4.1.1 Recruiting the needed skills

The police components of missions, which traditionally have used a minimum of funded mission budget posts, potentially have better ability to match form to function in the mission planning process, which historically has tended to pay more attention to planning posts than to executing functions. Being less tied to a defined set of posts should facilitate the focused recruitment and refinement of skill sets needed to carry out mandated UNPOL functions. But the present police recruitment system and its relative economy for the UN (police contributing countries continue to pay individual officers' salaries on mission while the UN pays for transport and sustainment) may have contributed both to the high number of police in UN missions and to lower quality candidates and shortages of specialists. Police development is not an intrinsic police skill any more than hospital construction is an intrinsic skill of surgeons or aircraft design and manufacture is an intrinsic skill of pilots. Police components are increasingly aware of the need for such developmental skills (as well as administrative skills to run the component itself).

In its latest quest for specialized police personnel, UNPD is seeking 205 more UNPOL from PCCs for UNOCI to “assist in building the capacity of the Ivorian law enforcement agencies in such specialized areas as crowd control, community policing, judicial policing, communication, criminal investigation, sexual- and gender-based violence, organized crime and border management.”<sup>47</sup>

Not finding needed specialists in adequate numbers amongst the secondees they receive, some missions have opted increasingly to add budgeted civilian posts—seeking functional expertise combined with an understanding of police work—and are consistently saying that the value of these added skillsets is greater than that of an added UNPOL. Such expertise may include policy officers (for the Office of the Police Commissioner or Senior Police Adviser) and project managers (to help with design, prioritization and sequencing), procurement specialists and civil engineers (to advise and oversee police-related construction projects). Simply switching to civilian posts does not solve the problem—other enablers are needed—but the needed skillsets are more likely to be found in a wider market with a larger selection pool.

Each civilian will be more costly to the mission (full salary and benefits vs. daily living allowance only, for individual UNPOL) but longer tenure and greater expertise would be expected to make the cost acceptable and pay dividends in the longer run. To be effective, civilian posts in mission police components should entail a minimum 2 year commitment so that post holders could build and sustain relationships with local counterparts who would otherwise cycle through four to six seconded UNPOL over that period of time.

The Senior Advisory Group on Civilian Capacity suggested in its February 2011 report that seconding civilians as Experts on Mission (EOM) might be sufficient to meet mission needs for civilian expertise, although it did not quite get the scheme of reimbursements right (contributing countries are reimbursed “at standard rates” only for troops and police deployed in formed units).<sup>48</sup> The EOM model for police is what UNPD has been relying upon to date. Broadening the selection pool still further might help, but the Advisory Group, citing both independent researchers and interviews with mission leadership, pointed to serious structural problems in the timely recruitment of civilian mission staff, despite recent changes in the main online recruitment system, indicating that even if qualified personnel are able and willing to serve, the UN’s personnel system is unable to embrace them in a timely manner.<sup>49</sup> One year after UNMIT’s budget request for 19 civilian experts was submitted to New York and seven months after the request was approved, nine candidates were being vetted, five had been selected but not vetted, and five were recommended for selection. By October 2011, 19 months post-request, 18 of the 19 specialists were deployed.<sup>50</sup>

- DPKO’s plans for new missions with police development mandates should routinely include civilian specialist posts within the mission’s police component, in lieu of a civilian Expert on Mission model of secondment from governments.
- UNPD should build and maintain a roster of pre-cleared civilian personnel with work experience in a police environment from which to directly recruit civilian personnel for missions.
- To be effective, civilian posts in mission police components should entail a minimum two year commitment so that post holders can build and sustain relationships with local counterparts.

#### **4.1.2 Pre-deployment and induction training**

Induction trainings vary widely, as did UNPOL opinions on their utility. The most helpful inductions included detailed information on the work that police components are doing in the mission, guidance on mentoring and advising roles, information specifically tailored for the individual officers’ roles, explanation of local laws, emphasis that UNPOL are required to train local counterparts according to local laws and introduction to local police structures and current plans and activities. The most helpful inductions were also interactive, including skits, role-playing exercises and visits to local police stations to observe procedures. The induction period can also be used to better allocate incoming officers within the police component: in UNMIL Police, for example CVs are circulated among heads of units, who then have an opportunity to identify needed skill sets, interview arriving UNPOL and place officers with the right skill sets in the right post. The least helpful inductions were not interactive and offered vague backgrounds on the history of the country.<sup>51</sup>

Inductive training periods are an opportunity to review incoming officers’ CVs, interview officers and allocate them effectively for specific posts. It should be noted that UNMIL’s interview and allocation process involves constant feedback with New York and PCCs on needed skillsets and, as an English speaking mission in an English-speaking country, its heavy investment in locating skilled UNPOL officers has been relatively successful when compared with other missions.

- Induction trainings should be interactive and include mission-specific preparation on current strategies, action plans and local laws, as well as guidance on mentoring and station visits.

## 4.2 Key Issues in Police Component Operations

### 4.2.1 Police component planning

Strategic planning is essential to police development programming, both for UNPOL and for host state police, who need to build their own planning processes, strategic vision and capacity to implement both. Currently these capabilities are developed inconsistently but where they exist, plans serve as reference points and help keep implementation projects on track. But plans should also be living documents that reflect changing needs and increasingly sophisticated leadership roles, and both UNPOL and host state planning should reflect that. The success of a mission depends on its ability to adapt to setbacks, with the goal in this case of leaving behind more professional and rights-respecting police services.

Based on extensive desk review and field and HQ interviews, strategic police development efforts have the greatest potential for impact when they include the following attributes:

- Plans should be initiated locally, co-developed as early as possible in the mission's deployment and revisited at regular intervals, especially important junctures such as inauguration of new capacities (e.g., a forensics lab) or the completion of a cycle of professional development.
- Plans should emphasize essential administrative systems development (see also 4.4.3).
- Plans should stress capacity development over capacity substitution (i.e., training and mentoring, with experienced and well-briefed mentors, in lieu of major operational roles).
- Plans should stress longer-term (one year or more) over short-term *basic* training for new police recruits, including those with prior military experience (see also 4.4.4.1).

### 4.2.2 Knowledge management, turnover, handover and learning

In the absence of routine knowledge management and handover procedures, rapid turnover in missions can leave new personnel climbing the same learning curve as their predecessors and repeating the same activities and projects. With six- to twelve-month assignments, every week spent learning how not to create a social or diplomatic incident while on duty and getting to know and gain the respect of colleagues and of local counterparts who may be breaking in their sixth or seventh foreign "mentor," makes new officers' jobs difficult regardless of skills.

Individual UNPOL can arrive in mission to find little information on their position, on work done to date by that position holder, or on plans for future work. Information is often stored on individual computers rather than network servers and shared drives, with the result that key information can be lost if a workstation breaks or a person leaves the mission and the station is prepared for the next user, perhaps by wiping it clean of "junk." Any solutions need to address how knowledge is routinely routed, shared and stored by discrete police units, the police component and the mission, such that information sharing becomes expected and enforced.<sup>52</sup> If explained as part of their job and daily responsibilities, if systems are in place to make it routine and user-friendly, and if inputs feed into an analytic framework (e.g., via the Joint Mission Analysis Center and/or its police intelligence equivalent) that produces useful and actionable products, UNPOL officers will be more likely to accept feeding the system as part of their job. Regarding handover, a standard handover kit should be given to every individual UNPOL and every FPU leader down to section level, to be completed for the benefit of their replacements before they are eligible for an air ticket home. This should be made clear in induction training and a refresher workshop on handover kits should be conducted three weeks before scheduled rotation out.

Deployment overlap seems rare but when implemented has cut the time needed by the incoming officer to become effective from months to within a few weeks of arrival. UNPOL arrival and departure overlaps are increasingly seen as critical for senior UNPOL officers but also important for officers doing more technical work at lower levels. Overlap permits imparting knowledge on strategy, progress and obstacles that is difficult to convey effectively on paper and allows personal introductions to host state counterparts by the current post-holder. Since UNPOL's work with police development is based heavily on personal relationships, setting the right tone and extending professional courtesy are essential enablers.

UNPD is attempting to find ways to overcome the present HR interdiction on having more than one person per post, even temporarily. (Given the percentage vacancies in most missions, officers rotating in might borrow a vacant post. This is harder to do, however, when there is only one post in a category, such as Head of Police Component.)

Inter-mission lessons learned have long gone largely unshared, despite acknowledged similarities between mandates and support provided to host state police. A recent exception to this pattern has been the West Africa Coast Initiative (WACI), a coordinated UNPD and UNPOL effort to support the creation of transnational organized crime units in participating host states' police. The enablers for this coordinated effort have been partnerships with the UN Office on Drugs and Crime (UNODC) and a Political Declaration and Strategy on Drug Abuse, Illicit Drug Trafficking and Organized Crimes in West Africa by the Economic Community of West African States (ECOWAS). The development of the transnational crime units is—for the most part—accepted as a regional initiative that UNPOL supports rather than an UNPOL-imposed model. More particular to UNPOL, Sierra Leone's early development of a similar unit placed it ahead of other WACI participating countries in implementing WACI and intermittent visits from UNIPSIL Police have led to better information sharing and peer-to-peer training. More frequent visits from UNPOL undertaking similar exercises would lead to improved knowledge transfer among UNPOL.

- DPKO should negotiate a standard initial 12-month term of service for seconded UNPOL with the option to offer high-performing officers a second term to reduce turnover and give mentor/advisors in particular greater opportunity for impact in their work.
- Adopt a practice of two- to four-week overlaps in mission for handovers between UNPOL at all levels to facilitate information transfer and introductions to host state counterparts.
- Missions should engage in regular information exchange and visits to see how common problems such as trans-border crime are addressed, to facilitate sharing of good practice.

### **4.3 UNPOL Operational and Operational Support Roles**

#### **4.3.1 Law enforcement in transitional administration**

In two locales, UN peace operations have been given law enforcement authority by the UN Security Council. UNMIK, in Kosovo, and UNTAET, in then-East Timor, were instructed to provide interim administrations until such time as Kosovo's political status could be determined and Timor-Leste gained its independence. Both mission areas are small, yet both provided daunting challenges to UN administrators. A legacy of Serb discrimination against Albanian Kosovars left little empathy for the minority of Kosovar Serbs remaining after Serb security forces left.<sup>53</sup> UNMIK police—assisted in maintaining public security by the large (45,000-strong) NATO-led Kosovo Force (KFOR)—faced the triple task of constructing itself, building a counterpart Kosovo Police Service to which policing would eventually be handed over, and enforcing the law, which in the early 2000s came in the form of unilateral "regulations" from the Special Representatives of the Secretary-General who were in

charge of UNMIK and thus of Kosovo under the mandate of Security Council Resolution 1244 (June 1999). The process and challenges of dual track law enforcement responsibilities and local police service development in Kosovo have been amply documented, and the story is one of learning by doing and putting the best face on an open-ended political situation, which exploded into riots in March 2004 that no elements of the international security forces handled well. The first UNMIK police development strategy was implemented in 2003, revised in 2006, and effectively junked in 2008 after Kosovars took political matters into their own hands and made a unilateral declaration of independence. Thereafter, UNMIK Police's primary pursuit was a smooth handover of operational responsibility to a successor EU operation, EULEX, in December 2008.

Certain aspects of the situation, such as Mitrovica, the Serb-controlled, triangular territory north of the Ibar River adjacent to Serbia proper presented problems both of management and equity right up to the operational end of the mission. UNMIK collectively can take some pride, however, in its primary legacy, the Kosovo Police Service.

UNTAET (1999-2002) and its successors UNMISSET (2002-05), UNOTIL (2005-06) and UNMIT (2006-present) managed the rebuilding of a destroyed economy and infrastructure, a society with little formal education but multiple overlapping loyalties in the form of clans and so-called "martial arts groups," a thinly veiled gang structure involved in the 2006 disturbances in Dili that brought international security forces back into the country, along with 1,600 UN Police with a new enforcement mandate. UNTAET prepared the new country for independence and built its police, courts and corrections capacities from a very narrow base of talent and resources. Lacking domestic judicial expertise, the Timorese government and UNDP launched a Legal Training Center in about 2005, which has continued to turn out classes of new judges, prosecutors, court clerks and defense attorneys every 15 to 18 months. By 2010, the Timorese Police (PNTL) had grown tired of UN tutelage and restructured the advisory relationship in collaboration with UNDP as the Police Development Program. Portugal, meanwhile, moonlighted some of its UN formed police unit personnel to provide the first new recruit training for PNTL since independence. Unlike KPS (or, post-UDI, "KP"), the PNTL lacked cohesion, equipment or unified and politically neutral leadership. The female Deputy General Director of the KP, Atifete Jahjaga, was actually drafted to run for president in 2011, and won.<sup>54</sup>

It seems unlikely that the UN Secretariat will ever again be given the sweeping governance powers they were given in 1999, but that does not mean they can look forward to future missions with no operational elements. Consider Haiti.

#### **4.3.2 Operational support and assistance**

Of UN missions launched in the last six to seven years, only UNMIT has been given an executive policing mandate. Missions more often have been mandated, under Chapter VII of the UN Charter, to "assist" or "support" the operations of host state police. UNMIT's authority was confirmed by a Supplemental Arrangement signed by government leadership a few months after it deployed. But authority on paper never quite matched authority in practice and whenever government leaders thought it necessary, they "borrowed back" their police service. MINUSTAH, in Haiti, does not have an executive mandate but signed a Supplemental Arrangement with the transitional Haitian government in February 2006 that gave UNPOL substantial discretion in police operations, including discretion on whether to include the HNP in those operations. MINUSTAH worked closely with the HNP and the military component in serial raids on gang strongholds in densely-populated slums that involved sustained firefights and looked more like urban warfare than peacekeeping. The raids did some good for the people of Haiti, and prolonged detention (of gang members) for once worked in

favor of public order, at least until the January 2010 earthquake emptied the central prison. The lesson is that missions do not need executive mandates to take effective police action if they are working in close partnership with the host state. Still, there can be a fine line between offering strong operational support and becoming substitutes for comparable national capabilities, both diminishing local ownership and creating undesirable dependencies. It is also undesirable to allow UNPOL to be drawn into local power dynamics.<sup>55</sup>

Gaining the advantages of close local partnerships while avoiding the pitfalls requires: (a) clear leadership guidelines that anticipate drawing down mission operational roles over time; (b) clear strategic and tactical guidance for both UNPOL and local police as to how such partnerships are to work that is developed with and embraced by national authorities; (c) wide dissemination of joint operational policies and procedures (less Directives on Use of Force) including to the public, so they better understand what they see happening around them; and (d) good understanding of local laws by UNPOL, or other applicable law if local laws are in transition.

UN operational support takes time to build, on the order of nine to 12 months to fully deploy police components.<sup>56</sup> In each of the cases reviewed for this study, however, UN operations deployed where local police services were either non-functioning or a threat to public security. The issue of early provision of public security has been debated in international police peacekeeping circles since the latter 1990s and to date the only solution found has been the deployment of coalition or regional organization military forces, either for the long haul (as in the Balkans since 1995 or in Timor-Leste since 2006) or a short time (as in DRC 2003 and 2006, Haiti 1994 and 2004, Chad 2008-09 and Timor in 1999). The replacement security for quickly-departing coalitions has been UN-flagged military contingents. The worry in UN policing circles has been that the Security Council may be tempted to try to provide early security with UNPOL. The relative shortage of capable and available police has always made that a non-starter, operationally, but the rise of Formed Police Units in UN peace operations has made it seem, at times, more feasible.

- Given the command and control problems inherent in police components that have been sourced from several dozen countries, UNPOL should not seek out heavy operational roles without major, prior changes in police components' operational authority and in contributing countries' constraints on and preparation of police for UN service in compliance with UN standards and expectations.
- Any UNPOL operational support to host state police should work in tandem with police development efforts designed to enable transfer of operational responsibilities to host state counterparts on a transparent and mutually agreed basis.
- UNPOL leadership needs to continually articulate the intent and timeline for its operational pullback and to bring potential donors interested in building local policing capacity into the conversation with the host state (see also 4.4.4.3).

### 4.3.3 Formed police units

In most UN operations, individual UNPOL usually deploy unarmed; exceptions have included Kosovo, Timor-Leste and Haiti. FPU are always armed and have been relatively easier for the UN to acquire than individual officers, for a number of reasons: states receive reimbursements for FPU members at the same rates as for military troops in formed contingents, as well as payments to defray wear and tear on equipment; and the United Nations receives abundant numbers of bodies to fill police slots in its burgeoning missions in groups of 125–140 rather than a few at a time.



FPU are generally assigned patrol and guard duties in addition to stand-by crowd control duties. FPU personnel are generally not trained as mentors.

In MONUSCO FPUs patrol and undertake humanitarian convoy escort together with PNC counterparts (*Police d'Intervention Rapide* [PIR] and *Groupes Mobiles d'Intervention* [GMI]) but also offer on-the-job training for PIR/GMI in public order maintenance. FPU deployments have been dispersed, however, and coordination among them lacking: Although FPUs had been deployed in DRC since late 2005, the first gathering together of all FPU commanders appears to have occurred in May 2009, to advise the Standing Police Capacity in drafting of the 2009-2011 Police Strategy for MONUC.<sup>57</sup>

In Liberia, FPUs have been used routinely to fill security gaps and their presence has had some impact in quelling tensions. Questions have been raised, however, over continued reliance on FPUs given concerns over units being tasked with non-mandated duties such as prison security and over operational deficiencies from requisite skills to improperly-serviced equipment.<sup>58</sup>

FPU quality issues that led to a comprehensive review of FPUs in 2008 and urgent field retraining of two-thirds of those units deployed appear not to have gone away, in part because FPUs have continued to rotate through field assignments every six to 12 months and the voluntarily funded Mobile Training Team program and training curriculum to guide its work took three years to finalize. Moreover, the requirement in the revised FPU policy that appears to have been intended to ensure the deployment of experienced and cohesive units—that a unit has been in existence for at least six months before it is eligible for UN deployment—has not had the intended effect. It may take from six months to two years from initial agreement with the sending state to deploy the agreed unit(s)—long enough for a unit to have been newly constructed for the field assignment yet still meet the longevity requirement for mission deployment.

- UN FPUs should be used as temporary security gap fillers in the early phases of a mission only if capable, well-equipped units with excellent mission language capacity and, ideally, local language capacity are available for rapid deployment. Units not meeting these criteria will be less useful than deployment of UN mobile training teams to develop host state public order police directly (see also 4.4.4.3).

## 4.4 Host State Police Development

### 4.4.1 Strategy and leadership when national will is lagging

Political will is often a composite of diverse organizational and individual interests that, in its complexity, can also present opportunities to support those who see the value of change for peace and for the efficacy of their institutions. High-level host state inertia can become mission inertia and compound frustration at technical levels, whether or not that frustration is clearly communicated to HQ. Over time, professional growth at basic and middle levels of police institutions plateaus and starts to diminish as the lack of systemic reform (in ranks, promotions, or payment systems) lowers morale and increases attrition rates. High attrition rates have a multiplying inhibitive effect on police development: morale drops further, the most qualified officers leave for private security companies; new officers cannot be recruited fast enough to make up for losses; and those newly recruited are not as qualified as those who have left (because educated police are a scarce resource in post-conflict countries).

When facing government delays, UNPOL still, for a time, generate respectable interim outcomes by focusing on training tasks judged to pay lasting dividends, such as development of mid-level management skills or offering training in basic operational-level procedures such as patrol technique that are potentially useful and enduring regardless of political outcomes. UNPOL can also be identifying local officers who have the qualities needed to spearhead reform—meaning more than facility with the Mission language.

#### **4.4.2 Baseline capacity mapping and census projects**

Unfortunately, some of the first steps to promote an effective police institution can also be the most sensitive, such as conducting a police census and identification program. Investing substantial amounts of time in building consensus and political agreement, as was done in Guinea Bissau, seems to be more successful than trying to build a census into another police process, as was attempted without success in MONUC in 2006, as part of elections preparations. The PNC, thought to range from 80,000 to 130,000 trained and untrained personnel, were finally tabulated by a long-delayed census funded by the European Union and carried out by the International Organization for Migration. Begun in November 2010, it ended in early October 2011, concluding that the PNC totaled 110,097 personnel.<sup>59</sup>

#### **4.4.3 Building critical administrative support functions**

Institution building and assembly of the support systems that keep a police service running have been lower priorities in most UN missions than operational support and are also the sorts of things that UNPOL do least well. These start with personnel and finance and continue with procurement and infrastructure development.

##### *4.4.3.1 Personnel (vetting, recruitment, performance reviews and promotion)*

Of the mission components and their host state counterparts addressed by this study, police are by far the most numerous and offering an opportunity in police service to ex-combatants may be a provision in a country's peace accords. Although the topic of developing a new police service is too broad to discuss here in full, the prospective long-term impact of procedures implemented ineffectively, albeit with good intentions, to exclude or include certain categories of people (e.g., vetting out human rights abusers or bringing in women and minorities). Numerous attempts at vetting have shown the difficulty of doing it in a post-conflict environment, whether due to lack of records, to widespread impunity or to hiring quotas (e.g., for ex-combatants, derived from peace accords). Yet inability to keep criminal elements out of a police service or merging ill-disciplined militia elements into it has long-lasting effects on the morale of honorable officers and undermines public confidence in the police.

Proactive campaigns to recruit minorities and women have proven relatively successful in Kosovo (13 percent female), Liberia (9 percent), Chad (9 percent) and Timor-Leste (22 percent).<sup>60</sup> The percentage of female individual UNPOL officers (as of March 2012) stands at 15 percent and FPU officers at 5 percent.<sup>61</sup>

Although women have been promoted into operational command ranks in Kosovo, women officers in other mission areas tend to hit a "glass wall" as well as "glass ceiling": channeled into administrative support roles and out of prospects for command billets. Interviews in Liberia also suggested that efforts to meet gender targets lowered educational standards so much for female recruits that some were incapable of performing basic police functions even after training. Responses to this realization varied across units: sometimes a concerted effort was made to

increase the individual's skill levels, sometimes they left the police and sometimes they just remained in place, which affected the morale of educated officers (Liberia has yet to implement a fair and effective promotion system for police).<sup>62</sup>

Once vetting is done—imperfectly, given the constraints noted above—personnel management offers an opportunity to begin correcting mistakes or allowances made during the early recruiting process. Personnel management begins at a most basic level with the identification of all police officers (see 4.4.2) and then advances to conducting performance evaluations and implementing merit-based promotion systems and schedules. As a proactive form of internal accountability, personnel management is another critical but long-term systemic reform that must be launched early in the reconstruction process and designed to cope with the potential objections or obstruction of senior political appointees, as noted earlier.

- Given constraints on the efficacy of vetting procedures in post-conflict settings, policies for newly rebuilt police services should stress the value of respect for human rights in policing and build in corrective mechanisms (e.g., probationary periods and reviews, disciplinary procedures, appeals processes and dismissal if earlier crimes come to light after vetting is completed).
- Proactive recruitment of female police needs additional management support to improve the quality and professional development of female police. The possible need for (and repercussions of) additional training or education should be factored into planning.
- UNPOL should be leading by example to expand its current focus on recruitment of female police to encourage more female officers in mission leadership roles.
- Development of personnel management systems for police should be stressed immediately upon mission start-up, together with budgeting and internal integrity.

#### 4.4.3.2 *Budgeting and payroll*

Host state institutions in post-conflict environments are often starting from scratch in this area. Personnel are paid in cash if at all, there may be no budgets and no auditors, 'ghosts' or doppelgangers are common and nominally active personnel may remain on the rolls for lack of a pension system. Individuals responsible for handling payroll, at any or all of several levels in the institution, may be profiting from this situation. Low pay may not only reflect low state revenues but decisions that channel resources elsewhere and assume that employees will make up the deficit via constant small extortions of payments from the general public. Development of budget and payroll systems is thus only effective when accompanied by and coordinated closely with personal and institutional integrity and transparency initiatives to stem revenue losses, while budgets are configured to pay a living wage. Such programs take time to develop and embed, as they ultimately involve much more than bookkeeping or even finding the necessary revenues. The necessary changes will often involve fixing the management structure and altering the values and expectations of the institution and its members alike. Thus, work on both the accounting and the integrity issues needs to start early in the process of peace implementation. However, missions find it difficult to recruit the necessary skills for the police component in particular, since budget and accounting roles in many contributing state police institutions are filled by civilians and not sworn officers. Such skills are thus among the capacities that missions have begun to acquire via international civilian posts and regular UN recruitment.

#### 4.4.3.3 *Procurement, construction and maintenance*

The UN system is slow and challenged on procurement, which can be compounded by challenges within the mission area itself. In Guinea-Bissau, police development faced numerous procurement difficulties including basic supplies. A model police station there took two years to complete in part because a government-selected contractor could not complete the job. Such difficulties are not limited to Guinea-Bissau. In eastern Chad, an overly ambitious work program led to delays in building stations and outposts that police trained by MINURCAT would need to function. As counterpoint, shoddy workmanship slowed the mission's training schedule when the floor of the Police Training School collapsed owing to substandard foundations.<sup>63</sup>

UNOPS (an independent, self-financing, operational support and contracting element of the UN) makes an effort to balance limited budgets against the cost/quality of locally resourced work. The risk is a building that is functional for little more than two years—to the dissatisfaction of local police and civil society, as repeatedly expressed in field interviews. Choosing land for construction will also depend in large part on decisions of local authorities who may face multiple claims of ownership with limited land records and whose own interests may influence the decision.

Infrastructure development is not a general purpose policing skill and recruiting UNPOL with such skills is difficult, while local police are rarely trained or mentored in facilities or equipment maintenance, leading to the frequent and rapid deterioration of such items. If police components intend to remain involved with infrastructure development, then they need to retain at least one good structural or civil engineer per mission who is familiar with police infrastructure design, and give them the authority needed to work with the logisticians in the mission support unit and project management entities like UNOPS to implement voluntarily funded construction programs. Most importantly, a maintenance plan and support to facilities management should receive as much attention as construction itself.

- Police components involved with infrastructure development should collaborate with UNOPS or similar implementing partner to embed with the partner the requisite personnel to advise on the design and placement of police stations, including international building standards (e.g., for holding cells) and the requisite project management expertise.
- A Global Field Support Strategy-type document that addresses police facilities construction and similar projects should be developed to promote understanding of requirements and better partnerships in project implementation.
- Maintenance should be viewed as a kind of local ownership to be stressed in project plans and developed in their implementation; project officers and mentors should stress the importance of developing a “culture of maintenance,” especially preventive maintenance, the lack of which rapidly diminishes the utility of equipment provided and facilities constructed, as well as close accounting of funds allocated to maintenance programs.

#### 4.4.3.4 *The question of appropriate technology*

In post-conflict countries, records, filing and case management systems are often destroyed or disrupted during conflict years. Rebuilding administrative capacity and record management is central to institutional memory and reconstructing capacity of host state institutions. Missions have formed beneficial partnerships with donor organizations and training programs to increase capacity of administrative staff and provide infrastructure, shelves, filing cabinets, manila folders, record books and paper, as well as photocopiers, computers and printers. Progress with new systems was observed where: local ownership was fostered at system development and implementation stages;

solutions were matched to environmental and budgetary constraints; and substantive training, including frequent refreshers, was provided to implementers. Though there may be a local desire to find high-tech solutions to information collection, thought must be given to whether equipment such as computers have reliable power or access to reliable generators and funds to fuel them; whether local staff have training to operate, service and financially maintain photocopiers, printers and computers; and where internet is required it is readily accessible to officers. It may be better to tilt initially toward low-tech solutions and to advise strategic planners on developing sustainable higher tech future options.

In Liberia, for example, UNPOL supported a locally driven national police (LNP) process to develop record books for LNP stations. LNP officers from various levels came together to decide a structure for the books, using examples from other countries. The final product, while perhaps not what any UNPOL officer's home service would have created, fit the needs of LNP and was developed by LNP officers. The LNP then went through a training process to implement the recordkeeping system in every station. With a few exceptions, these records are being maintained and UNPOL is now focusing on mentoring to support use of the system professionally and effectively, a challenge when other systems needed to facilitate such use are not yet in place.

In a further Liberian example, one specialized unit visited border and leeward police stations to explain why headquarters needed certain information from them and the reciprocal support this unit could provide to these stations. The briefings and short-term trainings focused on necessary information that could be conveyed through phone calls or text messages (e.g., license plates and brief descriptions) rather than email and databases.

The most effective operational impact may derive from systems such as these, to maintain information in a way that becomes part of the daily routine rather than a daily challenge—since the security environment presents plenty of challenges of its own.

There is the further complication of misuse of equipment or funds where both are abundant in circumstances where scarcity is the norm. Thus, local confidence that donors or missions will replace damaged or lost equipment may lead to higher rates of damage and loss than might otherwise be the case. Eastern Chad is a harsh environment with poor roads but reckless driving appears to have taken at least as great a toll as boulders and wadis on the vehicles of its UN-trained police service.<sup>64</sup> Similarly, ample maintenance funding need not mean ample maintenance (only 13 percent of the roughly 250 vehicles owned by the Timor-Leste National Police were operational in 2010, for example, despite repair costs averaging \$2,500 per vehicle in the first half of that year, a rate and cost that, together, suggest that little actual maintenance was being done).<sup>65</sup> Clients likely recognize that donors are reluctant to turn off the funding spigot lest donors' goals for IDP camp security and general public security be undermined in the two cases mentioned. This gives clients little inherent incentive to conserve funds or maintain material goods as they may otherwise do in economies of scarcity. These incentive structures do not apply exclusively to police and can de facto hold vulnerable populations hostage to continued donor largesse.

#### **4.4.4 Building operational capacity and professional values**

##### *4.4.4.1 Training and skills development*

UN Police components universally engage in the training of local police counterparts, focusing first on raising the operational visibility of local police, which becomes a focus on numbers, which leads to compressed training regimes. Repeated experience in Liberia, DRC, Timor-Leste and Haiti

demonstrates that limited basic training alone does not create an effective police service, nor does brief “refresher” training alter the behavioral tendencies of a legacy police force. Both the desk review and field interviews strongly suggested that the most effective basic training regimes have been at least one year in duration—interspersing classroom with field training. They are long enough to begin to develop both a set of working skills and a necessary institutional esprit. In the absence of host state police strategy or policy, UNPOL have tended toward short term expedients, especially where national elections provide a focus for short-term training. More than 20,000 persons were trained for static security duties for elections in both DRC and Southern Sudan, for example, and provided essential services then. Such short-term training does not create a police service, however.

Advanced and specialized training, sometimes conducted abroad at donors’ facilities, is essential for such skills as criminal investigation, police intelligence and forensics, but if multiple donors are involved there is a risk of confusion or at least inconsistency in outcomes, as well as tremendous hidden costs in coordination. The best outcomes to date have derived from single-donor support and in relatively small places where political and security environments have swung in favor of reform (e.g., UK and Sierra Leone, 2000-08; or US and the Liberian police Emergency Response Unit, 2007 to present).

Mission police training resources vary widely. The ratio of individual UNPOL to Haitian National Police is roughly 1:10 while the comparable ratio in DRC is on the order of 1:250. MINUSTAH, however, has been much more actively engaged in providing public safety and security in Haiti, both before and after the January 2010 earthquake. MONUSCO UNPOL, with fewer than 400 individual officers, can only support selective longer-term training and train-the-trainer efforts. They have focused their energies on supporting the International Security Sector Support Strategy (I4S) in the country’s unstable east, using a six-month training program begun in September 2010 to prepare police for deployment along several eastern “strategic axes.” But the remoteness of these locations and the continuing dangers posed by local militias nominally integrated into the national army have made PNC officers hesitant to deploy to the new facilities created for them and concerned about pay if they do, as payrolls still tend to be in cash.

Similarly, the 700 individual UNPOL in UNMIS (Sudan, 2005-2011), had limited capacity to influence the development of the South Sudan Police Service and no central training facility from which to work. The police in South Sudan, like the police in DRC, had a military and paramilitary legacy and were overshadowed by the military, making long-term training in purpose-built facilities essential to service transformation. For countries this large, however, the resource needs of such programs are likely to exceed even major donor capacities, especially when juxtaposed with other needs (educational, medical, infrastructural or communications) in those same states.

- UNPOL should support initiation of institutional development as soon as police training plans are drawn up; when it is part of a comprehensive strategic plan, long-term training can be incorporated more thoughtfully into a development sequence.
- Long-term training should be a minimum of one year and include classroom and iterative field training; if an element of training must be cut short, it should be classroom training.
- Long-term basic training should be followed by on-the-job training, effective mentoring and short-term specialized trainings to maximize the likelihood of long-term impact.
- UNPD and missions should engage donors on the value of focused long-term basic training supplemented by short-term specialized training programs for police.

#### 4.4.4.2 *Mentoring and advising in concept and practice*

In a number of missions, UNPOL officers serve as advisers to host state police leadership, while basic police training is augmented by UNPOL mentors conducting on-the-job training. But there was a clear lack of understanding observed by this project, within and across missions, both as to the intent and process of advising and mentoring. Vague statements on transfer of knowledge or the value of co-location, once explored in field interviews, would evoke very different approaches and methods from different interlocutors, often with a final conclusion that “it all depends on personalities,” that is, on the ability to build and maintain relationships.

Interviewees often stated that mentoring is assumed to be critical and is written into concepts of operation, but without clarity on the requirements, including both political and operational ramifications. For example, host state police units who don’t receive mentoring support feel left out, and faced with overall weak host state police capacity, mission mentoring becomes a task to be performed comprehensively at all levels and in all units. Efforts to implement mentoring so broadly tend to decay into monitoring and recording of numbers with no feedback or follow up, wasting UNPOL resources. Interviews indicated that station-level “mentoring” often amounted to just collecting numbers of persons detained. In some cases, officers accept the numbers and lengths of detention stated by host state police or check a piece of paper rather than actually checking the holding cells, a problem worsened by not ensuring that the same UNPOL visit the same stations regularly.

Consider also the potential workload of an intensive mentoring program, as for recertification of police in Timor-Leste. Reporting related to the initial six month mentoring requirements called for daily reports on ten core competencies for each officer mentored, which works out to 1,800 data points per officer, times several thousand officers mentored—enough to overwhelm even a good data tracking system. More than a year after it started, the program had certified just 20 percent of PNTL rolls.<sup>66</sup>

Mentoring and advising at mid and senior levels was done inconsistently wherever the project looked, in interviews and documentary review. Mentoring and co-location guidelines usually provided marginal aid to consistency while adding confusion on the terminology of mentoring, advising, training and monitoring.

In addition to such confusion, UNPOL officers are asked to mentor in a still-developing institution. For example, UNPOL officers are assigned mentoring tasks for units that are not operational and/or units with no funding, so either there is no one for UNPOL to mentor or no tools or equipment with which to work. Such difficulty can inspire innovation and creativity, however, and several cases offer lessons for UNPOL officers in such situations. Local police in Liberia, for example, reported that UNPOL officers who helped them understand and coordinate their funding process have had a lasting positive impact. In another situation, an UNPOL officer was tasked with mentoring a specialized police unit that up to that time existed only on paper. The officer became an interim recruiter of LNP officers, developed a list of skill sets, talked to LNP about potentially qualified officers for the unit, facilitated their transfers and trained them from the ground up so that the LNP officers were capable of making the unit operational. (These same LNP officers were, however, frustrated with the lack of progress elsewhere in the Liberian government to make the unit operational.)

These are the kinds of initiative that the UN could use much more of, exemplifying adaptive, “evolutionary” policebuilding and the kinds of people that the system should learn how to find, reward and retain.

In general, mentors must have knowledge or skills to transfer that are useful to clients at different phases of professional or institutional development. Criticisms emerged from several missions as to inadequate skill levels of some UNPOL as mentors or their inadequate rank for senior advisors—UN Police components may lack formal ranks but national ranks are clear from seconded officers’ uniforms. Inappropriate pairings matter most for senior level advising, which creates mutual dissatisfaction and often “silent resignation.”<sup>67</sup>

At higher levels, mentoring or advising may be resisted or resented unless it is clear that the mentor/ adviser brings value-added experience to the relationship and unless most advice derives from “demand pull” rather than “supply push.” At lower ranks, there will not be sufficient UNPOL in a mission to undertake one-on-one mentoring, which, together with UNPOL rotation rates, makes building good mentor-mentee relationships especially difficult and suggests recourse to less intense advising of small groups of officers, instead.

Mentoring may best be focused at middle management/mid-range leadership ranks, with appropriately qualified and experienced mentors, ideally planned in partnership/dialog between senior host state police leaders and the Head of Police Component. Raising the quality of middle ranks is the operational equivalent of training the trainer; moreover (assuming existence of appropriate performance appraisal and merit-based promotions systems), those officers will eventually rise to leadership positions. Appropriate mentoring at these levels is an investment, enhanced when accompanied by institutional reforms.

Finally, personalities matter and good mentoring depends on individual UNPOL officers’ respect for their counterparts. The need for respect can be drilled into UNPOL officers as part of induction training and mentoring guidance materials but UNPOL leadership decisions can also create conditions that generate mutual respect and understanding. Facilitating early observational co-location, for example, puts UNPOL officers in a setting where they can see the daily frustrations encountered by their counterparts; judiciously distributed observers and their compiled observations can generate an operational capacity map that supplements whatever initial assessment mission was able to generate. Once familiar with the processes they’ve been observing, UNPOL would be in a better position to mentor, if asked, as situations arise. UN institutional memory should prepare UNPOL officers for this work by apprising them of activities already undertaken with local counterparts by their predecessors.

- Develop standard definitions and guidance for monitoring, mentoring and advising and include them in the induction training package for all UNPOL.
- UNPOL leadership and guidance should inspire officers to step out of their comfort zone to develop and promote creative solutions that address host state counterparts’ actual needs better than standard/existing programs, and should publicly reward such creativity.
- Programming initiatives should be recorded in the mission’s or police component’s knowledge management system for sharing, critique and possible replication.
- Monitoring needs to encompass observation, documentation and analysis with a view to building a picture of an institution’s development trajectory that goes beyond a collection of holding cell numbers and case closure rates.



#### 4.4.4.3 Public order management: Investing locally

Donor countries may spend \$6–10 million to equip and train an FPU for a UN operation. Roughly \$2 million a year beyond that will be spent by the United Nations to reimburse PCCs for each FPU they deploy. At present more than 50 FPUs are deployed. In general, FPUs deploy late, may not be competent operationally, may have only scattered knowledge of the mission language and little local language facility. Knowledgeable individuals interviewed for this project suggested that this money might be better spent.

One suggestion is to invest in a first-rate training system for developing armed police units in peace operations' host countries. The argument is that if such training capacity could deploy and organize itself relatively rapidly, follow a standardized training regime, and have access to a pool of standard, appropriate equipment assembled by donors for this purpose, then local "public order police" units—or the capacity to assemble such units from cadres of national police officers—could be trained and stood up at least as quickly as foreign FPUs could be imported. Personnel recruited for these units could include individuals processed through Disarmament, Demobilization and Reintegration programs. UN Police Division has already developed a cadre of "certified international instructors" as part of its revived Mobile Training Team program.<sup>68</sup>

Public order police units already have been developed in several mission areas, often in a high/low intensity operation mix. UNMIL was instrumental in developing the Police Support Units in Liberia that are responsible for basic public order management and crowd control, while the United States contracted the development of an Emergency Response Unit (ERU) intended to deal with higher-level violence. Great care must be taken in such situations to delineate the operational responsibilities of such units and ensure unit discipline to avoid such incidents as the ERU tear-gassing opposition political party headquarters as Liberia's presidential runoff election neared.<sup>69</sup>

The DRC also has both higher-end *Police d'Intervention Rapide* [PIR] and the *Groupes Mobiles d'Intervention* [GMI] for other operations. Timor-Leste has had a number of different armed police units over time. The main difference between all these units and those proposed here would be UN command and control, embedded UN advisers and built-in long-term career incentives.

These units should function under the command and control of the UN Police Commissioner for at least the first two years of the mission—similar to the UN's original intent for UN-trained IDP camp security police in eastern Chad. An UNPOL trainer-adviser should be embedded with each platoon of UN-trained public order units. To be useful for early security purposes, their training would need to begin as soon as vetting and DDR provided recruits. This process assumes the full cooperation of the host government and would need to be articulated in the Status of Mission Agreement and/or a Memorandum of Understanding signed with the government.

Mission language capacity could be an issue with these units but local language capacity would not be an issue. The need to interpret from unit to mission is generally less fraught than the need to interpret from unit to crowd.

There may still be emergency cases where outside formed unit reinforcements are in order, but it would be much easier, in principle, for the UN to have access to a dozen or so well-trained and well-equipped FPUs for early deployment to new missions than it is now to find, train and equip dozens of units annually to feed the rotational cycle of the present, 54-unit deployment scheme.

In other words, the UN's fundamental emphasis could shift from importing FPUs to building local, multi-functional public order police, together with the requisite institutional support capacity. FPU capacity that now appears in a mission area and leaves again in six months would instead be trained, equipped, remain in the mission area and eventually revert to host state direction.

As the security situation permits, members of these units in good disciplinary standing should be eligible for long-term basic training and a career in national or local police services (not all countries have just centrally-managed police). This prospect would tend to overcome the "temporary cop" syndrome that deeply undermined the temporary police force assembled in Haiti in 1994 from former military personnel. These individuals knew from the start that they would not qualify for positions in the new Haitian National Police and so had little incentive to perform well. The incentives and safeguards suggested for the UN-POP program should remedy that situation.

- Use cadres of FPU trainers available to the UN Police Division to build "public order police" units in new mission areas, based on a common UN strategy and curriculum.
- Train and develop public order police units drawn from the population of the host state to replace UN FPUs at an early date in the mission cycle, subject to safeguards and incentives to ensure good performance.
- Develop partnerships with donors to contribute standardized equipment sets for public order police units trained by missions.
- Keep public order units trained by the UN under mission command and control as needed and embed an UNPOL trainer-adviser at the platoon level of each unit.
- DPKO should negotiate with police contributing countries to make available a relatively small number of professional, well-trained and well-equipped FPUs as first-responding units for public security in the first nine to 12 months of new UN missions while public order police units are trained by the mission.

#### *4.4.4.4 Integrated border management and security and mission collaboration*

MINUSTAH has for several years worked to support an integrated border management strategy for Haiti and has built the rudiments of a Maritime Police element. But these functions may end up shared with or transferred to whatever "second force" the government is now contemplating and remain inadequate to the task of policing Haiti's land and maritime borders against growing levels of drug trafficking.<sup>70</sup> In Timor-Leste, the police and army both have responsibility for elements of border security and the government has declined international advice to clarify those roles further. In Liberia, the military component of UNMIL has borne primary responsibility for that country's border security, especially vis-à-vis Côte d'Ivoire, with patrols periodically coordinated with UNOCI.<sup>71</sup> The Liberian National Police (LNP) has little effective presence in border areas, however. Recent initiatives with "Regional Security and Justice Hubs" are intended to give LNP (and courts and corrections) a better foothold "leeward" but public polling and interviews uniformly indicate fear of instability and insecurity returning as the UNMIL military component draws down without effective replacement. Most of the violence in the past eight years in the DRC has been in its eastern border areas, from Ituri District through North and South Kivu, with complex linkages to conflict minerals and cross-border ethnic ties. In Haiti, Sierra Leone, Guinea-Bissau and elsewhere, illegal drug trafficking and transit are growing national and regional problems.

Being so focused on the tactical and operational tasks of putting police on the streets, UNPOL and other police development programs pay less attention than they might do to drivers of conflict and where they could best be intercepted. Good value for missions and host state police alike would seem to derive from a combination of control of major border crossings that is sufficient to collect

excises on legitimate imported and exported goods, with measures to control corruption and diversion of funds; better and more focused criminal intelligence; better security for mineral exploitation sites; and the collaboration of mining and other extractive industries with regional and global minerals certification and management initiatives.<sup>72</sup> (See also section 4.2.2.)

- To maximize the effectiveness of integrated border management and security initiatives, missions should encourage the development of criminal intelligence capacity in the host state police service and emphasize it within the mission itself. It should also stress information sharing with counterpart agencies in neighboring states and host state participation in resource extraction certification and management initiatives.

#### 4.4.4.5 *Community-oriented policing*

Most of the missions surveyed for this study were directed to support some form of respectful and pro-active police engagement with local communities, either in their mandates or the subsequent UN Police CONOPS. Terminology has varied, from support of “community oriented policing,” to support of “internationally accepted principles of democratic policing,” to “ensuring that [police] are democratic and fully respect human rights and fundamental freedoms,” to assisting in monitoring and restructuring a police force that is “consistent with democratic policing.”<sup>73</sup>

Results have been mixed, for many of the reasons applicable to other elements of UNPOL work, including political will and partly because community policing is a concept that, while potentially clear in principle,<sup>74</sup> is ill-defined in practice and must also adapt, by definition, to the conditions and traditions of civil society in each mission area. In Timor-Leste, work on community policing seems to have rested primarily with the bilateral aid program of New Zealand and not UNMIT. Consecutive reviews of Haitian National Police development (in October 2009 and September 2011) have noted the failure of government and donors to agree on the model of community policing appropriate to Haiti. HNP practice provides increased public visibility of police through patrolling but not the public input that characterizes community-oriented policing programs elsewhere. MINUSTAH UNPOL implemented its own community policing approach in IDP camps post-quake, working closely “with camp committees and the local population” and maintaining permanent outposts in major camps in the capital.<sup>75</sup>

In Sudan, UNDP and UNPOL collaborated on community policing efforts from 2006 onward, focusing on the establishment of Police Community Relations Committees (PCRCs), of which 30 existed by 2008, with at least one committee in each of South Sudan’s ten states. UNPOL and the South Sudan Police Service (SSPS) collaborated on work models for the committees, which are intended both to “find workable solutions” to local security issues and to link SSPS with traditional/community conflict resolution mechanisms. An HQ team in mid-2010 noted improved community perceptions of security (based on limited meetings) that were locally attributed in part to community policing initiatives.<sup>76</sup>

In Liberia, substantial effort has been made to rebuild police-community relations since 2004, including the establishment of some 500 “Community Policing Forums” (now “Community Watch Forums”) with support from UNDP and the UN Peacebuilding Fund. County Steering Committees are also intended to contribute to community engagement and the concept may have gained ground in the last year or two. On the other hand, critics argue that the forums have functioned more as vehicles for the police to carry their message to communities than as vehicles for community participation in public security decisions and in 2010 just eight percent of the public in two counties surveyed “knew of community watch forums in their areas.”<sup>77</sup>

It is in Sierra Leone, however, where principles of community policing may have best been realized in a post-conflict country, despite its brutal history of civil war. The reform program created Local Policing Partnership Boards and, in parallel, replaced the single decision maker style of management with deliberative decision making, from the Executive Management Board at the top, out to provinces and districts, each official structure having a community counterpart. At the local level, community volunteers extend the reach of law enforcement beyond areas where SLP is continuously deployed.

Reform was also propelled by Sierra Leoneans' devastating experiences in the civil war, especially women, who contributed to the rise of the Family Support Units, the SLP's main tool for dealing with sexual violence and domestic violence. SLP reforms were, in short, holistic at least with respect to the police. Ministry oversight and justice and corrections reform lagged, however. By 2011 reformers also grew concerned that dwindling international support funding and a sluggish economy could invite a return of corrupt practices and undermine ten years' progress.<sup>78</sup>

- Tailor community-oriented policing programs to local circumstances and involve affected communities in the development of such programs.

#### *4.4.4.6 Combating SGBV*

Virtually all of the mission areas addressed by this study have a high reported incidence of Sexual and Gender-based Violence, including Haiti, Timor-Leste, Liberia and Chad.

The DRC, perhaps the epicenter of sexual violence in the central Africa region, adopted a National Strategy for Combatting Sexual Violence in November 2009 that has encouraged the development of specialized SGBV units within the Congolese National Police (PNC). The emphasis to date has been on building capacity for criminal investigation—a difficult and sensitive task where the need for female investigators is paramount—to some extent at the cost of lesser focus by police on prevention. Given the extent of the rape epidemic in DRC, prevention is the clear medium- to long-term solution. MONUSCO recognizes the need and has conducted some SGBV sensitization courses in collaboration with donors such as USAID in Ituri District, or training of trainers (30 to 50 at a time) in Bas Congo with EU Police Mission support. Training of trainers is a good first step, but the government itself needs not only to recognize but to actively promote, as a national priority, the elimination of SGBV, which means eliminating impunity in the army, police and throughout DRC's governing structures. The Prosecution Support Cells (see 3.5.2) are a step in that direction but eliminating impunity remains a goal that, so far and with current tools, remains out of reach.

Combating SGBV must be a gender-inclusive effort. Female police officers in particular can play an important role as part of special teams such as the Family Support Units developed in Sierra Leone (see text box), by their presence in SGBV units and by their availability in ordinary police stations to offer advice and take complaints from female victims who may otherwise be reticent to come forward.

Interviews indicated, however, that the scale of and focus on SGBV and other high-level war crimes may be absorbing so many resources in some places that attention to and institutional development focused on combatting other common serious crimes (e.g., homicide, armed robbery) suffer as a result. This is not to suggest less attention to rape but the need for a strategy that prevents rather than responds to it, as few perpetrators may ever be brought to trial in many of the areas where UN operations are deployed and even successful prosecution will often not restore the social standing of the victim.<sup>79</sup>

UN Police Division has developed a curriculum for preventing and investigating sexual and gender-based violence, which is being rolled out both to UN Police, Member State trainers and host-state police.

- Missions should support recruitment and inclusion of local female police into SGBV units but should also note the importance of female officers in other units and in stations, complementing and not to the exclusion of male officers in anti-SGBV roles.
- To keep the fight against SGBV from overwhelming host state policing resources, SGBV initiatives should be coupled with a prevention strategy targeted at groups considered the most frequent perpetrators of such violence.

#### *4.4.4.7 Recognizing and reducing domestic violence*

In Timor-Leste (used here as an example of a widely-prevalent problem), a Law against Domestic Violence was promulgated in 2009, with UN support. Domestic violence is estimated to be the most frequent non-political form of violence in the country, accounting for about one-third of reported crimes, especially in growing urban settings where customary justice—as unsatisfactory as it may be from the standpoint of gender equality—has less reach. Only a fraction of reported cases have been processed through the courts, partly owing to lack of appropriate investigative training on the part of police, including within the PNTL Vulnerable Persons Unit, and partly to common recourse to customary justice mechanisms instead of the courts. UNMIT and UNFPA released a new training manual on investigation of SGBV that has been used by the Police Training Center in Dili from July 2010. Throughout 2010, a collaboration of UNPOL, UNFPA, UNIFEM, UNICEF and IOM sponsored monthly, three day courses on rights, gender and law enforcement for PNTL and UNPOL officers—the first joint training offered to those services. In the second quarter of 2011, however, field research in five districts on implementation of the Law against Domestic Violence found that knowledge and understanding of the law and of the respective roles of police and prosecutors in enforcing it remained weak. Domestic violence has been a public crime in Timor-Leste for a little more than two years, effectively mandating a normative change in Timorese gender relations that will take some time to occur.

- Responses to sexual and gender-based crimes should recognize that a large percentage of SGBV takes the form of domestic violence or other attacks that occur within domiciles (as, home invasions) and should link up with victim support and witness protection initiatives.
- As domestic violence is newly defined as a serious crime in many mission areas, missions should support vigorous public information campaigns to familiarize the public with the law and their rights, and support novel initiatives in these areas by host state police services.

**Text Box One:****Family Support Units (Sierra Leone)**

“The Family Support Unit (FSU), established in 2001 [...] made it easier for women and girls to report domestic violence and seek appropriate assistance (Fakondo 2009: 11).

“Before all this nobody had wanted to do any work with the police. We were not getting any support, especially from the INGOs, because they believed that the police was corrupt, derelict and untrained. But then the FSU was set up and we started prosecuting cases to court ... [which] resulted in 21 convictions of perpetrators of domestic violence, with prison terms ranging from six months to 22 years. That sent a signal to the entire populace that nobody would be spared as long as there was sufficient evidence against him. This led to the increase in the number of cases reported. Every FSU in the 26 Police Divisions countrywide is tasked to investigate and charge to court all reported cases of physical and sexual violence against women and children including child cruelty. By 2005 the Family Support Unit staff members including other police officers and Social Workers had been trained in awareness-raising, human rights, media and communication skills, record-keeping and files/job tracking systems, and the joint investigation of sexual abuse (by police and Social Workers). The training was sponsored by the SLP, UNAMSIL Civilian Police, [and the] Department for International Development (DFID).

“Initiatives such as the FSU were [...] a radical departure from the past, where ‘family matters’ were considered the strict purview of traditional and cultural authorities, whose abuse of their decision-making power over sentencing in social cases had been at least one contributing factor to the war (Richards 2005).”

Charley & M’Cormack (2011), p. 30, Box 6.1, & p. 32

## 5 JUSTICE AND CORRECTIONS COMPONENTS

The justice sector comprises prosecuting attorneys, judges, their courts and associated clerks and record keeping systems, defense attorneys, and in some jurisdictions, investigating magistrates. The judicial system is especially impermeable to international intervention, partly because its stock in trade is confidentiality, judges prize their independence and the judicial environment—formal and informal—varies a great deal across countries. As one recent and cogent study noted:

There is no coherent body of literature on judicial reform at a global or international level. Partly this is a reflection of the fact that judicial systems are highly culturally specific and that comparisons and generalizations are both challenging and contested. [...] As a result, any discussion of rule of law assistance at the UN takes place in a political minefield of normative disagreement [while o]n the ground, UN officials grapple with the complexity of legal and political cultures that are ingrained in the very fabric of societies and make a mockery of any technical depictions of judicial reform.<sup>80</sup>

In most countries where the UN sends missions, the investigative capacities of police or magistrates that are marginal at best and the historical alternative has always been self-incrimination by the accused. Post-conflict criminal justice systems have the unfortunate tendency to fall back on that option. A combination of arbitrary arrest, the absence of concepts of bail or parole, poor record keeping and prevailing assumptions amongst populations and police alike that arrest equals guilt leads to situations where in most of the countries covered by this study, 80 percent of prison populations are pre-trial and/or pre-charge. Thus are police, courts and corrections conjoined.

### 5.1 Designing and Building Justice and Corrections Components

In the absence of a shared vocabulary and typology of capacity, it is impossible to distinguish between capacities aligned towards substitution, and those aligned towards training or imparting skills and knowledge. For example, in the area of the rule of law the Group observed a need both for a corps of standby judges to deploy in the immediate aftermath of a crisis, and for the long-term capacity to train a national judiciary.

-- Report of the Senior Advisory Group on civilian capacity  
in the aftermath of conflict, para. 35(d)

Justice and corrections components of UN missions generally have increased in size in the last five years as the UN's approach toward rule of law has grown ever more holistic. Large missions, such as MONUSCO and UNMIL, have seen substantial increases in both international and national posts. Recruitment delays have continued to hamper HQ and mission components alike, despite the recent shift to a new recruiting system.<sup>81</sup> For example, the Judicial System Advisory Unit (JSAU) in UNMIS was seriously constrained by slow recruitment and consequent high rate of vacancies.<sup>82</sup>

Seconded corrections officers often have been drawn against the authorized personnel ceiling for secondments of UN Police. This has created problems in operational support and placed corrections capacity in a tenuous position whereby posts could theoretically be reclaimed by UNPOL when needed. Recently, separate authorization ceilings have been established for corrections, offering better numbers, operational support and stability for seconded corrections officers, who play a vital role in missions.<sup>83</sup>

Management guidance issued by CLJAS in 2009 recommends that “in missions with four or fewer corrections officers, the corrections component is usually merged with the justice component, [whereas in] missions with five or more corrections officers, there is usually a separate corrections component.” Consideration should be given to whether numbers-based rationale for merging/separating components is really sufficient to units’ needs. Corrections components have benefitted where they have been given separate unit status in missions, increasing the visibility of corrections issues both within the mission and with host state authorities. The head of corrections gains direct access to the DSRS who manages RoL and a chair at Senior Management Team meetings. Host state authorities may take steps to match UN structures. For example, in DRC, the creation of a separate Corrections Advisory Unit has influenced a shift of focus within the Congolese Ministry of Justice, which has set up its own corresponding corrections unit, furthering coordination. Unit separation has improved ability to attract, access and coordinate separate donor funding.<sup>84</sup> Finally, unit status also allows staff to work in a more focused manner under the guidance of a corrections specialist, rather than have unit priorities set by a judicial affairs specialist, as is current policy for justice components.<sup>85</sup> Additionally, since DPKO is global lead on corrections for the UN Secretariat, thought should also be given to establishing corrections as a stand-alone unit within OROLSI rather than maintaining it as an element of CLJAS.<sup>86</sup>

- Corrections units in missions should as a rule have direct reporting lines to the Deputy SRSG for Rule of Law or equivalent.
- To better match the evolving independence of corrections units in the missions, a standalone corrections unit should be established within OROLSI.

## **5.2 Key Issues in Justice and Corrections Component Operations**

### **5.2.1 Planning in justice and corrections**

Good component-level plans are initiated locally and co-developed by the mission and local counterparts as early as possible in the mission’s deployment. They should be revisited at regular intervals, especially at important junctures for deepening national ownership, such as inauguration of new capacities or the completion of a cycle of professional development (e.g., the swearing-in of a new cohort of judges or magistrates).

Strategic planning is an area where missions have had an impact on justice and corrections systems. UN missions have access to and potential leverage with senior political leadership, while being viewed as more politically neutral than other international actors. In countries where host state officials engaged in strategic planning and based implementation on an action plan, these practices were observed to diffuse across the broader national framework of government, as well as NGOs. UN and other organizations have worked in consultation with law reform commissions, bar associations, training institutes, human rights commissions, and NGOs to develop strategic plans and encourage forward-thinking organizational development. Strategic planning is a positive, habit-forming exercise.

A number of key lessons can be drawn from field and HQ interviews and desk review, illustrating that strategic planning is most effective when:

- it sets realistic, achievable aims with indication of budgetary implications;
- donor support is linked to host state adherence to the plan;
- it is linked with a comprehensive action plan and project management tools;



- it is institution-driven rather than personality-based (a plan too closely linked with the outlook of one person has lower potential to endure political shake-ups and regime change);
- it is backed by institutional and administrative capacity building to enable follow through.

### 5.2.2 Information sharing in justice and corrections

Whether collected through mapping, monitoring or mentoring, the impact of data and reports compiled by missions could be greater if distribution outside the UN had a broader reach. Interviewees noted that UN report distribution is often limited to top host government officials—for example, top political officials with responsibility for justice and corrections and top-level judiciary—who appear to have de facto sign-off on UN reports about their areas of responsibility and make decisions regarding distribution. As a result, most reports go no further than the top officials. Local actors, both governmental and non-governmental, working on rule of law issues would greatly benefit from reports that offer a view of issues plaguing their jurisdiction and the broader system so that they may understand and address them.

Moreover, local actors who volunteer information and assistance to UN mapping and monitoring teams but never see any personal benefit may become reluctant or unwilling to cooperate in future. A number of local actors interviewed complained about monitors being ‘all take and no give’, although others were praised for encouraging local actors to host monthly rule of law meetings and for informally giving their observations, figures and findings at these meetings. A number of local justice officials noted that getting criticism through reports or meetings provided the right kind of pressure to keep them working hard—their reputation is important and they’re aware that it’s not good if their name comes up frequently. International and local NGO and Civil Society Organizations interviewees also observed the collective rule of law community could greatly benefit from everyone being on the same page and pooling information in order to more appropriately tailor projects and address gaps in support.

A certain degree of sensitivity regarding report distribution is understandable and repeat circulation of reports that paint officials and the justice system in a poor light may undermine cooperative UN-government relationships and the justice system itself. Such fears can be allayed by removal of sensitive portions of reports prior to broad distribution, and using selective distribution for certain reports. Host state government, however, must be encouraged to understand that publication of facts and figures, trends and research on public institutions, and dealing with related critiques, are normal and positive features of any open, democratic society.

Reporting can be used as a mentoring or capacity building tool. Reporting, along with advisory assistance, can encourage the development of parallel capacity among host state authorities. The MONUSCO Corrections Advisory Unit used a simple but effective technique to encourage their governmental counterparts, who had complained that the UN was working in their institutions but not sharing information gathered. They began by taking the criticism on board and rectifying the situation by setting up a system to send weekly reports to the Ministry, but asked that the Ministry do the same in response. When they did not receive reciprocal reports or any feedback, as promised, they invited the Ministry to set up a weekly bilateral meeting to go through the content of UN report and host state reports. This ensured that information was being absorbed and processed appropriately. Gradually officials began to bring their own reports to compare with their UN counterparts. The initial arrangement has generated a positive outcome of a weekly technical-level meeting, where reports are discussed in detail, synthesized and a list of priority issues for the Ministry is developed.

- Missions should circulate reports on capacity and process in the criminal justice system to interested stakeholders in the mission area, consistent with preserving confidentiality of investigations or criminal proceedings.
- Missions should circulate open reporting materials after a specified courtesy delay for initial reading by senior host state officials.
- Regular joint meetings tied to reporting schedules should be held with technical-level host state counterparts to help build a culture of regular, reciprocal reporting and information sharing.

### **5.3 Operations and Operational Support in Justice and Corrections**

#### **5.3.1 Law reform**

Law reform, sometimes including the development or revision of constitutions or comparable fundamental laws, is a vital corner stone of rule of law programming with the potential to address many blockages and system-wide weakness.<sup>87</sup> Like strategic planning, it is another high-level function that UN missions have the potential capacity and access to carry out well. When approached correctly, law reform has the power to provide long-term solutions to issues that host governments and missions find themselves hard-pressed to address. For example, pre-trial detention and prison overcrowding may be eased by physical prison expansion infrastructure projects, providing salaries for additional prosecution and defense attorneys, use of mobile courts, etc., but these are temporary treatments to deal with symptoms. To address underlying ills, targeted law reform can address court jurisdiction issues to resolve judicial bottlenecks, make changes to jury law, alternatives to incarceration and adjusting or tightening sentencing guidelines.

There are a number of challenges involved in starting any law reform process. Fostering national ownership by incorporating planned reforms into strategic planning is a vital first step. An additional approach is to time reforms so as to mix controversial and non-controversial topics, using more easily accomplished changes to gain momentum. Legislative drafting and law reform are complex tasks, which require a level of expertise often in short supply in host states. Missions have created good in-house expertise and targeted the use of consultants to assist, for example, with initial development of strategic plans for law reform commissions, tailored to the specific situation. Rule of law components have met resistance and inflamed sensitivities where guidance seeks to transplant legislation or institutional changes that have worked in the advisor's home country or in a previous posting.

The best mission technical advice cannot overcome political or procedural obstacles to the enactment of reformed laws. The marginal capacities of governments in most post-conflict settings and the political and personal interests affected by changes in laws related to police, courts or corrections have delayed legal reforms by several years in a number of mission areas. For example, UNMIT provided technical assistance and recommendations to the Government on a range of legislation including a new penal code, police organic law and law against domestic violence, which were promulgated only in 2009; laws on national security, internal security and national defense, promulgated in April 2010; and decree-laws on police discipline and use of force, promulgated in August 2011. Most of these laws were in draft form for several years, working their way thru the Council of Ministers and/or the Parliament.<sup>88</sup>

While the development of law can be slow, internalization of new norms prescribed by new laws and the evolution of enforcement tends to move at the speed of cultural change, which can be speeded somewhat by sustained grass roots efforts led by civil society groups and civic leaders.

UNPOL have been in on the start of that process, but as a short-term presence cannot finish it, highlighting the value of cross-agency partnership.

- Missions should be prepared to support law reform as soon as they have government interlocutors with which to work and recognize that such reform will likely require political support from above and beyond the mission itself.
- Missions should be prepared to implement interim support plans, in close consultation with host state counterparts, in areas of potential reform or restructuring not directly affected by pending legislation.

### 5.3.2 Direct support to host state justice and corrections

Taking on an executive or operational assistance role is unusual for justice and corrections components except in transitional administration missions. Previously UNMIK and UNTAET and currently UNMIT have benefitted from the presence of international judges, prosecutors and public defenders temporarily standing for, or embedded in, host state institutions. In Timor-Leste, UNDP has worked with UNMIT and donors to contract Lusophone justice officials to substitute for Timorese counterparts as they undertake a comprehensive training program. As of October 2011, 22 international personnel still have roles in the justice system. Substituting foreign capacity in mission settings requires caution, strict parameters and planning. The advantage of kick-starting the criminal justice system and plugging capacity gaps while host state officials are trained is counterbalanced by dependency concerns and the potential for undermining local ownership. This embedded assistance approach thus has been restricted to cases where educational level, experience and capacity of local actors are extremely low or ethnic or other divisions within the population are extremely high. Emphasizing its temporary nature and phasing in local capacity as it develops help limit dependency and ownership issues.<sup>89</sup>

An unusual but effective contribution of salary support by UNMIL has been used to hire additional national justice sector staff, building capacity through increased numbers. UNMIL has also provided vehicles and gasoline allowances in order to attract quality attorneys to serve, for example, as public prosecutors and defenders. Numerous interviewees noted the increased number of public defenders as a key improvement in the criminal justice system. In 2004 there were no public defenders available to populations outside of Monrovia. By 2011 there was at least one public defender in each county. There is still room for improvement, both in terms of numbers and quality of work, but their increased presence has been observed as a positive step. Concerns arise over sustainability, as capacity of MoJ to take over and maintain salaries for this service is questionable.<sup>90</sup>

While UN corrections officers are co-located at prisons, their role is generally to mentor and advise (see section see 5.5.3) rather than play substantive operational roles, with some innovative exceptions. In DRC, for example, where numerous corrections facilities are in grave condition, some UN corrections officers have developed ad hoc partnerships and stepped in to run systems to feed inmates. Corrections components have sought international or local experts to develop skills within the prison population to manage prison gardens, farms and livestock. Programs are easily saleable to governments who have responded well to their positive multiplier effect. With minimal startup financing, such programs have improved nutrition for inmates and decreased the feeding burden on governments and family members—who often bridge the gap when meals are not provided consistently.<sup>91</sup> Agriculture programs also provide training in farming skills and rehabilitation for inmates. Well-managed farms can even be a source of revenue for prison facilities. In Liberia, corrections components are assisting prisons to trade with each other in order to augment/balance food supplies and to sell any surplus to local markets. Careful management of funds and transport of

produce form part of the plan. The UNMIL Corrections Advisory Unit (CAU) has also developed assessment tools to gauge progress and results of agriculture projects, and it coordinates with ICRC to monitor inmate nutrition.<sup>92</sup>

Underfunded prison systems often have poor security, attributable to weak infrastructure, limited staff, low morale, high absenteeism and poor capacity of corrections officers and superintendents. Direct security support has been provided by UNPOL FPUs either consistently, as in the case of Monrovia Central Prison in Liberia, or in response to prison breaks and unrest, as in DRC and Haiti. From the perspective of public security this can be an important temporary operational role. However, there needs to be a better understanding of whether and when FPUs should be used, as they are brought in under UN rules on use of force and not as prison systems understand use of force.<sup>93</sup>

- Missions should only consider bringing in temporary international judges, prosecutors, defense attorneys and courts administration personnel in cases where the educational level, experience and capacity of local actors are extremely low or ethnic or other divisions within the population are so high as to render local actors incapable of reaching evidence-based verdicts.
- Corrections officers should be supported by the mission in their efforts to bootstrap improvements in prison conditions, while senior mission leadership works on strategic policy change.

### **5.3.3 Structural support to host state justice and corrections**

#### *5.3.3.1 Mapping*

Mapping helps shape a mission's approach to rule of law, strategically targeting resources and assessing necessary reforms.

Justice system mapping examines the needs and demands placed on the rule of law system and its capacity to address them. It looks at infrastructure, human resources capacity, administrative functionality, budgets, caseload, linkages and interactions between elements of the system. Legal framework analysis examines existing law and traditional norms that guide dispute resolution, identifying gaps, deficiencies, legal lacunae and areas in need of modernization or reform. Dispute mapping is more complex, aiming to chart flow patterns for dispute and case resolution, the better to understand how different communities have their disputes adjudicated/resolved. It can also identify blockages, biases and valuable end-user perspective. Comparable corrections sector mapping can provide useful breakdowns on prison system locations, conditions, points of strain and security issues.

Mapping can be carried out by mission staff or by consultants working in close cooperation with human rights, police, justice and corrections components. Detailed dispute mapping involving informal justice system analysis may benefit from staff/consultants with a background in legal anthropology and experience with traditional justice systems. Components should be encouraged to publish and discuss reports, allowing local authorities, partners, and other UN agencies to benefit from data collected and providing a basis for programmatic coordination. Mapping reports double as baselines for empirical impact analysis of mission progress and benchmarking.

- Justice mapping initiatives should include courts of all levels, in urban, peri-urban and rural settings; formal and informal options for dispute resolution; and examples of issue-based and geographic patterns of system preference for formal or informal justice.
- Corrections sector maps should focus on infrastructure, prison capacity and actual numbers of prisoners; on whether male and female prisoners, juveniles and adults are held separately; on capacity of prisons to feed inmates; and on administrative functionality, staffing and security.

#### 5.3.3.2 Infrastructure development

Construction or rehabilitation of courthouses, prisons or administrative buildings may appear to be an easy means towards a lasting impact and a way to gain ground with host state authorities but, even with the suggested pre-preparation of missions for infrastructure work local construction, design and planning issues can make it challenging.<sup>94</sup> Contractors and materials may be difficult to manage and procure, leading to delays and broken commitments. In Liberia, for example, UNOPS has struggled to find and build the capacity of local engineers and contractors. From the small pool of engineers who have been identified and assisted to develop their skills, many have been lured away by larger salaries offered by the private sector, including the returning extractive industry.<sup>95</sup>

Secondly, terrain, climate and access issues can make costs spiral when trying to build in rural areas. Road networks may be underdeveloped making transport of materials difficult. Heavy seasonal rains may limit windows for construction and require special durable materials. Thirdly, court or prison design doesn't fall within the general skill sets of justice and corrections officers working for the UN and host state entities rarely have such skills either. Equally, local contractors working with UNOPS have not been familiar with appropriate court layout or prison cell requirements. Critical design and planning problems were observed in prisons visited, including failure to construct separate areas for male and female prisoners, construction of a prison in a remote, hot area without an accompanying bore hole for water and insecure walls and fencing. Fourthly, funding and budgetary constraints are strict and have led to compromises on quality and longevity of buildings. Court and prison officials repeatedly complained in field interviews of cracked walls, leaking roofs, broken fences and poor maintenance. Dissatisfaction of host state authorities and poor functionality of buildings erodes any original gains made and risks undermining mission objectives.

- [see recommendations at section 4.4.3.3]

#### **Text Box Two: Quick Impact Projects (QIPs) in Liberia: Quick wins?**

Rule of law components in Liberia have benefitted from in excess of 200 QIPs over the course of the mission. The aim was to make quick wins with authorities and local populations by putting basic facilities in place with small, fixed sum, quickly-processed disbursements of maximum \$25,000. Justice and corrections components have used QIPs to build and renovate court and prison buildings, for furniture and equipment, and to supply legal texts. Appreciation of QIPs has been tempered by poor-quality and incomplete construction. QIPs must be carefully selected to ensure that plans can be implemented with limited funds, else projects have the potential to undermine rather than solidify public perception and relationships with host state authorities. In cases where QIPs are intended as temporary constructions, their limitations should be explained to recipient authorities and the public and a long-term plan and timeframe for permanent facilities should be developed and publicized in parallel with temporary constructions.

### 5.3.4 Building capacities of ministries, courts and prisons

#### 5.3.4.1 Training and skills development

UN justice and corrections components engage in training host state counterparts across all missions.<sup>96</sup> Ideally any assistance should begin with incorporation of a National Training Plan into strategic planning exercises (see 5.2) and agreement of minimum educational requirements for judiciary, attorneys and other personnel in conjunction with the Ministry of Justice and bar association. UN HQ can play a role by developing a set of model training curricula, which can be copied and adapted by missions.

Corrections officer training has a generally uniform approach, starting with vetting appropriate candidates, increasing size and capacity of professional officer cadre and delivery of training and refresher courses. Desk review of internal UN evaluation materials, and interviews with police and corrections components, indicated that effective basic training is at least six months to one year in duration and includes alternating periods of classroom, field practical training and return to classroom. Longer term training develops institutional professionalism and builds relationships between officers. Professional officers with basic training are receptive to further on-the-job training and mentoring. UN corrections officers noted difficulty making headway when attempting to mentor prison volunteers or the untrained, self-appointed corrections officers who frequently staff or supplement staff at prisons, noting that they lack base ethical understanding of their role and their inconsistent reporting for duty undermines any sustained training plans.

Advanced and specialized management training should be arranged for prison superintendents, in coordination with bureaucratic counterparts in the Ministry of Justice. Information flow between prisons and administration should be stressed.

The Corrections Advisory Unit (CAU) in UNMIL has created exemplary self-reinforcing training plans. Basic training of six months to one year was given to all professional corrections officers and has been supplemented by advanced training for prison superintendents. Train-the-trainer (ToT) certification courses are in motion, steadily developing a capable team of host state officers to serve as in-service trainers at prisons around the country. Trainers conduct periodic lessons with guards and volunteers, based on assessed needs in consultation with the prison superintendent and UN corrections officer on-site mentors. Despite some complaints from trainers that they would like better coordination by the Ministry and an increase in pay to reflect their new duties, they spoke enthusiastically about the importance of their role. CAU has also built impact analysis into their ToT model to measure its success and address observed weaknesses. In designing future training plans, CAU have drawn upon the specialized experience of seconded corrections officers to plug knowledge gaps. At present, CAU is aiming to develop training modules on smart security and use of non-lethal force.

Justice system and judicial training is more sensitive, given the variance of legal systems and delicacy of being seen to interfere with judicial independence. Training is more ad hoc in nature (e.g., seminar and workshop based) and has been observed to focus on basic justice, human rights and SGBV issues. Legal education is most appropriately supported through funding and redevelopment of university law schools, providing logistical and technical support to training sessions run by ministries of justice, and development of national judicial training institutes. Missions can provide useful input, expert trainers and both financial and substantive support for education programs,

while ownership of legal education programs remains local, as seen in approaches by UNMIL, UNOCI and UNIOGBIS. Justice components also assist other mission components by delivering specialized training modules to police, military and gender affairs units.

In Timor-Leste, the educational level and experience of judges, prosecutors, public defenders and court clerks was deemed to be so low that they were removed from their positions and replaced by internationals who would assume judicial functions so that national staff could receive long-term training. The UNDP Justice Support Program (JSP) underwrites Timor-Leste's Legal Training Centre, which provides an 18-month classroom training program for law graduates, followed by a 12-month probationary period where on-the-job training continues. Begun in 2006, its fourth round of training was slated for 2011. The aim is to build national capacity and phase out assistance from international personnel.<sup>97</sup>

- Training plans should be made self-reinforcing with emphasis on training of trainers to sustain basic, specialized and advanced programs begun by the mission.

**Text Box Three: Appropriate Technology? Integrated Information Management System for the Justice System of Timor-Leste**

The courts of Timor-Leste only began to decentralize relevant paper case records from Dili to the other three judicial district courts in late 2008. About that time, the UN also abandoned its first attempt to develop electronic case management for the country's justice system. UNDP's Justice Support Programme (JSP) started over and the result has been the Integrated Information Management System (IIMS). Piloted in the last quarter of 2010 in the Office of the Prosecutor General in Dili, the system was rolled out successively, in 2011, to the Office of the Public Defender, the national prison and social reinsertion service, and the PNTL. By June it was reported to be fully operational as well in all four judicial districts. IIMS is potentially a major leap for the justice system—if its use can be sustained both at the front end (consistent and accurate entry and updating of cases) and in the back office (reliable power supply, equipment and software maintenance and troubleshooting, and data backup). JSP also reported the rollout, in all 13 administrative districts, of two other systems for PNTL: an electronic Incident Management System and Investigations Management System. Two other systems—a Warrant Management System and Criminal Record Management System—were reported to be in 'final development' and headed for implementation in the third quarter of 2011. The third quarter report recorded, somewhat ominously, that the District and Appeals Court IT systems in Dili needed "restructuring" but that the work was delayed owing to budgetary constraints. It also noted that Power cuts are common in the districts, especially in Oécusse with fuel supplies for generators frequently running out.

The speed and number of systems rollouts for PNTL, in addition to IIMS, should perhaps raise flags regarding absorptive capacity, as should the assessment by JSP evaluators regarding the availability and quality of local IT support personnel to keep it all running, given government wage scales.

(Strengthening the Justice System in Timor-Leste. Second Quarter Report, June 2011, pp. 15-16, 31, and Third Quarter Report, pp. 12, 13, 26.)

#### 5.3.4.2 Monitoring

While mapping produces an early snapshot of justice and corrections realities on the ground, monitoring provides an ongoing picture of system functionality during mission years.<sup>98</sup> Monitoring tools, such as justice system infrastructure audits, prison population data collection, case docket tracking and assessments of record management systems, provide an understanding of system-wide

versus localized problems, identify areas requiring ongoing reform, assist with establishing strategic planning needs, provide data for review of program initiatives, etc. When used in tandem, mapping and monitoring tools can serve as a basic impact assessment tool to chart progress and outcomes.

Justice system monitoring has been used by LJSSD in UNMIL to produce some very useful data and reports, but restricted distribution of resulting information and lack of clarity amongst monitors regarding the scope of their role has limited potential impact of the initiative. Monitors are based in jurisdictions throughout the country and interact with local judiciary, officials, court administrators, lawyers, civil society organizations and communities, collecting information for the LJSSD Monitoring Unit. The Unit is responsible for collating information and producing reports. Interviewees noted a disparity in the approaches taken by monitors, whose techniques varied widely. Some simply collected numbers and provided little feedback while others participated in advisory sessions or justice sector meetings with host state officials.

While the more pro-active monitors may be providing useful assistance and feedback, there is a risk to objectivity when monitoring and advisory roles are mixed. Those monitored should receive effective feedback from the mission in either case. Missions likely will not have sufficient personnel to monitor *and* mentor all locations or functions of interest with different personnel. It may be useful, however, to compare relative performance changes in locales with monitors who just observe and report, monitors who offer occasional real-time feedback and mentors who provide direct support but who report on their activities only to the mission. If there are clearly superior outcomes from one or another approach, the mission could adopt that as its operational standard.

- Missions should consider running trials to determine which combination of monitoring and mentoring generates the best outcomes with host state counterparts by assigning locales initially and at random, either monitors with clear instructions just to observe and report, monitors free to offer occasional real-time feedback or mentors who offer direct support but who report on their activities only to the mission. If there are clearly superior outcomes from one or another approach according to indicators selected for the trial, the mission could adopt that as its operational standard.

#### 5.3.4.3 *Mentoring (and advising)*

Across missions, justice and corrections components have provided advisors and mentors to host state counterparts, with varying degrees of success.<sup>99</sup> Within the UN as an institution and within missions there is little consistency in approach, intent or method for advising and mentoring. Field interviews revealed a broad spectrum of ideas and pointed to the x-factor of personality as a determinant of success. An effective personality implies the ability to communicate clearly and with respect, humility and a collegial attitude that builds relationships with host state counterparts. Poor relationships and resistance were observed where host state counterparts did not feel they were treated with respect and where missions failed to share information relevant to counterparts' roles. While some people are naturals in such roles, focused induction training, guidelines and clarity of purpose are needed to help others mentor effectively.

The right personality still needs to have specialized knowledge or skills to transfer, however, or respect for *the mentor* will be fleeting.

High level advisory roles require trust and are best received when customer-driven. Operational-level host state personnel, such as corrections officers, reported in interviews widespread appreciation for a mentor relationship with UN corrections officers whom they can turn



to with questions and whose watchful eye helps keep new approaches on track. This sentiment was echoed by a number of rural prosecutors and defense attorneys who appreciated the role that some judicial monitors play in observing and reporting their concerns.

Co-location allows for intensive mentoring or advising and can reduce resistance through better mutual understanding and a sentiment of shared experience. It is particularly useful when used to reinforce training and where accompanied by a national plan for mentoring and in-service training. Host state corrections officers expressed particular appreciation for UN officers who worked side-by-side with them each day at prisons, often in tough conditions. A number of prison superintendents noted that UN officers had paid out of their own pocket to help the prisons cope when difficult situations arose.

Co-location has featured less in the work of justice and judicial support programming. UNMIL interviewees noted that it was intended that officers co-locate within the Ministry of Justice and courts. However, UN officers also maintained a desk at mission HQ and never properly executed co-location. While justice components do not have the same kind of staff numbers as UN police and corrections, further thought should be given to how best to integrate co-location and mentoring by justice components. Co-located officers would be particularly useful in mentoring and advising to cement new administrative and bureaucratic practice introduced through training or policy reform.

Justice components have used consultancies to some effect, particularly when their approach is peer-to-peer. Consultants have co-located within newly formed rule of law institutions, training centers or the relevant Ministry to assist with strategic planning, launch of new government initiatives, or provide specialized research or on-the-job capacity building. Positive ingredients appear to include the careful selection of dedicated subject matter experts who are from the region, who inspire confidence and camaraderie, and whose position is funded by UN but is primarily at the disposition of host state authorities.

Mentoring programs should be accompanied by regular information sessions with justice or corrections component leadership. This has a dual purpose of receiving and providing information. Regular meetings, quarterly or bi-annually, allow leadership to reinforce mentoring principles provided at induction, update mentors on progress and focus areas and hear mentors' practical day-to-day concerns and frustrations. Such sessions offer an opportunity to transfer soft skills that are vital to the work and to reinforce a unified approach on leadership. They can also serve as useful means of conveying detail about situations on the ground to component leadership. It can otherwise be difficult for senior mission staff to 'take the pulse' of lower level host state justice and corrections officers. Regular meetings with mentors allow leadership to better understand basic stumbling blocks and to discuss new guidance with mentors.

- Further thought should be given to how best to integrate co-location and mentoring by justice components. Co-located officers would be particularly useful to cement new administrative and bureaucratic practice introduced through training or policy reform.
- Component leader should convene regular, collective meetings with mentors to generate the best sense of progress and obstacles in the mentoring program, address obstacles and discuss guidance.

### 5.3.5 Promoting accessibility and understanding of the justice system

Access to justice is a major issue in many developing countries and may be particularly challenging in post-conflict countries where trust in authorities and system capacity is low. Poor public knowledge

and understanding of the legal system, judicial processes and case progression contributes to slow movement of trials and lack of public confidence, as do poor prosecutor-police relations, faulty police investigations and failure of witnesses or victims to turn up to testify at trial, often because they do not understand their civic duty to give evidence when called or were not properly contacted or alerted by authorities. Interviewees also noted that alleged victims of crime frequently do not understand that they are required to follow up on accusations; that they merely desire to have the accused locked up briefly without comprehending the implications of pressing charges. Lack of public education regarding judicial processes can also breed suspicion. For example, in cultures where corruption is prevalent, understanding the difference between bail and a bribe can be difficult. Public outreach and education programs were not observed as prominent in mission programming but could be a useful approach to improving the delivery of justice.

- Programs should be developed in partnership either with government or local civil society organizations to build local capacity for sustainable provision of basic legal information to the public.

#### *5.3.5.1 Access to justice programs*

Mission programming to improve access to justice mainly focuses on improving capacity and processes of the formal judicial system.<sup>100</sup> Additional access to justice programming has been carried out in collaboration or partnership with UNDP, major donors and other organizations working on rule of law, such as the American Bar Association, The Carter Center and the World Bank's Justice for the Poor initiative. Initiatives include Access to Justice Centers, which provide information and referrals, public information desks to provide legal advice, ad hoc and institutional witness protection programs, and subsidizing medical examinations for SGBV cases. Access to justice is still observed as unequal in mission countries, particularly for females. More thinking is required to address accessibility issues, including how best to use traditional mechanisms and alternative processes, where appropriate (see also 5.3.5.3).

Missions have provided technical and logistical support to facilitate ad hoc mobile courts, in prisons and underserved jurisdictions, to accelerate review of detention cases and ease system chokepoints.<sup>101</sup> Mobile courts and summary dismissal of cases where persons have been detained beyond statutory limits can in principle have a marked effect on managing pre-trial detention backlogs, if there is also some control exerted over the influx of new detainees. Mobile courts should be viewed as a temporary relief measure and should be accompanied by law reform plans that address the root causes of high detention figures and sluggish case flow (see 5.3.1). Mobile courts could, however, also potentially be constructed as a more permanent roving capacity, augmenting limited regional (provincial, district or county) capacity where the latter is particularly stressed or to provide specialized capacity, for example, in dealing with SGBV cases.

#### *5.3.5.2 Courts, prisons, SGBV and domestic violence*

A number of host states have suffered conflicts characterized by high incidence of sexual violence as a tool of war. Others have experienced lower levels of rape but widespread gender inequality and domestic violence. Impunity and persistent violent conditions have allowed such behavior to become ingrained in elements of society (or alternatively, not sufficiently dis-ingrained in ex-combatants).<sup>102</sup> Cultural traditions and sensitivities often present major challenges when seeking to address and end impunity through prosecutions and incarceration. At minimum, missions have maintained a gender sensitive perspective and included SGBV modules in training delivered to rule of law components.

MONUSCO and UNMIL have worked with host state authorities on a number of programs aimed at improving prosecution of sexual violence. In DRC, communities have been terrorized by mass rapes carried out by armed groups, police and security forces, eroding confidence in the state and security sector. The military justice system in DRC has committed to prosecuting mass rape cases, and has jurisdiction over discipline of both military and police. As noted in section 3.5.2, MONUSCO partnered with IOM to set up Prosecution Support Cells, which were finally enabled by a signed MOU in early 2012.

Frequent escapes, insecure prison facilities and in-prison SGBV are commonplace in DRC. Donor aid for SGBV programming is generally not associated with corrections but MONUSCO is now trying to encourage donors to realize that improved prosecution of cases needs to be matched by upgrade of prison facilities to ensure secure incarceration and rehabilitation of offenders.<sup>103</sup>

In Liberia, numerous collaborative approaches have been taken aimed at tackling alarmingly high SGBV rates. A new rape law was introduced in 2006 that expanded the definition of rape to include cases of marital rape, and penalties were increased such that rape is now a non-bailable offense with a maximum sentence of life imprisonment. Interviewees reported evidence that reporting of rape has increased but also cautioned that some aspects of the new rape law are so stringent that they may have the unintended effect of discouraging victims from supporting prosecutions. A dedicated court has been established to deal with SGBV cases but poor investigations, lack of forensic evidence and slow trial processes have limited its impact. Monitors in the MONUSCO justice component carried out a year-long tracking of SGBV cases through the system. The hope is to use documented evidence of chokepoints and prosecutorial weaknesses to improve case flow. In spite of joint efforts by UNMIL and government, incidence of sexual violence remained high in 2011.<sup>104</sup>

Domestic violence has been a particular concern in missions such as Timor-Leste and Guinea-Bissau. UNMIT and UN agencies supported law reform efforts in Timor-Leste to develop the 2009 Penal Code and accompanying Law Against Domestic Violence, which made domestic violence an offense for the first time. Domestic violence has traditionally been dealt with privately or in customary justice settings which have provided little protection to women. The mission is now supporting steps to develop a culture of reporting, investigating and prosecuting cases. In Guinea-Bissau, UNDP, UNICEF and UN Women have been working to address domestic violence and protection of women and children. Newly launched, UNDP-funded and government-led Access to Justice Centers provide a potential focal point where vulnerable and indigent clients can receive support.

- The design and implementation of programs to combat SGBV should address causes as well as consequences, in particular violence reduction efforts focused on ex-combatants, which should begin with Disarmament, Demobilization and Reintegration programming.
- When a mission and its partners plan an impunity-fighting initiative with the government, the requisite commitments from the government to execute the plan, in the form of a signed Memorandum of Understanding, should be obtained before funds or personnel are committed to the endeavor.

#### *5.3.5.3 Looking beyond the formal: A policy approach to customary justice*

Attempts by outside aid providers to increase the proportion of disputes decided by formal justice institutions can overburden already weak systems, especially in post-conflict countries. Court systems often suffer severe shortages of educated and experienced legal actors (lawyers, judges, magistrates and clerks). Bureaucratic (executive branch) arbitration can absorb certain lower level

conflict resolution functions and reduce the burden of ‘judicialized’ functions,<sup>105</sup> but missions also need to pay closer attention to informal or customary justice institutions.

Current trends toward legal empowerment and incorporation of customary justice into rule of law programming need to be understood as part of a pluralistic approach to rule of law development. Rarely is there zero connection between the informal and formal justice systems of most developing countries and in a number of mission host states, traditional norms and mechanisms are part of the formal legal architecture. As traditional justice tools and traditions gain greater attention in the peacebuilding community, CLJAS and mission justice components should work to develop a policy approach to guide their role. They may profitably draw upon a UN “joint study on informal justice systems” that is, as of spring 2012, close to completion. The study reviewed many informal justice systems and examined ways in which UN actors might engage customary justice systems and different entry points for doing so.<sup>106</sup>

It seems time that the international system and its peacebuilding efforts pay greater attention to them, as functioning customary justice reflects the social ties that bind communities and may also embody local governance. The latter may be all there is left of effective governance when a mission first deploys. The “do no harm” principle alone would suggest that greater time and effort be devoted to understanding the post-conflict roles of these institutions. In some places—more urban or more deeply wracked by war—customary authorities may have little writ, or may even have been a source of conflict. Such places call for different approaches once again.

- Mission police, justice, civil affairs and human rights components should include customary justice mechanisms in any mapping of justice capacity at mission startup.
- As traditional justice tools and traditions gain greater attention in the peacebuilding community, CLJAS and mission justice components should work to develop a policy approach to guide missions’ interactions with customary justice institutions and mechanisms.

## 6 CONCLUDING OBSERVATIONS

### 6.1 On Police

We note in the methodology annex that organizations have repertoires of behavior rooted in long-standing institutional routines. This is as true of each contributing police service, the UN Secretariat and UN agencies, funds and programs as it is of host state institutions. Routines are not easily changed, hence the relative cacophony within UN police components despite modest efforts at induction training. That training represents a thin overlay on embedded police cultures and, until strategic guidance documents are approved *and implemented systematically*, and deeper pre-deployment training curricula are in place, UN police components' ability to communicate clearly with their local counterparts will remain relatively low.

What UNPOL have to offer is only of value if communicated in a language understood by local counterparts. UN mission language ability is scarce enough in some missions but local language abilities are scarcer still, forcing reliance on language assistants who may or may not be proficient in the technicalities of police discourse, especially in the requisite numbers. Training, knowledge and unified effort cannot make a difference if content cannot be communicated directly and effectively.

Regardless of the urgency of post-conflict public security needs in new mission areas, UNPOL are not going to meet them rapidly, as currently constituted. No individual officers or formed police units are pre-trained, equipped and available for short-notice deployment in operational roles to new UN peace operations (where short notice is anything less than six months). Prior efforts to develop standby arrangements for rapid deployment of police (or military) have floundered. Stimson therefore still supports a much larger UN standing capacity for police, justice and corrections expertise to spearhead the setup of new missions and negotiate the reform and reconstruction of host state public security and criminal justice systems. Such a capacity is a logical extension of several missions' present turn to civilian recruitment for critical specialties related to police development. With a standing capacity, however, the needed specialists could be available in weeks rather than the 12–18 months needed by a standard budget-and-recruitment cycle.

Beyond the early years of a mission, the ratios of operations to support personnel should decrease sharply as local police ranks increase, local training officers take over basic training programs and advising or mentoring services are more usefully focused on mid-ranking police leadership and management. Operational UNPOL should not be assumed capable of doubling as mentors to local counterparts without specific screening for and training in that role.

Given present and likely future resource and personnel constraints, police components, especially in large mission areas such as DRC or South Sudan, face a choice: be a little bit present everywhere with relatively uniform but low average effectiveness, or concentrate on key locales and functions for increased effectiveness in each. The former strategy is risky because it attenuates the force, makes it harder to have any impact on civilian protection and, in the end, may accomplish relatively little. It is also risky because token UN presence may generate more than token public expectations that are never met, with negative consequences for the communities involved and for UNPOL, the government and the United Nations. Strategic decisions made regarding UNPOL therefore need to focus on goals that have a chance of being met with the resources likely to be available to UNPOL and in full appreciation of UNPOL limitations. Small police components relative to the size of the mission area should, in particular, be confined to specific, specialized police development tasks or to specific geographic areas that are suited to their size.

In most cases reviewed, UN police components were able to build only part of the outer operational shell of a police service, due in part to the very low baseline conditions in most mission areas, in part to limitations on what UN missions can deliver beyond training and advice, and in part to the proclivities of police components themselves. When starting essentially from scratch (or from negative territory with a large number of former police or ex-combatants to vet out or integrate), personnel development takes substantial effort, as does restoring physical capacities—from training facilities to police headquarters and stations and everything needed to make them run and to connect with one another and the communities they serve.

Since mission budgets fund just UN personnel and modest quick impact funding, donors and UNCT are essential partners in achieving UNPOL objectives. They bring to the effort their own views on appropriate objectives and means of achieving them. Negotiated partnerships under the auspices of a host-state-led police development group may offer the best combination of local ownership, common expectations and expert advice on design and requirements for police infrastructure and operational kit.

In normal times, cooperation rests upon a tenuous network of personal ties—call it organized anti-crime—whose strength and effectiveness vary with organizational interests and who occupies which nodes of the net. Effective non-crisis cooperation requires coincident interests (as defined by the institutions that own the nodes) and trust (between the representatives who sit in the nodes). Trust makes things move, insofar as institutions' rules and priorities allow it. Trust is built through interaction, not decided in a memo, but to the extent that “treaties” between institutions like the Integrated Strategic Framework or the Poverty Reduction Strategy Paper do define common goals and shared responsibilities and are *used*, they can open a pathway for trust to be built.

Currently, UN policing strategies and mission police components devote most time and effort to the operational side of policing, which may appear a best fit for the initial needs of a mission area but is also what most members of police components know best. The need to build and approve legislation for post-conflict police and the need to vet candidates for police training (new recruits or ex-combatants) can delay the start of training. As UNPOL also typically take more than six months to deploy in substantial numbers, the earliest of post-conflict security measures may fall to international military forces (first in the form of a regional or broader coalition, then UN-flagged forces) and, if implemented, to the proposed Public Order Police that would be UN-trained, equipped from UN stockpiles and subject to UN police component command for at least one year after mission startup.

Necessary but politically sensitive and less visible administrative and control mechanisms need to be set up before basic training for the first class of police recruits gets underway. Groundwork needs to be laid early for honest pay and personnel systems. If there are officers on police rolls other than those being trained, these systems need to know how many and how old, in order to weed out ‘ghosts’ and encourage overage officers to retire, the first action potentially funding the second and both being beneficial to police productivity. Professional standards or internal investigations units should also be set up early on, although the values and authority that will make them work well (i.e., the necessary changes in police routines and repertoire) may only develop over decades; indeed, *because* they will root slowly, the sooner planted the better.

Finally, we re-emphasize the importance of the technologies offered to support both operational and administrative functions of a host state police service being appropriate to the underlying ability and interest of that service in using and maintaining those technologies. We noted, on the one hand, a locally driven Liberian National Police process to develop record books for LNP stations and,

on the other, the case management system and other databases being developed externally for the criminal justice system of Timor-Leste and evaluators' concerns about the availability and quality of local IT personnel to keep the system running. It may be good to revisit both of these systems in two years' time to see how they are faring.

## 6.2 On Justice and Corrections

Justice is a principal goal of post-conflict peacebuilding; not only transitional justice for major war crimes but 'ordinary' justice for serious crime—the kind of justice that citizens of well-ordered democratic societies more or less take for granted, that is, law fairly enforced in an efficient manner that is mindful of the commonweal and of basic human rights. In most of the places where UN peace operations have deployed in this century, criminal law and laws covering police and other elements of the criminal justice system have been badly in need of updating; physical infrastructure has been ruined; and professional capacity has been driven out, killed or co-opted by one or another faction of national politics. In most of these areas, much of the population may never have experienced 'rule of law' as defined in western legal discourse or in the reports of the UN Secretary-General over the past decade; their main recourse for most dispute settlement is customary justice. Whether or not there are substantial disparities between the principles and practices of customary justice and those of international human rights law and practice, customary justice is by definition a localized process that cannot scale up to a national level and cannot enable a state to deal effectively with international affairs (such as trade or diplomacy) or transnational crime (smuggling goods, people, or funds). So while it is necessary, as both a matter of respect and a lack of better immediate alternatives, to work with customary justice providers, it is also necessary to build up the capacity and integrity of national and sub-national governance to deal with larger political, economic and social issues.

The law itself is an area where UN justice components can make headway for modern legal precepts and processes, through advice and support to legislatures and to national law reform commissions. Such support and the advice and examples it can bring to bear are among the least visible but potentially most important elements of UN missions' support for the rule of law because from the laws spring everything else.

In courtrooms and judges' chambers, international interventions seem to make the least headway, perhaps because an element of what they advocate, namely, judicial independence, makes members of the judiciary less accessible or swayable. In several cases, one approach to issues of access and capacity has been to expand the bench and associated legal specialties (training and appointing more judges, prosecutors and defense counsel, in addition to essential clerical staff). DPKO and UNDP have collaborated in such programming and should continue to do so, although consistent with DPKO's focus on early peacebuilding, early collaboration should include procedures for early handover of long-term judicial system development to a mix of UNDP and implementing partners.

Prisoners have little political clout or constituency anywhere and if police and public alike believe that whomever the police arrest must be guilty of something, or that anyone who seeks defense counsel must be guilty because innocence should be able to defend itself, the scene is set for steady accretion of wasted human lives. Prisoners in developed states may be released or have sentences reduced due to someone's incompetence at trial but they at least will have had a trial and entered a system that keeps track of them. In most post-conflict countries where UN missions deploy, eight out of ten persons held in prisons have not been tried or charged with a crime but may languish for years because no one can prove they shouldn't be there.

If donors could overcome their own prisons-last mentality, prison conditions and populations offer potentially big and reasonably quick wins for UN operations. Efforts to promote mobile courts or magistrates to review the cases of pre-trial detainees, defense counsels hired by missions for the purpose of clearing those held illegally from the prison system, efforts to account for every detainee/prisoner in every facility in the mission area and to require the documentation of charges before detention could, if emphasized as a goal of UN intervention, contribute to decreases in the prison populations of most host states and boost the UN's reputation for promoting fairness and justice. All other requirements to build and repair prisons or to recruit and train guards would decrease in proportion to the release of illegally-held persons. Reducing the influx of detainees would of course be key to the sustainability of such results, requiring in turn a heavy emphasis on professionalizing the police and on external accountability mechanisms and community engagement with police from an early point in the life of UN operations.



## 7 ANNEXES

### 7.1 Methodology

Impact evaluation involves finding the appropriate balance between the desire to understand and measure the full range of effects [of programming] in the most rigorous manner possible and the practical need to delimit and prioritize on the basis of interests of stakeholders as well as resource constraints.

-- Leeuw and Vasessen, *Impact Evaluations and Development*  
(Network of Networks on Impact Evaluation, 2009, xxi)

This study used qualitative methods (desk review and field interviews) to examine the impact of police, justice and corrections components in complex UN peace operations. Desk review included internal UN reporting materials and analyses, UN public documents and third party analyses, especially those based on field research and focused on MINURCAT (Chad portion), MINUSTAH (Haiti), UNMIS (Sudan), UNMIT (Timor-Leste), and UNOCI (Côte d'Ivoire), as well as four field visit missions: MONUSCO (Democratic Republic of Congo), UNIPSIL (Sierra Leone), UNMIL (Liberia) and UNIOGBIS (Guinea Bissau). Comparably structured case portfolios were built for each of these missions to facilitate thematic analysis within and across cases and to assess issues of sequencing as well as tradeoffs between urgency, duration, scope and scale of assistance under different assumptions about the operational environment (particularly its politics, levels of violence, and terrain/climate). The field visits generated more than 200 semi-structured interviews with mission, government, NGO and civil society representatives. They were preceded by extensive interviews with UN Police Division planners and mission managers in New York and followed up by interviews with personnel of the DPKO Criminal Law and Judicial Advisory Service.

Going into the study, we proposed to search for "minimum essential tasks" – those that always seem needed in comparable ways across missions and seem to consistently have the desired effects on the host country's approach to police, justice or corrections. At the end of the study, it was clear that while some tasks may indeed be essential, their successful implementation is often highly dependent on characteristics of a mission's operational environment, over which the mission cannot exert direct control. These range from host state politics and culture to other international agencies' actions, as well as the actions of donor countries and neighboring states. This does not mean that mission activities are not worth undertaking but only to stress that most results are contingent.

Attributing impact to specific mission activities can be difficult given the limited ability of UN mission budgets to fund projects and programs beyond the provision of training, mentoring or advice. Partnerships with other entities (members of the UN Country Team and/or bilateral donors) are usually essential to achieve police, justice or corrections development goals. Every partner's contribution may be necessary but none is sufficient to achieve those goals. Some elements of missions' work, such as police training or advice to prison managers, may leave more direct and attributable imprints but operationalizing the results of such training or advice usually requires a partner's support.

Much of the material reviewed or developed for this report is peacekeeping case based but we have attempted to avoid undue emphasis on any one mission in drawing conclusions and making recommendations. In doing so, we sought to maximize cross-mission utility ('external validity') without doing serious damage to internal validity (getting the story right for each case).

A retrospective study such as this one does not have ready baselines against which to gauge changes in the performance of host country criminal justice institutions. The project's best estimates of baseline institutional capacities in each mission area studied are, however, summarized in the tables of annex three (section 7.3). For essentially all of the mission areas examined, the capacities of host state police, judicial and corrections institutions at mission start-up were widely regarded as nil or, at best, severely war-damaged, from physical structure to staffing. With such initial conditions, almost any detectable gains in judicial or corrections capacity and performance may reasonably be associated with police and justice development programming and virtually all such programming is externally supported.

A baseline is less straightforward to set where a current operation is the third or fourth in a sequence of missions with varying mandates over the last decade, e.g., in Sierra Leone or Timor-Leste. In deciding such baselines, we did not set a hard and fast rule. The evolution of police, justice and corrections in Sierra Leone, for example, is baselined at 1999, the year preceding full set-up of the large UN operation, UNAMSIL. Timor-Leste, on the other hand, is baselined at 2006, the year of the "shocks to the system" that undid some prior institution-building and led to the return of international military forces and UN police.<sup>107</sup> In general, however, institutional conditions were baselined in the year when the initial UN mission was established by Security Council.

#### **Expectations of Impact: An Organizational-Evolutionary Perspective**

Yale development economist Christopher Blattman has argued that complex and fluid post-conflict environments are less amenable to broad, deliberate, top-down and explicit processes of strategy formulation and implementation than they are to approaches that focus closely on local conditions. To undertake such approaches, external actors must be capable of organizational learning and of taking into account the fact that they themselves and the institutions they seek to influence are driven by routines that are learned slowly and embedded once learned. Sets of such routines constitute an organization's "repertoire," which is changed only if it is demonstrably failing to achieve the organization's goals. Unless an organization is being built completely from scratch with all new people, changing the organization will more closely resemble evolution than revolution. Volha Piotukh and Peter Wilson note that an evolutionary approach "is more descriptive than prescriptive, i.e., it helps us to understand how things happen rather than provide a 'recipe' of success." Mission plans recognizing that institutional change is evolutionary in nature, they argue, should therefore seek to influence that evolution rather than "attempting to design a 'better' security sector." A mission plan may thus focus more on limiting local organizations' repertoires (e.g., reducing judicial corruption or the abuse of detainees) than on steering those organizations toward a particular outcome. Within such limits, the organizations themselves can search for their own best-fit outcomes. An important exception is the assumption that those public security organizations most likely to succeed will be those that meet public security expectations by listening and responding to expressed security needs. Such democratic responsiveness may be easier to inculcate, argue Piotukh and Wilson, via bottom-up channels than through national legislation or parliamentary oversight.

Sources: Christopher Blattman, "Evaluation 2.0," 2008, and "Evaluation 3.0?" 2011. Volha Piotukh and Peter Wilson, *Security Sector Evolution: Understanding and Influencing How Security Institutions Change* (Libra Advisory Group, July 2009), 7, 10, 12, 17-19.

Every actor's work in post-conflict settings will correspond to some *theory of change*. It may not be well articulated, yet:

Interventions are embodiments of theories in at least two ways. First, they comprise an expectation that the introduction of a program or policy intervention will help ameliorate a recurring social problem. Second, they involve an assumption or set of assumptions about how and why program activities and resources will bring about changes for the better. The underlying theory of a program often remains hidden, typically in the minds of policy architects and staff. Policies rest on social, behavioral and institutional assumptions indicating why "this" policy intervention will work, which at first view are difficult to uncover. ... Often the underlying theory has to be dug up.<sup>108</sup>

For the UN family, the prevailing if implicit theory of change appears to be that rule of law as the UN defines it is a general good; that more rule of law is better than less; that UN efforts can enhance rule of law in the mission area; and that UN efforts are correctly configured and guided to do so. This is a more or less shared understanding among UN mission practitioners and their largest financial supporters amongst UN member states, among members of the Security Council and among troop and police contributors.

Terminology in impact evaluation is important and can be confusing. Those who work with Logical Frameworks are familiar with the hierarchy of Activities, Outputs, Purpose and Goal. The structure of a logframe is more conducive to tracking program implementation, however, than it is to comparative analysis of outcomes or impact. The UN Peacebuilding Support Office has offered a hierarchy of strategy, inputs, outputs, "sector-wide outcomes and impacts," such as across the whole of criminal justice, and "system-wide outcomes and impacts," such as across the whole of government.<sup>109</sup> In its 2002 evaluation glossary, the OECD Development Assistance Committee (DAC) defined "impact" as "positive and negative, primary and secondary long-term effects produced by a development intervention, directly or indirectly, intended or unintended."<sup>110</sup>

Although the 2009 *Nonie Guidance on Impact Evaluation* anchors its own definition of impact to the OECD-DAC Glossary, its authors also observe that: "Few impact evaluations will probably provide direct evidence of long-term impacts, and in any case results are needed before these impacts become evident to inform decisions on continuation, next phases, and scaling-up. *Impact evaluations therefore need to identify short-term impacts* and, where possible, indicate whether longer-term impacts *are likely to occur*."<sup>111</sup> [Emphasis added.] Indeed, they argue: "Searching for evidence of ... impacts too early might mistakenly lead to the conclusion that [interventions] have failed."<sup>112</sup>

Given the ten- to twelve-year research timeframe of this study, impact—at least of the long-term, sure-thing variety—is perhaps a premature label for what most of these missions have had the opportunity to achieve. Most are ongoing and some have evolved substantially from modest beginnings (e.g., MONUC/MONUSCO). Absence of essential host state enabling legislation (e.g., an updated Police Law or criminal code) may, moreover, delay the effective start of institutional development for several years. In such cases, we may be searching for impacts too soon if impact is defined only in terms of ultimate goals and long-sustained change.

Consistent with the NONIE guidance, therefore, we consider impact to include outcomes that endure for the life of a mission and may do some good for people while they last and may also encourage domestic/host-state spin-offs that are almost as good and that do last, although they may not fully meet international standards. Longer-term impact (to which a mission's activities have contributed) is that which endures after a mission makes a prediction about the mission area's

long-term stability and executes its exit strategy—that is, draws down and departs. Since missions remained deployed in most of the areas of operation on which this study focused, longer-term impacts in those areas remain to be determined.

## 7.2 Mission Leadership Structures

Table 7.2.1: OROLSI-Related and Other Components of Field Missions—Budget Year 2008-09

Reporting to:	SRSG	"Political" Deputy SRSG	"Humanitarian" Deputy SRSG
<b>MINURCAT</b>		<b>DSRSG</b>	n/a
A/63/817	Police Comm'snr (D2) Gender Unit (P5)	Judicial Advisory Unit (P5) Corrections Advisory Unit (P5) Human Rights Section (P5)	n/a
<b>MINUSTAH</b>		<b>Principal DSRSG</b>	<b>DSRSG</b>
A/63/709		Police Commissioner (D2) Civil Affairs Section (D2) Justice Section (D1) Human Rights Section (D1)	Community Violence Red'n Section (P5) Gender Unit (P5) Humanitarian and Development Coordination Unit (P4)
<b>MONUC</b>		<b>DSRSG (Rule of Law)</b>	<b>DSRSG (RC/HC)</b>
A/63/806	<i>Regional Stabilization Unit Eastern DRC (P5)</i>	Police Commissioner (D2) Rule of Law Office (D1) Human Rights Office (D1) Sexual Violence Unit (P5) Gender Affairs Section (P5)	DDRRR & DDR (D1) Civil Affairs Office (D1) Mine Action Liaison (P3)
<b>UNMIK (2004-05)</b>		<b>Principal DSRSG</b>	
A/59/633		<b>DRSG for Police and Justice</b>	<b>DSRSG s for other pillars of UNMIK</b>
		Police Commissioner (D2) Financial Investigations Unit (P4/5) Financial Information Center (P4/5) Head of Justice Component (D2) Intl. Judicial Support Division (D1 x 7) Penal Management Division (D1) Judicial Development Division (P5) Ofc of Misg Persons & Forensics (P5) Legal Advisory Support Unit (P4/5) Organized Crime Support Unit (P4/5)	
<b>UNMIL</b>		<b>DSRSG (Operations and Rule of</b>	<b>DSRSG (Recovery &amp; Governance)</b>
A/63/734		Police Commissioner (D2) Legal and Judicial System Support Division (D1) Human Rights and Protection Section (D1) Corrections and Prison Advisory Service (P5)	Civil Affairs Section (D1) Recovery, Rehabilitation and Reintegration Section (P5) Gender Adviser Unit (P5)
<b>UNMIS</b>		<b>Principal DSRSG</b>	<b>DSRSG (RC/HC)</b>
A/63/714		Civil Affairs Division (D2) Police Division (D1) Rule of Law, Judicial Advisory and Prison Advisory Section (D1) Human Rights Section (D1)	DDR Section (D1) Return, Recovery, and Reintegration Section (D1) Gender Advisory Unit (P5) Humanitarian Early Recov/Reinteg'n (P5)
<b>UNMIT</b>		<b>DSRSG (Security Sector Support and Rule of Law)</b>	<b>DSRSG (Governance Support, Development and Hum'n Coord'n</b>
A/63/710		Police Commissioner (D2) Human Rights and Transitional Justice Office (D1) Serious Crimes Investigation Team (P5) Security Sector Support Section (P5)	Democratic Governance Support Office (D1) Administration of Justice Support Section (P5) Gender Affairs Unit (P5) Humanitarian Affairs Unit (P4)
<b>UNOCI</b>		<b>DSRSG (Operations and Rule of Law)</b>	<b>DSRSG (Humanitarian Coord'n, Recovery and Reconstruction)</b>
A/63/724		Police Commissioner (D1) Human Rights Section (D1) Rule of Law, Judicial System and Prison Advisory Section (P5)	DDR Section (D1) Civil Affairs Section (P5) Gender Issues Unit (P5)

**Table 7.2.2: OROLSI-Related Components of Field Missions: Reporting Chain and Rank of Chief, with Selected Other Components for Comparison as of 2010-11**

Reporting to:	SRSG	"Political" Deputy SRSG	"Humanitarian" Deputy SRSG
<b>MINURCAT</b>	<i>(ended 12/10)</i>		
<b>MINUSTAH</b>		<b>DSRSG</b>	<b>DSRSG (RC/HC)</b>
A/65/776		Police Commissioner (D2) Justice Section (D1) Human Rights Section (D1) <i>Border Management Unit (P5 - temp 2011)</i> <i>Corrections Unit (P4 - 2009)</i>	<i>Civil Affairs Section (D1)</i> Community Violence Reduction Section (P5) Gender Unit (P5) Humanitarian and Development Coordination Unit (P5)
<b>MONUSCO</b>		<b>DSRSG (Rule of Law)</b>	<b>DSRSG (RC/HC)</b>
A/65/74	<i>Security Sector Reform Unit – Kinshasa (D1)</i> <i>Security and Stabilization Unit – Goma (P4)</i>	Police Commissioner (D2) Rule of Law Office (D1) Human Rights Office (D1) Corrections Unit (P5) Sexual Violence Unit (P5) Gender Affairs Section (P5)	DDRRR & DDR (D1) Civil Affairs Office (D1)
<b>UNMIK</b>	<i>Police and Justice Liaison Office (P5)</i>		
<b>UNMIL</b>		<b>DSRSG (Rule of Law)</b>	<b>DSRSG (Recovery &amp; Governance)</b>
A/65/727	<i>Security Sector Reform Adviser (P4)</i>	Police Commissioner (D2) Legal and Judicial System Support Division (D1) Corrections and Prison Advisory Service (P5) Human Rights and Protection Section (D1)	Civil Affairs Section (D1) Recovery, Rehabilitation and Reintegration Section (P5) Gender Adviser Unit (P5)
<b>UNMIS</b>		<b>Principal DSRSG</b>	<b>DSRSG (RC/HC)</b>
A/65/731		Civil Affairs Division (D2) Police Division (D1) Rule of Law, Judicial Advisory and Prison Advisory Section (D1) Human Rights Section (D1)	DDR Section (D1) Return, Recovery, and Reintegration Section (D1) Gender Advisory Unit (P5) Humanitarian Early Recovery and Reintegration Unit (P5)
<b>UNMIT</b>		<b>DSRSG (Security Sector and Rule of Law)</b>	<b>DSRSG (Governance Support, Development and Humanitarian Coordination)</b>
A/65/746		Police Commissioner (D2) Human Rights and Transitional Justice Office (D1) Serious Crimes Investigation Team (P5) Security Sector Support Section (P5)	Office of Democratic Governance (D1) Administration of Justice Support Section (P5) Gender Affairs Unit (P5) Humanitarian Affairs Unit (P4)
<b>UNOCI</b>		<b>DSRSG (Operations and Rule of Law)</b>	<b>DSRSG (Humanitarian Coord'n, Recovery and Reconstruction)</b>
A/65/736		Police Commissioner (D1) Human Rights Section (D1) Rule of Law, Judicial System and Prison Advisory Section (P5)	DDR Section (D1) Civil Affairs Section (P5) Gender Issues Unit (P5)

### 7.3 Programs and Outcomes by Mission

[NB: The following tables are based on mission case portfolios developed by the Stimson Center for DPKO. Similar case portfolios will be available on the Stimson website.]

#### 7.3.1 UN Police Programming and Projects

<b>MINURCAT (Chad and Central African Republic)</b>		
<b>Special mission circumstances</b>	War by proxy with Sudan, 2006-09; also armed struggle between govt. forces and govt. defectors, 2005-09, esp. in eastern Chad; govt. controlled by clan with 3 percent share of total population; high levels of banditry in east; large numbers of refugees (camps near border) and IDPs (near border and inland); substantial numbers of carjackings and murders of humanitarian workers in the east. // Eastern area deeply landlocked; 1400 km supply line thru bandit-infested areas; drought in NE and annual floods in SE that wash out roads. // Govt. peace accord with Sudan, Jan 2010, invites Mission to leave, March 2010. Mission leaves, Dec 2010.	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>  Strategy and planning; oversight development (Ministry or Service-level)	Govt. requests UN support for camp security in the east, late 2006. Negotiations on mandate of Mission continue into fall 2007.	Since mandate had no political component, Mission coped with the political environment as found. // High interest on the part of UNHCR and UNDP in sustaining MINURCAT's work indicates that it built (or was building) programmes and capacities that the protection and development communities considered valuable to the people of eastern Chad, and that the Government viewed favorably.
<b>Police operations development assistance</b>  Policies and SOPs; curriculum development; training (basic, in-service, specialized); mentoring, advising, monitoring; equipment planning, acquisition and maintenance; Infrastructure planning and development; records-keeping (operational)	UNHCR program to train/pay guards for camps. Chadian police act with impunity in support of ruling elite; centrally-controlled but separate National Police, Gendarmerie, Nomad and National Guard, Rapid intervention Force, Republican Guard, Presidential Guard. // MINURCAT mandated to train the Detachment integer de security (DIS) to provide camp security, secure a radius of 10 km around camps, and escort humanitarian convoys to/from their bases and the IDP camps. (Govt. rejected the name for the force written into the original mandate - "police tchadienne pour la protection humanitaire".)	DIS personnel were drawn from the National Police and Gendarmerie. After two rounds of one-month training programs, DIS began to deploy to the east (Nov. 2008). Training increased to two months by late 2009. MINURCAT trained 1,214 DIS members of whom 106 were women for a force of 1,000 (20% attrition over two years). MINURCAT also supported recruitment of 250 female officers for Chadian National Police, doubling female representation to 9 percent; provided uniforms, boots, caps and belts for the contingent, which started a 9-month Govt.-run training programme in May 2010. // Initial police CONOPS envisaged community policing role for the DIS but humanitarian escort between IDP camps and NGO bases became a major part of DIS operations, for which thin-skinned trucks, no body armor and side arms gave inadequate protection against well-armed bandits. Unarmed UNPOL rode along on DIS patrols; arguably distracted more than contributed to such operations. DIS engaged bandits, broke up gangs in two eastern cities, arrested several hundred criminal suspects, and recovered a high percentage of carjacked vehicles, but also wrecked a large number of vehicles, assuming UN would replace them, hence neither caution nor maintenance. // Decreased violence from 2010 onward partially attributed to the Chad-Sudan Joint Border Force that emerged from a Jan 2010 agreement normalizing & opening the border.

<p><b>Police administration development assistance</b></p> <p>Personnel recruitment &amp; vetting; personnel management, performance review and career development; budget; payments, incl. salary; other management.</p>	<p>Police in eastern Chad lacked facilities, mobility. Long delays between salary payments, substantial police corruption.</p>	<p>MINURCAT had a Trust Fund for equipment, infrastructure and salary support to DIS, disbursed by the UN Comptroller in NY: \$34 million over 4 years. Issues with local contracting quality control and difficult logistics of shipping materials to the east. // Mission built 6 police stations and 12 smaller outposts in eastern Chad but none had integrated detention facilities. Hundreds of accused criminals arrested by DIS were turned over to other police services or traditional justice mechanisms. Emergency call centers similar to “911 service” were established in 19 DIS locations allowing refugees, IDPs and local population to contact the DIS 24/7.</p>
<p><b>UNPOL Direct Activities</b></p> <p>Internal management</p>	<p>First mission startup assignment for Standing Police Capacity. Owing to mission lead-time, more UNPOL were lined up to deploy than could be housed or employed. SRSG arrived March 2008. SPC provided acting police commissioner until August 2008.</p>	
<p>Coordination within mission &amp; outside mission (with local and international implementing partners)</p>	<p>SPC benefited from predecessor support unit, but perceived low priority from mission support. Long delay in govt.-Mission MOU and nominees for DIS training, consistent with delay in arrival of SRSG. // DPKO and SPC coordinated with EU on security force for MINURCAT (EUFOR RD Tchad); EUFOR deployment delayed 12/07 to 3/08; sole mission security guarantor thru March 2009.</p>	<p>Mission justice and corrections support components worked concurrently with police component. // Mission security became the responsibility of its new military component in March 2009; partly composed of holdover contingents from EU force; never reached authorized number, and as early as May 2010 stopped protecting UNPOL moving outside IDP camps except in extremis. // Mission worked closely with CONAFIT (Coordination nationale d’appui à la force internationale à l’est du Tchad), based in the president’s office. // Initial MINURCAT coordination mechanisms for DIS and other Chadian forces were replaced 1 July 2010 by the Bureaux de sécurisation et des mouvements (BSM) chaired by the govt., with reps from the various security forces, MINURCAT, UN agencies and international NGOs. BSM participants met weekly in 12 field locations to evaluate the security situation and plan escorts for humanitarian organizations. BSM roundly viewed as a success.</p>



<b>MINUSTAH (Haiti)</b>		
<b>Special mission circumstances</b>	Political upheaval in early 2004 after long decline in governability forces Pres. Aristide into exile; Interim govt. asks for outside security support. UNSC authorizes Multinational Interim Force for 90 days (April-June 2004) and follow-on UN Mission. As MIF deployed, interim govt. controlled only the territory around the capital, Port au Prince. About half (2,500) of the Haitian National Police (HNP) fled the troubles. // Food riots, Apr. 2008; severe flooding from multiple hurricanes, autumn 2008; major earthquake levels Port au Prince, Jan. 2010, killing about 200,000 (including 20,000 civil servants) and displacing about 1.5 million, at up to 1,300 sites. MINUSTAH HQ collapse killed 102 UN staff, including SRSG, DSRSG, Acting Police Commissioner. // Cholera outbreak in Oct 2010 isolated to a South Asian variant; several thousand dead and a half-million infected; mortality rates between 2 and 3 percent.	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>	HNP in 2004 "heavily politicized" with critical shortages of qualified personnel, logistics and financial resources. // In Feb. 2006, a Supplemental Arrangement to the Mission SOFA was signed by the SRSG and PM of transitional govt. giving substantial authority to MINUSTAH & triggering backlash in HNP. Reform Plan published in Sept 2006.	Colombia National Police review of HNP, Oct 2009 found HNP decision-making too centralized; HNP elite built around ex-military and those trained abroad (no command staff academy in Haiti), which inhibits development of a new police culture. Accountability mechanisms urgently needed. // Many in HNP view reforms as imposed. HNP hasn't formally approved the Reform Plan & as of late 2011 no one in HNP was directly responsible for its implementation or monitoring of its progress. // HNP still lacks budget & strategic planning capacity or ability to monitor the implementation of its plans or decisions.
<b>Police operations development assistance</b>	Only one third of police stations functional after 2004 unrest (others looted). HNP weak in all areas of operations. // Basic training for HNP recruits in 2004 was 4 mos. at Police School and 2 mos. at police stations. // Thru 2005, MINUSTAH focused on security and stabilization as only police outside the capital. Initial vetting of HNP began in mid-Jan 2007 in Jérémie, Grande Anse Department (about as far from Port au Prince as one can get and still be in Haiti).	A late 2009 review by Colombian Nat'l Police found rushed training without adequate supporting doctrine increased manpower but not efficacy. Final recruiting guide and Police Station Manual not yet approved. Unclear which community policing model applies. Little progress on police database and police stations use cell phones to communicate with one another. // 10,000 officers in service as of Aug. 2011, short of planned goal of 14,000 by end-2011. About 80 HNP officers killed in quake and Police School occupied by parliament for 9 months post-quake, delaying training. Basic training lengthened in 2007 to 7.5 mos. plus 3 mos. in-service training and a year's probation; HNP instructors have run basic training since 2008; UNPOL audits & offers specialist training. 130 mid-level officers graduated advanced course in 2009 and 2d round planned; separate Academy for higher-level training to be built by 2013. // Vetting of current officers stalled due to loss of UNPOL records in quake; data recovery from HNP records took >18 mos. Ongoing sense in HNP that vetting is externally imposed. By mid-2011, about 3,600 vetted files submitted to HNP Superior Council, but no entity has charge of certification or disposition of those who do not meet standards; only 130 officers dismissed to date; 3,500 cases pending.

<b>Police administration development assistance</b>	May 2006 assessment concluded status of HNP worse than in 2004: corrupt and lacking in command & control, supporting institutional capacity, equipment, and infrastructure.	Career plan has been awaiting approval for 5 years; living conditions of police/families must be improved.
<b>UNPOL Direct Activities</b> Internal management	Decision taken mid-2006 to increase UNPOL development pillar from 73 to 375, with recognized need for "experienced and skilled officers who can mentor, advise and train the HNP"	Police Component reorganized at least twice in an effort to better conform to its taskings, improve command and control, and match the structure of the HNP. Structural recommendations of the late-2008 Police Component Review were undone two years later.
Coordination within mission & outside mission (with local and international implementing partners)	HNP Reform Plan was joint effort of PD/DPKO, UNMIK (loaned Dep. Police Commissioner) and UNPOL. Widely consulted with HNP, other stakeholders, donor community, Perm Reps in NY and Core Group in Haiti.	Joint military-police SOPs developed in 2005 and updated in 2009 covering incident command, handover and handback. Joint operations, together with elements of HNP, began in late 2004, became major element of anti-gang strategy 2006-07, and were renewed in 2010-11 after escapes of gang leaders and members from prison after the 2010 quake.
FPU activities (patrolling, crowd management)		FPU deployments grew from 10 to 14 following earthquake. In the regions, FPUs complemented MINUSTAH military presence. Preference for but severe shortage of francophone units; inhibits effectiveness of units' crowd control functions.

<b>MONUSCO (Democratic Republic of Congo)</b>		
<b>Special mission circumstances</b>	A million-plus refugees, including leaders/perpetrators of the genocide and their dependents flee to eastern Zaire/DRC, 1994. Rwandan military attack camps late 1996 & support Laurent Kabila overthrow of Mobutu regime, 1997. Kabila orders Rwandans out in 1998 and Rwanda & Uganda back rebellion(s) in mineral-rich east and NE. Angola, Namibia & Zimbabwe send troops to support Kabila; country divided roughly in half. // Lusaka peace accord Sept 1999; Sun City and follow-on inter-Congolese accords, 2002-03 establish transitional govt. MONUC begins as a protected observation mission overseeing separation of foreign forces in DRC. Severe inter-ethnic violence in NE, 2003, after Ugandans withdraw, and in N/S Kivu provinces from 2004 onward. Pervasive sexual violence for which armed forces/groups of all stripes share culpability. Human rights groups stress that a culture of impunity regarding sexual violence has also built up in the civilian population.	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>	No national security strategy (self-appointed govt. thru mid-2006). No national police strategy. No police oversight bodies.	National elections in 2006 and 2011 ratified Joseph Kabila as president. Mission renamed July 2010 and refocused on stabilization in the east. // As late as October 2010, govt. had no national strategy for security sector reform. Security forces function with impunity. MONUC was principal source of UN peacekeeping sexual exploitation scandal of 2004–05.) // New organic laws for the armed forces and police finally promulgated August 2011. // "...lack of donor interest and government unwillingness to involve international actors meant that the UN was increasingly left out of national and regional political negotiations of consequence. [Integrated Security Sector Support Strategy (I4S)] could not adequately address support to political processes because those processes were purposefully opaque...."
<b>Police operations development assistance</b>	Police as patchwork of para-military forces of the old regime, never capable of providing law and order. Functioned with complete impunity.	Awaiting national strategy and police law, MONUC had no police development strategy but a series of short-term training efforts to meet specific needs like VIP protection in Kinshasa or election security. No census of police undertaken until 2010-11. // Police component supports I4S in lieu of national police development strategy. I4S supports govt. agreements with militias that offered govt. control of east and 'integration' of militia members into national army (FARDC). UN military engineers repaired roads on six priority 'axes' from urban hubs in the east and UNPOL trained 300 territorial and 1,500 "rapid intervention" police to deploy on those axes. UNOPS supported road construction and rebuilding of police stations and other government buildings; IOM infrastructure support and training for border police. UNICEF, UNDP and FAO coordinating the return of displaced persons. // The PNC trained to support I4S are reluctant to deploy given parallel administrations run by militia factions within the FARDC.
<b>Police administration development</b>	Materially very weak, irregular pay, no training, most police unqualified for duty.	Little evidence of 'back office' reform efforts.

<p><b>UNPOL Direct Activities</b> Internal management</p>		<p>UNPOL contingent very small compared to potential tasks of police development (about 400 officers, 1/4 the peak size of UNPOL in Haiti). Corrections officer secondments were counted against UNPOL until 2009-10.</p>
<p>Coordination within mission &amp; outside mission (with local and international implementing partners)</p>	<p>UN policing assistance began about the time that UN military component was given a forceful operational mandate in NE, June 2003. Initial focus on training VIP protection unit in Kinshasa and training police for Kisangani.</p>	<p>UN Integrated Strategic Framework developed in 2009 and updated. // I4S developed in early 2008 as a UN-system-wide approach to 'laying the groundwork for the mission's eventual and orderly withdrawal from areas of the DRC with the largest troop deployments, including Orientale, the Kivus, Maniema and northern Katanga. // Police component worked with USAID to develop sexual-and-gender-based-violence units within PNC; also partnered with UN Joint Human Rights Office and EUPOL for two months training of trainers course for 50 judicial police trainers in Bas Congo on investigative techniques for cases of sexual violence.</p>
<p>FPU activities (patrolling, crowd management)</p>		<p>Operational support consists of FPU patrols and humanitarian escort with PNC counterparts (Police d'Intervention Rapide and Groupes Mobiles d'Intervention) including on-the-job training in public order maintenance. // First gathering of all UN FPU commanders appears to have occurred in May 2009, in the course of SPC development MONUC Police Strategy.</p>

<b>UNIOGBIS (Guinea-Bissau)</b>		
<b>Special mission circumstances</b>	Long history of violent politics since independence. Joao Bernardo Veiera took power in 1980 coup & withstood several coup attempts; elected president 1994; military mutiny/civil war Jun-Nov 98; Abuja Peace Agreement, Nov 98; UN Peace Support Office in GB estab'd April 99; political instability continued through assassinations in March 09 of Pres. and CoS Army. UNIOGBIS begun Jan. 2010; brief military mutiny April 10; leaders restored to office but one arrested on drug charges in 2011. Pres. Sanha died Jan. 2012. Army coup April 2012.	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>	UK-UN SSR strategy developed 2005-06. Little knowledge transfer between successive govt. ministers; UN SSR assessment recommended int'l support to GB for combating transnational crime. Apr 09 assessment recommended more capable UN mission; a June 09 SPC mission noted overlap & friction in SSR programming and lack of national ownership of it.	The Strengthening Justice and Security Sector Reform program was developed in 2009 by several UN agencies with the help of UNIOGBIS and qualified for a grant from the MDGA Fund. As of November 2010, the program had completed a national gender policy and a strategic development plan for parliament oversight of security sector reform. // The Peacebuilding Commission created the Peace Consolidation Priority Plan in December 2010 in consultation with the government of Guinea-Bissau. In February 2011 the Peacebuilding Fund made an allocation of \$16.8 million. UNIOGBIS, UNCT and national authorities collaborated to revise the plan in line with the recommendations of the PBSO team. In December 2011, PBSO visited Guinea-Bissau to review the status of implementation and to assess opportunities for further funding.
<b>Police operations development assistance</b>	[S]ome citizens are taking the law into their own hands, as they feel that law enforcement structures are inefficient and weak or non-existent, particularly in the provinces. // Classroom training by UNIOGBIS made 'little tangible progress' in light of unpaid salaries.	The Mission's two main collaborative achievements to date have been the establishment of a Model Police Station, launched Sept. 2011, and a computer-based training center. Model station is the first proper police station in the country. UNIOGBIS collaborated with the SPC in developing the project. The training center was launched in July 2010 within the West Africa Coast Initiative, together with UNODC, the SPC, and the Canadian government. The center offered interactive training and as of February 2011 had been used to train a total of 430 officers from a number of policing institutions. // The Mission did not provide direct operations support to any of Guinea-Bissau's 9 law enforcement agencies. // With Mission support, the Public Order Police "approved, on 2 March [2011], the creation of a sub-directorate for gender and the protection of vulnerable people, as well as a police gender training task force."
<b>Police administration development</b>	Nine police and other law enforcement agencies report to six Ministries (not including Defence). Fragmentation, stove-piping and weak governance impedes coordination.	UNIOGBIS developed a vetting and certification process for the Public Order Police leading in Jan. '11, to a National Mixed Technical Independent Committee supported by technical assistance from UNIOGBIS to register 1,954 police officers from the Public Order Police, Immigration, Border Guard, and Security Information systems as of June 2011.

<b>UNIPSIL (Sierra Leone) – successor to UNIOSIL (2006-08) and UNAMSIL(1999-2005)</b>		
<b>Special mission circumstances</b>	Civil war 1992-2001 took heavy toll on Sierra Leone Police (SLP), 'poor relations' of the military until UK-led reform effort began in 1998. Pres. Kabbah issued Policing Charter, Aug. 98 [A&J, 30] Ret'd UK police officer Keith Biddle appointed IG of SLP, in 1998. Political neutrality of IG critical to early progress in rebuilding SLP. After rocky start, 1999–2000, UN mission UNAMSIL benefited from UK military and Guinean Army intervention against Revolutionary United Front (RUF). UNAMSIL built to 17,500 troops and 130 UNPOL, withdrew at end of 2005. UN peacebuilding office UNIOSIL set up with 30 UNPOL; became an "integrated" PB office (UNIPSIL) in August 2008 with 10 UNPOL.	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>	UK training program sent 60 younger, capable officers to UK police academy, Bramshill. Promoted rapidly to management positions: "...to ensure sustainable, improved SLP management, the traditional system of seniority and appointments was broken." Rank system flattened from 22 ranks to 10.	Office not involved in high politics of Sierra Leone except to serve as a member of the 'Adherence Committee' of a 2009 Joint Communiqué signed by the major political parties to avoid political violence. Main focus of the Office in policing has been establishment of a Trans-national Organized Crime Unit (TOCU) to work with the West Africa Coast Initiative (WACI), UNODC, other regional states and INTERPOL to combat drug and human trafficking.
<b>Police operations development assistance</b>	UNAMSIL support started with 3 dozen UNPOL in 2000. Ongoing UK-supported police training program. 130 UNPOL support SLP training and mentoring, starting latter half 2002. By 2003, about 6,000 officers [from 2,500 in 1999]; goal 9,500 by 2006.	In 2009, in the wake of brief violence, UNIPSIL worked with SLP on retraining crowd control personnel; also helped train Chiefdom police and established a computer-based training Center for the Joint Drug Interdiction Task Force (JDITF). Worked with govt. and international partners to set up, train and equip TOCU as JDITF successor. National Drug Law Enforcement Agency, set up by National Drugs Control Act of 2008, has overlapping 'supply reduction' mandate but few resources. // Dutch funding for TOCU equipment became snarled in UNODC en route to UNOPS procurement machinery (2010). // As of 2011, SLP said still to lack basic forensics capacity.
<b>Police administration development</b>	By 1999, SLP infrastructure badly damaged by years of warfare and neglect// All personnel files destroyed in 1999 fighting. //UK Dfid provided GBP 22 million in equipment and infrastructure support to SLP.	
<b>UNPOL Direct Activities</b> Internal mgt.		UNIPSIL's relatively small organization appears tightly integrated with the UNCT, including joint mission support elements.
Coordination		Funding partners include Italy, Germany, Netherlands; US, UK, either bilateral or thru UNODC, UNOPS. TOCU has collaborative agreements with Spain, US, UK, and Venezuela.

<b>UNMIL (Liberia)</b>		
<b>Special mission circumstances</b>	Civil war 1989-97. Warlord Charles Taylor elected to presidency; members of his militia came to make up bulk of 4,000-member LNP, 1997-2003. Served regime and not the public. Insurgency pushed Taylor to negotiating table and resulting agreement pushed him into exile in Nigeria. In November 2011, Liberia finished its second peaceful presidential election since the deployment of UNMIL in 2003.	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>	LNP disbanded under Comprehensive Peace Agreement.	In 2008, the National Security Strategy linked justice and security and set overall development goals in both. // UNPOL-LNP cooperation has hinged in part on the personalities of their respective leaders, improving from August 2009 when a new LNP Inspector General took office who energized the entire reform and capacity building effort
<b>Police operations development assistance</b>	Heavily politicized force needed to be rebuilt from ground up; existing force unpaid for 2 years. Police survived on bribes, esp. traffic police. 'Zero' public confidence. No police presence outside Monrovia.	In 2007, US and UNMIL developed concept for the LNP armed Emergency Response Unit (ERU) seen as an effective response to violent crime. // Police Station SOPs being drafted in 2009 with UNPOL support; standard station records system rolled out in 2010. // Joint foot patrols by UNPOL and LNP were believed to contribute to reduced crime rates. // Concept of Justice and Security Hubs for branching the formal justice system beyond Monrovia emerged from the NSS. Building of first hub in Gbargna began 2011. // UNPOL assist LNP in forensics and dealing with SGBV (investigations, case file mgt. and records control). Lack of 'sustainable forensic pathology capability' (e.g., refrigeration) hinders investigation of suspicious deaths and can feed community speculations & vigilantism. Community Police Forums intended to increase police engagement. // In spring 2010, Liberian officials began negotiating MOU with UNODC to set up a TOCU and participate in WACI.
<b>Police administration development</b>	Initially, little funding available for equipment, supplies, and infrastructure.	With UNPOL assistance, the National Police Training Academy has made sustained progress, both in terms of training LNP and institutional development. National ownership of the Academy has increased and its leadership have designed budgets, refined training needs, sought additional educational credentials from Min. Educ'n and expanded beyond basic training programs. UNMIL LJSSD has collaborated with UNPOL and NPTA to provide specialized training to LNP on Liberian Penal Law. // By 2010, 3,700 officers out of 3,909 LNP officers have bank accounts and are being paid through direct deposits, so no need to leave their posts to receive pay. // But Search for Common Ground report found that police are "routinely seen drunk and acting unethically"; police may collect bribes from arrested criminals before releasing them. A March 2011 clampdown on demonstrating students

		showed bad habits die hard, despite president's declaration two months earlier that police "heavy handedness" is a thing of the past.
<b>UNPOL Direct Activities</b> Internal management		Needs for specialized skills in UNPOL have not been met by PCC secondment (e.g., in project development and management, information management and communications, human resource management, financial planning, and police institutional planning and research).
Coordination within mission & outside mission (with local and international implementing partners)	SOPs for joint military-police operations agreed to in 2010. UNMIL and UNDP have collaborated since 2004 to acquire funds for LNP capacity-building. UNPOL has Donor Aid Coordination Team for that purpose. US as lead donor for armed LNP ERU development (uniforms, equipment, weapons, and a HQ facility) while Ireland bought vehicles.	SOPs for joint military-police operations agreed to in 2010. UNMIL and UNDP have collaborated since 2004 to acquire funds for LNP capacity-building. UNPOL has Donor Aid Coordination Team for that purpose. US as lead donor for armed LNP ERU development (uniforms, equipment, weapons, and a HQ facility) while Ireland bought vehicles.
FPU activities (patrolling, crowd management)	FPUs have been routinely used to fill security gaps but continue as well to fall short in capabilities and to be assigned non-mandated tasks, e.g., perimeter security for ill-guarded prisons.	FPUs have been routinely used to fill security gaps but continue as well to fall short in capabilities and to be assigned non-mandated tasks, e.g., perimeter security for ill-guarded prisons.



<b>UNMIS (Sudan)</b>		
<b>Special mission circumstances</b>	Long civil war (1999-2005; some view conflict as uninterrupted, 1983-2005) between northern and southern parts of the country; ended with Comprehensive Peace Agreement (CPA) of 2005 and a 5-year transition period capped by a referendum in the south on independence. UNMIS came to a close 11 July 2011, two days after the Republic of South Sudan was established, in the wake of an overwhelming vote in favor of independence the previous January. "Of-cited complaints over the last six years also include corruption, pervasive tribalism and nepotism at all levels of government, the civil service, and the army, delays in payment of public sector salaries, ill-treatment by under-resourced and sometimes predatory security forces and lack of popular consultation by government representatives. [F]orcible disarmament campaigns, cattle rustling and ethnic tensions fuelled cycles of internal violence that increased disappointment and mistrust in the government.	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>	Sudanese Peoples Liberation Movement (SPLM) Police Act 2003 created Southern Sudan Police Service (SSPS), which was written into Interim Constitution in 2005.	UNMIS labored under the perhaps necessary assumption that the CPA laid the groundwork for a unified and peaceful Sudan, as the outcome of elections and referenda specified the CPA could not be pre-judged without accusations of political interference. Its mandate directed it to support the restructuring and training of "the police service in Sudan" and to assist development and consolidation of "the national legal framework." In the event, the arc of North-South relations, deadly ethnic tensions within the South itself, and the militarization of governance that was a by-product of three decades of war undermined the Mission's ability to achieve these goals. // The Darfur crisis also absorbed much Mission attention (up to 80 percent of some key staff time) from the passage of SCR 1706 (31 Aug 2006) through establishment of UNAMID in 2008 (providing essential startup equipment). Moreover, UNMIS functioned without an SRSG through much of this period (late 2006 through late 2007).
<b>Police operations development assistance</b>	Had about 80 trained police and 2-5,000 former SPLA discharged owing to age, disability, or disciplinary problems."	UNMIS Police conducted a number of short-term training programs but had marginal impact on the institutional capacity of the South Sudan Police Service (SSPS). When UNMIS ended, the SPLA, not SSPS, was still considered the primary provider of internal security in South Sudan. Positive relations between UNPOL and SSPS leadership did not translate into substantive engagement: SSPS were keen on basic and election security training but less enthusiastic about other reform and restructuring. An SSPS Police Act was signed in Oct 2009 that gave SSPS legitimacy to act as the Police Service for Southern Sudan but as of mid-2010 various SOPs, Rules and Regulations had not been formulated and disseminated. Prior to the opening of the Police Training Centre at Rajaf, south of Juba in January 2010, trainings were conducted at 30 team sites across Southern Sudan, for lack of training infrastructure. A majority of SPSS members at the time were drawn from

		SPLA, 2/3 were illiterate, and few had formal police training. Some 10,000 SPSS members were trained by UNPOL in election security for the April 2010 national elections and 23,000 for the referendum of January 2011. Such short-term training does not create a professional police officer, however, much less a service. The Police Training Centre was implicated in systematic abuse of its recruits in a <i>New York Times</i> story in Feb 2011. The govt. appointed an investigative commission, whose report was submitted to Pres. Kiir on 18 Jan 2012.
<b>Police administration development</b>	SPSS unsalaried, very little logistics capability, no functional infrastructure, few roads mean limited mobility, disconnected areas.	UNPOL had registered 34,000 SPSS members in a database by 2010 and issued identify cards to those registered, but this tool was not a personnel management system and those registered were not further vetted. // The SG's special report on Sudan (May 2011) recommended that the follow-on UN mission in South Sudan "assist the Government in establishing a solid foundations for an efficient, community-oriented police service following democratic principles and capable of providing security and protection".
<b>UNPOL Direct Activities</b> Internal management		Internal configuration of Police Component not a controlling factor in the accomplishments of the Mission but the need, under the CPA, to deploy largely mirrored structures in North and South was, objectively, a waste of scarce resources rendered necessary by the politics of the "Interim Period."
Coordination within mission & outside mission (with local and international implementing partners)		UNPOL has had a positive working relationship with UNDP, with reports noting increased levels of coordination and cooperation over time. UNDP has provided institutional support to numerous UNPOL projects, including in basic police training and community policing; however, a 2010 biannual report noted that delays by UNDP in procurement and transfer of funds hampered some training programs. On the other hand, the UNCT worked in areas of Sudan where UNMIS did not deploy, creating some dissonance for the DSRSG/HC-RC and possibly contributing to delays in support to UNPOL as its needs were addressed by a procurement system with much wider focus and clientele.
FPU activities (patrolling, crowd management)		No FPUs in UNMIS.

<b>UNMIT (Timor-Leste)</b>		
<b>Special mission circumstances</b>	A small country of 1 million people and 19,000 sq. km. // Post-independence, in May 2002, a UN transitional administration became a Mission of Support and in May 2005 became an integrated political office. In April-May 2006, tensions between regional factions of the army and police erupted into violence in the capital, Dili, that displaced 150,000 persons and caused police command in Dili to collapse. A coalition military force led by Australia deployed to restore order. // Stability & governance affected by "Martial Arts Groups" estimated to have 90,000 members around country, associated with organized crime, with members in both the police and the Govt. // T-L has 15 ethno-linguistic groups, a rapidly growing population, high fraction of youth, and high unemployment. In such a small country, the state "is not anonymous"; it is difficult to separate those who are accountable for their exercise of power from the people and mechanisms supposed to hold them accountable (Peake). Timorese leaders asked for assistance in 2006 but retained a strong inclination to exercise their recently-won sovereign rights.	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>	Timor's govt. asked for UN assistance to restore order and rebuild the police force. UN responded with UNMIT, in August 2006. In December, UN and govt. signed a 'supplementary arrangement' assigning command authority and responsibility for vetting and rebuilding National Police of Timor-Leste (PNTL) to the Police Commissioner of UNMIT.	After the February 2008 attempts to assassinate the president and prime minister, the govt. declared a state of siege and PNTL and the army (F-FDTL) formed a Joint Command without consulting the UN Police Commissioner (nominal commander of PNTL). The 2009 police law maintained fuzzy police-military jurisdictional boundaries. Such sustained ambiguity, and priority of peace over justice (e.g., pardoning or commuting the sentences of those responsible for the violence of 2006 and 2008) characterize much GoTL decision-making, a style that works for T-L but is at odds with UN goals to promote rule of law.// Until entry into force of the 2009 Law Against Domestic Violence—drafting of which was supported by UNMIT, UNIFEM and UNFPA—domestic violence was not a public crime in Timor-Leste but is estimated to be the most prevalent type of non-political violence in the country. //
<b>Police operations development assistance</b>	Initial UN training of what would be PNTL began in early 2000 with 370 former members of the Indonesian-led police in East Timor at middle and senior ranks, given 4-week 'refresher' course, and new recruits given 3 months training and 6 months on-the-job training by UNPOL. But UN lacked police development strategy until late 2001. By May 2002, PNTL had 1,800 officers. Early public confidence in new service judged likely to drop unless PNTL was better	Owing in part to early Mission emphasis on restoring order and in part to delays in revising core laws, capacity-building in UNMIT's first 4-5 years was a patchwork. But the Mission, its UNHQ support team and its PCCs probably focused too much on operations, for which UN capacity could be generated via secondments, at the expense of institutional development. But the initial reform plan of 2007-08 was judged by UN review teams to have not sought enough govt. & PNTL input nor to have generated enough buy-in from either to be implemented effectively. // The GoTL was free to negotiate arrangements with donors for police support, of which the largest and oldest is the T-L Police Development Program funded by Australia. New Zealand supports a small community-based policing program. Portugal has funded the first Basic Recruit Course to be taught since 2000. // By 2009 the Mission's de facto operational control had substantially eroded and the January 2010 TAM recommended an accelerated shift toward PNTL institutional development and transition of

	trained and professionalized. // January 2003 Joint Assessment Mission warned PNTL isolated, with duties overlapping the army's.	operational powers. To meet the new program requirements, UN Police Component turned to the job market to recruit specialists needed to manage the joint program from int'l civilian posts within Police Component. // Still too little training, even in PNTL Vulnerable Persons Unit, on investigating SGBV and awareness of the law and police role related to it remain weak in the districts.
<b>Police administration development</b>	At handover to UNMISSET, PNTL lacked administrative capacity and was not able to take over responsibility for law enforcement; nor were ministerial or legislative capabilities up to managing or oversight.	SPC deployed to UNMIT in May-June 2008 with support from the Int'l Center for Transitional Justice to draft guidelines and set a timetable for PNTL certification and to reduce related UNPOL mentoring to two months from six. The revised program allowed certification to proceed 4-5 times faster; Just 20 percent of PNTL had been certified by May 2008, but 85 percent by November 2008. // Certification was also slowed by infrequent meetings of the joint GoTL-UNMIT Evaluation Panel formed to deal with cases involving human rights abuses or disciplinary actions. The Panel's remit expired at the end of 2009 and was not renewed. In late 2010, most pending cases were summarily certified by the Secretary of State for Security, over UN objections. // In 2010, PNTL was judged to be lacking effective civilian oversight, leadership, financial mgt., planning, logistics, communications, records maintenance, and disciplinary procedures.
<b>UNPOL Direct Activities</b> Internal management		UN Headquarters established a transition team to develop the UNMIT mission implementation plan; wrote directives for heads of police components and for police detention, searches and use of force applied; and wrote successive concepts of operations for UNMIT UNPOL.
Coordination within mission & outside mission (with local and international implementing partners)		UNMIT used the UNDP trust fund to disburse voluntary funds for projects of its own devising. A late 2009 OIOS audit depicted strained UNMIT-UNDP relations growing in part out of different expectations as to how such funds were used and managed. // Better collaboration shown in the 2011-12 Police Development Program, which has an UNPOL Project Manager reporting to a joint UNPOL-PNTL-UNDP Board. Mission makes in-kind contributions with new civilian police development specialists. UNDP funds workshops, goods and materials, and other contracted services for the project, which is intended to build PNTL management and administrative capacity.// Tools such as the Integrated Strategic Framework (completed for Timor-Leste in early 2011) require Mission and Country Team to work out complementary goals and programming while paying greater attention to respective rules and regulations.
FPU activities (patrolling, crowd management)		UNMIT FPUs guard courthouses and support some witness protection. FPUs also provided security village elections of Oct. 09. Portuguese FPU members supported Basic Recruit Course at the Police Training Centre under bilateral programme funded by Portugal.

<b>UNOCI (Côte d'Ivoire)</b>		
<b>Special mission circumstances</b>	<p>Flawed elections in 2000 brought Laurent Gbagbo to power; failed coup in September 2002 led to de facto north-south partition of country with Forces Nouvelles holding the zone north of a 'zone of confidence' monitored by ECOWAS and French Op Licorne forces. Five peace agreements, 2003-07 were judged as useful mostly to give the parties time to regroup and re-arm. UN replaced ECOWAS along the zone of confidence in early 2004. The first round of 5-times-postponed presidential elections was held 31 Oct 2010 and the second round 28 Nov. Alassane Ouattara won 54 percent of the vote but Pres. Gbagbo rejected the result. Almost immediately, the Integrated Command Center joining the national army and Force Nouvelles dissolved and security forces became partisan participants in the ensuing political crisis. After months of clashes in Abidjan and elsewhere, Ouattara (who was protected by UNOCI and Licorne troops in Abidjan) launched a countrywide offensive on 28 March 2011. In Abidjan, UN and French helicopters attacked Gbagbo forces in response to their use of heavy weapons against civilians (as authorized by SCR 1975). The fighting led to Gbagbo's arrest on 11 April but not before both sides' forces stood accused of human rights abuses.</p>	
	<b>Baseline</b>	<b>Outcome(s)</b>
<b>Strategy and leadership assistance</b>	<p>Security forces, including the police, have been involved in extra-judicial killings to suppress opposition, politically motivated disappearances, arbitrary arrest and detention, corruption and brutality ... and the culture of impunity is pervasive. (para. 2)</p>	<p>Mission trajectory in Côte d'Ivoire is unusual in that the sort of capacity-crushing crisis that often leads to the deployment of a peacekeeping operation occurred after 7 years of UNOCI marking time and pushing political strings. Yet while those years were costly, because it was fully deployed when the crisis occurred and had a capable Member State military partner, it was able to protect the election winner and his inner circle, avoid worse consequences at least for civilians in Abidjan, and ultimately see that the election results were upheld. // UNOCI first deployed to buy time for political change and so what it could offer was of more interest in the FN-controlled zone than to the govt. The relatively minor role of UNPOL in govt. controlled areas during the period of stalemate likely contributed to the 27-month (June 2007 - Sept 2009) gap in leadership of the Police Component. // The violence that accompanied the Nov 2010 - April 2011 crisis finally did severely damage the police, courts and corrections systems in the south, and the country now does need the kind of help that the former govt. largely disdained.</p>
<b>Police operations development assistance</b>	<p>[After] Sept 2002, most of the National Police and the Gendarmerie left the northern provinces and withdrew ... south of the zone of confidence. ... Law enforcement largely by FN 'interim structures' -- 'volunteers' led by ex-Police or Gendarmes. Police infrastructure badly</p>	<p>The former govt.'s National Police and Gendarmerie were heavily politicized, corrupt, brutal and disliked, and only accepted advice/support from UNOCI that enhanced its capacity without altering how that capacity was delivered (e.g., crowd control and forensics). By training 600 Auxiliaires de Sécurité in the north, from which govt. police had withdrawn, UNOCI helped to stabilize the area but also to sustain the balance of power and the national political stalemate.</p>

	<p>damaged.</p> <p>April 2005 Pretoria Peace Agreement called on UNOCI to recruit/train 600 combatants in the north to serve police functions.</p>	
<b>Police administration development</b>	<p>National Police report to Ministry of Interior; Gendarmerie to Ministry of Defense. Infrastructure and operations for both are intact in the Government-controlled south but completely disrupted in the north. Remains a functioning National Police Training School in Abidjan and two training schools in the south for the gendarmerie. No schools in the north.</p>	<p>Reconstitution and reform of police institutions, including planning for vetting mechanisms, has only begun since the change in government in the first half of 2011.</p>
<b>UNPOL Direct Activities</b> Internal management		<p>A 2009 OIOS report determined that UNOCI needed stronger strategic planning capacity; outdated the mission implementation plan gave inadequate guidance for mission priorities. Integrated planning found lacking at operational levels. While JMAC improved information fusion, the resharing process was viewed as 'cumbersome' (fall 2009); multiple, component-focused operations centers complicated mission response to the post-election crisis. Mission also seemed not to have planned for possible post-election instability.// Police Component and Police Division noted (mid-2010, early 2011) cooperation issues with the military component: police advice/info not used by military component, which did all ops planning and issued ops instructions to the police.</p>
Coordination within mission & outside mission		<p>External reviews noted lack of joint planning with international development partners such as World Bank but closer collaboration with other UN missions and offices in West Africa. UNPOL has a positive working relationship with French Operation Licorne.</p>
FPU activities (patrolling, crowd management)		<p>FPU in particular have participated in joint operations with Licorne, which include training exercises, patrols and protection of installations and personnel (2006, 2011). Joint patrols with govt. police in the south risked associating UNPOL with govt. police reputationally but also suggested to the public that somebody was keeping an eye on the police. Post-crisis, joint patrolling with the new and barely-organized army (the Forces Republicaines de Côte d'Ivoire) by UNPOL may have contributed a similar degree of confidence-building.</p>

## 7.3.2 Justice and Judicial Programming and Projects

<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<b>MINURCAT (Chad)</b>  <i>Baseline:</i> Chad's judiciary was ineffective, underfunded, overburdened, vulnerable to intimidation and violence, and officials enjoyed a high level of impunity. The length of pretrial detention was problematic; persons accused of crimes could be imprisoned for several years before being charged or tried. Judicial infrastructure in the east was quite limited.	Logistical support	Logistical support with continuous air and ground transport of judicial actors and justice auxiliaries, office supplies and equipment, and preparing court documents	MINURCAT	Trained 76 justices of the peace and auxiliaries in 2009 & 158 justices of the peace in 2010
	Infrastructure	Built or rehabilitated courthouses and related facilities	MINURCAT, UN Country Team (UNCT)	
	Training	Collaborative training of judges and investigative officers	MINURCAT Judicial Advisory Unit (JAU), Chadian Bar Ass'n, NGOs	
	Legal Aid	Support to legal aid clinics in Abéché	MINURCAT, UNDP, Chadian Bar Ass'n	
<b>MINUSTAH (Haiti)</b>  <i>Baseline:</i> In 2004, judiciary seen as corrupt and lacking independence. Most personnel had little or no legal training or access to basic legal texts. Courts lacked basic equipment and supplies. No national case registration system existed. Use of the French language made courts largely inaccessible to the Creole-speaking population at large.	Legislative reform	Support to the Ministry of Justice and Public Security in drafting and promoting key legislation, seeking to improve independence of the judiciary	MINUSTAH Justice Section, GoH	Political obstacles have impeded formation of key judicial bodies needed to initiate judicial reform
	Pre-trial detention	Support to Consultative Commission on Prolonged Pre-trial Detention - reviewed cases and issued report and recommendations in 2008. Successor commission in 2009	MINUSTAH Justice Section, GoH	2007–2008, 892 inmates released but HNP & some CSOs unhappy that dangerous criminals were among released
	Training	Support and advice in set up of Magistrates School	MINUSTAH Justice Section, GoH	Fully functioning but some political delays
	Legal Aid	Worked with ILAC to open 20 legal aid offices—one in each jurisdiction and extra 2 in Port-au-Prince	MINUSTAH, International Legal Assistance Consortium (ILAC), GoH	Handled 8000 cases, led to release of 4000 detainees. GoH expected to fully fund by 2014

<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<b>MONUSCO (Democratic Republic of Congo)</b>  <i>Baseline:</i> DRC's chronically underfunded justice system lacked independence, transparency and accountability. Civilian legal frameworks, excluding laws regarding sexual violence and child recruitment, were thought to be adequate but poorly applied. Corruption, slow administration of justice, and lack of protection for crime victims and witnesses contributed to a low degree of confidence and trust in the justice system.	SGBV/Serious crime prosecution - Operational and advisory support - Oversight / discipline	Prosecution Support Cells built by ROLS in consultation with MoJ, MoD, and Conseil Supérieur de la Magistrature to assist military prosecutors and investigators in dealing with serious crimes by military and police, esp. SGBV. Provide both technical and logistics support.	MONUSCO Rule of Law Section (ROLS), GoDRC, International Organization for Migration (IOM)	Progress slowed by political obstacle — failure to sign MoU. Finally signed early 2012. Teams have been in place so there is hope of swift progress
	Joint Programming Plan	Joint Justice Program develops UN platform for justice sector support and is managed by ROLS	MONUC/MONUSCO UNDP, UN Office on Drugs and Crime (UNODC)	
	International Security and Stabilization Support Strategy (I4S)	I4S creates 6 priority axes from urban hubs in the east. Road construction and rebuilding of police stations, courts, prisons, civil administration. Training also provided	MONUSCO, UN Office for Project Services (UNOPS), IOM, UNICEF, UNDP, FAO (UN Food and Agricultural Org'n)	Progress by mission to develop buildings and access but government has failed to send judges and magistrates to staff courts
	Mobile courts/pre-trial detention	Technical and logistics support to sessions by mobile courts in prisons to review detention cases	MONUSCO ROLS	
	Mapping	Support for census of judges & judicial personnel	MONUSCO ROLS	
<b>UNIOGBIS (Guinea-Bissau)</b>  <i>Baseline:</i> Ten years after the start of the	Monitoring	Monitoring judicial proceedings and inquiry into 2009 assassinations	UNIOGBIS UNDP	
	Training	Training on justice and human rights issues	UNIOGBIS UNDP	
UN's Peace-building Support Office in Guinea-Bissau (UNIOGBIS) in 1999, the justice system continued to lack resources essential to its operation, such as adequate facilities, funding, and professionally trained staff. Access to justice, particularly at the local level, also remained problematic.				



<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<p><b>UNIPSIL (Sierra Leone)</b></p> <p><i>Baseline:</i> The civil war (1992-2001) destroyed infrastructure and led to judicial brain-drain. When functioning, the judiciary demonstrated substantial independence. Traditional justice systems supplemented the formal justice system particularly in rural areas.</p>	SGBV	Project to facilitate prosecution of SGBV cases; information desks & weekly dedicated court sessions to assist with backlog; collaboration with CSOs and police on witness protection; cost of medical exams in SGBV cases	UNIPSIL+	
	Training	Facilitated court staff training on SGBV, human rights monitoring and administration of justice	UNIPSIL	
	Human Rights	Collaborated with HRC of SL to hold conference re implementation of TRC recommendations	UNIPSIL	
<p><b>UNMIL (Liberia)</b></p> <p><i>Baseline:</i> After the civil war, most court buildings were destroyed and many legal professionals left the country or moved into private practice. Existing personnel lacked legal expertise and access to or knowledge of basic legislation and the criminal code. The inefficiency of the system resulted in high rates of pre-trial detention and mob justice incidents.</p>	Security and justice Hubs	Constructing joint facilities to improve interagency coordination and make security and justice accessible to non-urban pop'n..	UNMIL Legal and Judicial Systems Support Division (LJSSD), GoL, UN Peacebuilding Commission	Still in pilot construction phase at first location, Gbarnga
	Mapping	LJSSD worked with MoJ to map areas of responsibility for courts	UNMIL LJSSD GoL MoJ	
	Salary support	Assisted MoJ by directly supporting salaries of public sector lawyers and consultants.	UNMIL LJSSD	Resulted in at least one public defender available per county.
	Infrastructure	Construction and rehabilitation of courts/facilities in coordination with donors and via QIPs	UNMIL LJSSD UNOPS	Quality issues and QIPs' inability to fully cover construction costs have undermined achievements.
Law Reform	Sluggish progress but now up-and-running, strategic plan and work plan assisted by consultants hired by LJSSD.	UNMIL LJSSD, Liberian Law Reform Commission (LRC), United States Institute of Peace (USIP)	Research and work underway. Persistence of LJSSD in sticking with LRC & continuing political pressure appreciated	

<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<b>UNMIL, continued</b>	SGBV	Collaboration on new rape law; assistance in set up of dedicated court for SGBV; joint SGBV programming with government; community initiatives	UNMIL LJSSD, GoL, Judiciary	Despite numerous programs, high SGBV rates and low rate of prosecution remain a problem
	Training	Help re-establish legal education through the James A. A. Pierre Judicial Institute and Louis Arthur Grimes School of Law; development of reference material and workshops; LJSSD assistance with UNPOL, OGA, AFL training on legal issues	UNMIL LJSSD, American Bar Ass'n Rule of Law Initiative (ABA ROLI)	Law school and JI are running well but require further development. ABA ROLI has been main actor in this area.
<b>UNMIS (Sudan)</b>  <i>Baseline:</i> While the justice system in the north was well established and functional, albeit lacking independence, resources and training, the system in the south fell far behind; it had no functioning law school, bar association, or court administration. Most disputes were settled through the customary system or the military justice system.	Monitoring	Monitoring of peace implementation and legislative development; reports on legal aid, formal and customary court system, jurisdiction and relationship of <i>payam</i> courts with criminal law, customary law, discrimination and violence against women, and rule of law community perception survey (with UNDP).	UNMIS Judicial System Advisory Unit (JSAU), UNDP	
	Legislative reform	Supported and provided drafting assistance to national legislative reform process to develop key new legislation	UNMIS JSAU	Some progress with key legislation but considerable gaps in the legislative framework remain
	Training / workshops	For justice sector professionals on administration, legislative reform and traditional dispute resolution.	UNMIS JSAU	

<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
	Area-specific programming	UNMIS-UNDP Joint Justice Program in Jonglei State to develop capacities of judicial and corrections authorities through both formal and informal system		Needs assessment and consultation with national authorities to develop program. Implementation began 2011
<b>UNMIT (Timor-Leste)</b>  <i>Baseline:</i> In 2006, access to justice was limited by poverty, illiteracy and language barriers—court language was Portuguese, which few Timorese spoke or read. A large case backlog reduced the public's faith in the system and reinforced perceptions of official impunity. The country lacked a coherent legal framework and court personnel Portuguese-speaking international contractors (UNDP). Gender-based violence was the most frequently reported crime in the country but less than a quarter of cases reported to the police were prosecuted. And centrally held case records had been destroyed in the 2006 crisis.	Facilitating dialogue/program tracking	AJSU provides secretariat for UN Justice Working Group which brings together UNCT components working on justice related issues and uses activities matrix to track programs and stakeholders	UNMIT Access to Justice Support Unit (AJSU), UNDP, UNCT	Some concerns about absorptive capacity and sustainability but a major leap for the justice system
	Administration of Justice Support	Integrated case management system for justice/police	UNDP Justice Support Program (JSP)	
	Substitution of international judicial staff	As of October 2011, 22 international personnel still have roles in the justice system. Substituting foreign capacity in mission settings requires caution, strict parameters and planning. The advantages of kick-starting the criminal justice system and plugging capacity gaps while host state officials are trained are counterbalanced by concerns about dependency and local ownership.	UNDP JSP UNMIT	
	Access to justice	Worked in closely with	UNDP JSP	Popular and

<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
	Needs assessment/ mapping	district justice institutions to provide technical, logistic, coordination and administrative support; support of mobile panels of judges working out of district courts  2006 report recommended independent review of justice sector. 2009 UNMIT supported selection of 4 consultants for evaluation of TL's justice sector	UNMIT	effective instances of improved access to justice; JSP A2J officers have played an important support role  Many of 144 recommendations were taken up by GoTL's Justice Sector Strategic Plan Feb 2010
	Training	Legal Training Centre supported and has 18-month classroom training program for law graduates followed by 12 month probationary period where on-the-job training continues. Started Jan 2006. Fourth course was slated for fall 2011.	UNDP JSP	System also requires substitution of international judges where local counterparts undergo training. Still not sufficient numbers of staff trained to sustain courts without assistance from international judges

<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<p><b>UNOCI (Côte d'Ivoire)</b></p> <p><u>Baseline:</u> Due to the conflict, the judicial system had ceased to function in the north and had deteriorated in the south by 2004. Court buildings were significantly damaged and much court documentation was lost. However, the level of education among legal professionals in the country remained high relative to neighboring countries, and the legislative framework was sophisticated, mirroring many elements of the French system.</p>	<p>Strategic planning</p> <p>Donor engagement and coordination</p> <p>Needs assessment/ mapping</p>	<p>Supported MOJ in developing and implementing Strategic Plan for Justice System Reform</p> <p>Engaged with donors to secure funding for key capacity building and infrastructure programmes</p> <p>Conducted survey of Ivorian legal education system to assess training capacities and identify target areas for capacity-building and technical assistance. Currently conducting assessment of needs of military court and prosecutor office in Abidjan</p>	<p>UNOCI ROLS GoCDI MOJ</p> <p>UNOCI ROLS</p> <p>UNOCI ROLS</p>	<p>Programmes include a EUR 18 million justice reform package from the EC for amendment of criminal laws and procedures, establishment of an office within the MOJ to vet and monitor the conduct of judges, and the creation of a Maison des Avocats</p>

## 7.3.3 Corrections Programming and Projects

<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<b>MINURCAT (Chad)</b>  <i>Baseline:</i> Prisons had poor sanitation, and provided inadequate food, shelter, and medical facilities. As a result of inadequate record-keeping and management, many individuals remained in prison after completing their sentences or after courts had ordered their release. Local human rights organizations continued to report on the existence of military prisons to which access was prohibited.	Legislative reform	Helped draft laws, policies and procedures for professional prison administration	MINURCAT	Submitted to parliament in spring 2009 and remained pending in October 2010
	Infrastructure	Facilitated construction & rehabilitation of prison facilities in coordination with donors and as QIPs	MINURCAT UNFPA UK DFID	Delays due to lack of funding; illustrated by main prison in Abéché, which was hooked up to the town's water supply on in mid-2010
	Training	Assisted Chadian Prison administration to develop a national training curriculum for recruitment and training of national staff. Provided daily on-the-job training and mentoring to prison officials. From 16 to 21 November 2009, 39 heads of prisons were trained in prison management techniques	MINURCAT	
<b>MINUSTAH (Haiti)</b>  <i>Baseline:</i> In Feb. 2004, a massive prison breakout coupled with severe damage to prison infrastructure and records undid much of the progress made by UNDP's prison reform efforts in the previous few years. Prior to these events, Haiti	Security	Provided security assistance to prisons which are severely ill-equipped and short-staffed	MINUSTAH UNPOL Formed Police Units (FPUs)	Not intended role of FPU
	Strategic planning	Assisted Prisons Administration Directorate (DAP) with Strategic Development Plan 2007-2012	MINUSTAH GoH	Only limited implementation by late 2009 and priorities shifted after the Jan. 2010 earthquake
	General advice and assistance	Pre-quake, advice on training, infrastructure, health and day-to-day operations	MINUSTAH UNDP	



<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<p><b>UNIPSIL (Sierra Leone)</b></p> <p><i>Baseline:</i> At the start of UNAMSIL in 1999, prisons were overcrowded, unsanitary, lacking in health care and regular provision of food. Holding cells in police stations were even further from compliance w/ int'l standards. Pretrial detainees were not held separately from convicted prisoners.</p>	Training	Provided human rights training for 80 prison officials	UNIPSIL	Report shared with CLJAS, which suggested it might be of use for other missions. No evident action taken.
	Reporting	<p>UNIOSIL* Prisons Report, May 2007, noted life-threatening conditions and human rights violations across SL prison system</p> <p>(*preceding mission)</p>	UNIOSIL	
<p><b>UNMIL (Liberia)</b></p> <p><i>Baseline:</i> In 2003, there were two functional prisons in the whole country, both of which were in Monrovia. Other prisons throughout the country were empty and in a state of disrepair. The lack of prisons resulted in a reversion to traditional holding methods, such as employing prisoners in forced labor.</p>	Security	FPU and LNP Police Support Unit have provided and assisted with security, esp. at Monrovia Central Prison and Zwedru prison	UNMIL FPU	Use of FPU for prison security is not intended purpose and should be reassessed.
	Strategic planning	Assisted BCR with strategic planning, creating standard operating procedures, organizational change etc.	UNMIL Corrections Advisory Unit (CAU), GoL Bureau of Corrections and Rehabilitation (BCR)	Improvements but BCR still weak, underfunded and poorly staffed
	Training	Assistance with vetting and training cadre of professional corrections officers; creation of self-reinforcing training plans through training of trainer courses and use of national in-service trainers	UNMIL CAU GoL BCR	Staff appear to have absorbed skills and knowledge but sometimes fail to implement – where in-service appears to help. Staff numbers remain insufficient but government budget does not allow for expansion



<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<b>UNMIL, continued</b>	Mentoring	UN Corrections Officers cover Liberian prisons acting as mentors to local staff.	UNMIL CAU	Mentors praised by local staff for their assistance/guidance. Co-location seems to have positive effect, promoting trust and respect from local officers.
	Infrastructure support	Construction and rehabilitation projects at prisons all over the country in coordination with donors and as QIPs	UNMIL CAU UNOPS	Prison improvements are appreciated but conditions remain poor due to overcrowding
<b>UNMIS (Sudan)</b>  <i>Baseline:</i> In the north, there were an estimated 20 prisons with 10,000 prisoners in 2005. Conditions of the prisons were poor and lacking in resources. Prison conditions in the 55 prisons in S. Sudan were far worse, with many prisons lacking basic infrastructure and characterized by poor sanitation, poor ventilation, a lack of beds, basic health services and food, poor management and untrained staff.	Legislative reform / strategic planning	Support to the drafting of the 2010 Prisons Bill, which incorporated UNMIS recommendations; helped develop a joint prison reform strategy and jail manual	UNMIS CAU	Prison Service Provision Order 2011 signed into law
	Training	Conducted courses covering prison management, human rights, critical incident and agricultural management, court liaison, health, GBV. Demand for training expanded with integration of ex-SPLA soldiers into prison service	UNMIS CAU UNODC	UNMIS CAU and South Sudan Prison Service were jointly awarded the Int'l Corrections and Prison Association Management and Staff Training Award
	Advice / Mentoring	Since 2007, UN corrections officers have been co-located with prison staff at state level	UNMIS CAU	Developed a strong working relationship with Prisons Directorate

<b>Mission</b>	<b>Type of Support</b>	<b>Description</b>	<b>Actors</b>	<b>Outcome(s)</b>
<p><b>UNMIT (Timor-Leste)</b></p> <p><i>Baseline:</i> In mid-2006 the prison system was a collection of holding cells with no strategy for building either physical or staff capacity and little ability to manage “an increased and hardening prisoner population.”</p>	<p>Strategic planning / system development</p> <p>Training</p> <p>Infrastructure Support</p>	<p>Worked with corrections officers on security and operational issues; worked on policy, planning and programming with prison directors; worked with MoJ and National Prison Service to design strategic plan and prison reforms.</p> <p>Team of seven national officers conducting training for prison staff to strengthen professional skills</p> <p>Rehabilitation of Becora and Gleno prisons</p>	<p>UNMIT AJSU &amp; Corrections Officers, UNDP</p> <p>UNDP, UNMIT</p> <p>UNMIT</p>	<p>Gradual and steady progress. Strategic plan agreed. Developed social reintegration and parole reintegration programs and vocational training. National Director of Prisons, with UNMIT support, established matching policy framework.</p> <p>By 2010, both prisons reported as ‘generally functional, healthy and safe; separation of women, juveniles and mentally challenged prisoners remained an issue</p>
<p><b>UNOCI (Côte d'Ivoire)</b></p> <p><i>Baseline:</i> Collapsed prison system in the north and deteriorated system in gov’t-controlled south. In 2004, the country had 33 prisons, which were overcrowded, unsanitary, and lacking in food supplies. Prison conditions were life-threatening in certain cases, with high incidence of cholera, TB, malnutrition and HIV/AIDS.</p>	<p>Monitoring</p> <p>General advice and assistance</p>	<p>Monitoring prison conditions. In 2006, UNOCI published a major report evaluating the conditions of detention in all prisons in CDI.</p> <p>Assisted in developing procedural guidelines for NGOs assisting detainees, as well as in identifying focal points within the prison administration</p>	<p>UNOCI</p> <p>UNOCI</p>	<p>UNOCI’s prison monitoring programme has kept the Nat’l Penitentiary Administration informed of prison conditions throughout CDI as the NPA has no independent means of monitoring prisons</p>

<i>Mission</i>	<i>Type of Support</i>	<i>Description</i>	<i>Actors</i>	<i>Outcome(s)</i>
<b>UNOCI, continued</b>	Training	Training focus initially on basic refresher training but progressed to training in law enforcement and crowd control. ROLS brokered an agreement with GTZ to fund the establishment of the Penitentiary Academy, which opened in May '09	UNOCI ROLS, German Organization for Technical Cooperation (GTZ)*  (*Since January 2011, folded into the Deutsche Gesellschaft für Internationale Zusammenarbeit – GIZ)	
	Infrastructure Support	Directly supported the rehabilitation of prison infrastructure through QIP. Assisted GoCDI in its efforts to secure bilateral funding for the rehabilitation of prison facilities in the northern part of the country under FN-control	UNOCI	By early 2010, all 11 prison facilities in the north had been rehabilitated. But during the '10-'11 crisis, most prison infrastructure throughout CDI was seriously damaged or destroyed

## 7.4 First-Generation Transition Benchmarks: A Preliminary Assessment

Over the last decade, the Security Council has increasingly been requesting benchmarks for UN peacekeeping operations as an input to its overall monitoring of peace processes. The use of benchmarks in field missions began first with UNAMSIL in mid-2002 to guide its troop drawdown.<sup>113</sup>

Mission benchmarks are focused on monitoring the condition of the host country rather than the attributed impact of the UN system presence.<sup>114</sup> “The rationale here is that monitoring should primarily provide on-the-ground information and knowledge of trends that can inform the UN’s strategic planning and peacebuilding activities...”<sup>115</sup> The vast majority of benchmarks and indicators of progress used across missions are directly drawn or adapted from their mandate.<sup>116</sup> Although benchmarks are contextual, tailored to their respective conflict/country context, there is a high degree of consistency between key elements of peace consolidation used across different benchmark frameworks (e.g. political processes, peace and security, human rights and rule of law, economic revitalization and provision of basic services).

Of the missions reviewed, UNMIL has the strongest benchmarking system, as developed and used. UNMIL has a relatively long experience with benchmarks—the mission initiated benchmark development and presented the Security Council with benchmarks in September 2006. UNMIL took a phased approach, developing separate benchmarks for consolidation, drawdown (February 2009) and transition (February 2011). UNMIL’s benchmarking system demonstrates a clear progression in content and quality. The ‘Phase 1’ consolidation benchmarks were too numerous—nineteen folded into four areas of focus—and several benchmarks were incorrectly phrased as categories (e.g., “National security strategy and architecture” and “Liberian National Police training and development”) rather than as points of reference.

Both issues were addressed with subsequent benchmarks. From the ‘Phase 2’ consolidation benchmarks onwards, benchmarks were phrased as points of reference (for instance, “National security strategy and architecture” became “National security strategy and architecture operational,” a strategy-based benchmark focusing on an output). A distinction between ‘core’ and ‘contextual’ benchmarks was introduced with the ‘Phase 2’ consolidation benchmarks—core benchmarks relate to the political and security mandates of the mission (e.g., “National security institutions effectively maintain law and order”) whereas contextual benchmarks relate to broader goals important to peace consolidation that may not be realistically achieved during the lifetime of a mission (e.g., justice sector and corrections reform). The 2011 transition benchmarks scrapped benchmarks relating to “economic revitalization” and “infrastructure and basic services,” likely in recognition that socioeconomic development is not a realistic role for peacekeeping missions. UNMIL’s benchmarks have been consistently revised and updated, and it is possible to see what areas have improved and which remain outstanding; this provides UNMIL with a solid framework with which to conduct coherent and integrated planning for mission transition.

Despite the growing importance placed on benchmarking by UNHQ (Security Council, DPKO, DFS), there remain several problems with current benchmarking practices.

One problem lies in *how* benchmarking is conducted. *New Horizons* maintains that “[b]enchmarks should guide a mission throughout its lifetime and help it to identify and adapt to changing conditions on the ground.”<sup>117</sup> It recommends that benchmarks be developed during the first year of a mission’s deployment, established at an early stage in the mission, and regularly reviewed and

updated.<sup>118</sup> While MINURCAT meets this standard—benchmarks were established a year into mission deployment and were reviewed and updated in 2009—no other mission comes close.<sup>119</sup>

Another problem relates to field missions' present capacity to carry out effective benchmarking, and the related consequence of a lack of formalization/standardization in benchmarking practice. Svein Erik Stave observes that at present, benchmarking largely relies on the dedication, competence and capacity of individuals.<sup>120</sup> It is perhaps unsurprising then that the understanding and implementation of benchmarking varies widely from mission to mission. At a basic level, there does not seem to be a common understanding or use of terms and concepts. UNMIL, for instance, is singular in its distinction between 'core' and 'contextual' benchmarks; in its latest iteration of benchmarks, MONUC uses the term 'critical task' interchangeably with 'benchmark.' Moreover, no two missions have the same format and procedure for benchmarking organization, reporting and template of benchmarks and indicators.

The 2010 UN Practitioners Guide to Benchmarking identifies principles and methodologies that can be used in establishing benchmarking systems adapted to their specific contexts. As the first attempt to provide a common resource for practitioners across the UN system, it is a positive step towards establishing more cogent, formalized benchmarking systems to be used by field missions.

Benchmarking is only useful so much as it is mainstreamed and seen as a useful tool to guide mission planning. Scholars Elisabeth Lothe and Gordon Peake are critical of UN mission benchmarking practices to date and especially missions not internalizing benchmarks as critical to mission outcomes; there is, in other words, a lack of mission "local ownership."<sup>121</sup> One recommendation would be to link mission components' programming—perhaps derived from RBB frameworks—to benchmarks and attached indicators, an approach that would allow for better measurement of mission contributions to peace consolidation.

## 7.5 Building towards Real-Time Performance Assessment

The United Nations has taken steps to develop evaluation tools such as the Rule of Law Indicators, which will help the Organization establish a more thorough initial baseline for criminal justice institutions in a new mission area, but the Indicators are best suited to periodic strategic measurements for trend analyses of host state institutional performance. Headquarters and mission leaders, managers, planners and other stakeholders still need to know how well missions are doing at achieving their assigned tasks—and whether those tasks remain appropriate—on a more timely basis. This annex offers a few thoughts in that direction, based on what was learned from field work and document reviews for this study.

Monitoring and evaluation (M&E) should be an ongoing process that helps to adjust the mission's work to its operating environment and, as the OECD's guidelines on evaluation state, to assess whether the mission's work remains relevant and to suggest fixes/alternatives to its current taskings if they no longer remain relevant.<sup>122</sup> Charles Hunt argues further that the basic approach to M&E needs to change, the better to take into account the complex nature of UN peace operations and thus enable them to adapt to and evolve with their operational environments.<sup>123</sup>

M&E should be seen as a critical support tool for mission judgments regarding whether and how well it is advancing the consolidation of peace and especially whether fulfilling the terms of its mandate and advancing peace mean the same thing. And complexity notwithstanding, missions need better feedback on how they are doing their jobs before they can decide how to adapt or evolve what they do. Thus, M&E can be focused inwardly to assess the quality and training of *mission personnel* before they deploy, and after their receipt of mission training, and to assess and improve the quality of that training. Focused outwardly, it can be used to assess the quality and effectiveness of mission components' training and mentoring programs.

Emerging technology may also offer critical support to M&E.

The following sections address each of these areas in turn.

### 7.5.1 Invest in monitoring and evaluation capacity in missions

The leadership team for monitoring and evaluation should sit at a high level in the mission, for example, in the SRSG's office but with team members co-located with the components they are to support. Component-level M&E team members should be technically proficient in their assigned process tasks but also familiar with the substance and process of the component they are assisting. Both they and the components should have access to accurate and timely information about the area of operations, a key function of the Joint Mission Analysis Center.

To be successful, ongoing M&E must be seen by the components as offering both reinforcing and corrective feedback to components' work. All M&E reports and recommendations should be accessible to all members of the Mission Senior Management Team and to the respective components' HQ interlocutors (mission managers and Integrated Operational Teams).

The M&E group should be able to 'borrow' component personnel to serve temporarily on mixed observation teams similar to the Joint Monitoring Teams established in eastern DRC by MONUSCO, but funded from the mission budget. If UN peacekeeping operations were to hew to the UN Evaluation Group 1-percent standard for M&E, peacekeeping would be investing roughly \$80 million

annually in M&E or something on the order of 200 to 400 person-years. At this writing, the evaluation team in the DPKO Policy, Evaluation and Training Division consists of two persons.

### **7.5.2 Invest in and monitor institutional memory**

Section three of this report addressed the necessity of improving both Headquarters and Mission procedures for knowledge retention and sharing. The mission M&E team should routinely assess compliance with knowledge management and sharing protocols, especially with regard to handover protocols for potentially high-turnover but close-contact positions such as advisers and mentors.

### **7.5.3 Focus on how well mission personnel know and do their jobs**

At pre-deployment training, prospective mission personnel should be administered pre- and post-training questionnaires consistent with the content of pre-deployment training. Such before-and-after testing also should be an integral part of induction training, to see if such training is in fact raising levels of knowledge in new personnel about the area of operations, the mission, and their roles in it. Participants should, in turn, be asked to evaluate the training program upon completion and again several weeks later, once training has had a chance to mingle with operations.

Periodic, brief polling of host state police station and unit chiefs, deputies, and middle-management could generate feedback about the utility of mentoring and ways in which it could be improved.

### **7.5.4 Focus on how the mission affects its clients**

#### *7.5.4.1 M&E for training*

Current reporting already addresses whether clients' capacity or behavior changes over time; it is also the focus of ROLIP. Still needed is more consistent evaluation of the effectiveness of training programs and mentoring duties on which so much of individual UNPOL work is based. For example, UNPOL need to conduct pre-training and post-training tests (paper and operational) to evaluate the effectiveness of UN-led training programs and graduates should be re-tested at some interval (e.g., 6-monthes post-training) for retention of training precepts and use of principles and techniques taught. If mentors are embedded with operational units, they may be able to use cumulative post-training observation over a period of months to evaluate unit members' proficiencies. Similar practice should be applied in corrections training and co-location programs.

#### *7.5.4.2 M&E for mentoring*

Before mentoring commences, mixed teams should observe randomly selected stations, units, and other operational service components to note rates of absenteeism, existence and use of log books, crime registries and other recordkeeping, and interview station/unit commanders on standard practices, allowing for limitations that are due to critical resource shortfalls. After six months or at handover of responsibility to a new mentor, teams should re-observe the same units on the same variables and note performance/capacity changes, if any.

### **7.5.5 Emerging information and communications technology**

Emerging technologies offer means of engaging experts and the public in commentary on the performance of the mission itself and on the development and performance of the host state criminal justice institutions that it supports. Those who use such Delphi or crowdsourcing techniques point to their utility as rapid, interim sources of feedback but also to the potential for

selection bias (since the poorest members of society are less likely to possess the necessary tech than are middle classes and elites) and the need to establish reliability and, well, “truthiness” or validity of sources.<sup>124</sup> Crowdsourcing tools can generate hard to manage torrents of information, although non-profit entities such as Ushahidi are addressing the problem with software filters such as ‘Swift River.’<sup>125</sup>

To address both the overload issue and the validity issue, missions and their hosts might choose to issue SMS queries to randomly-chosen local cell phone numbers regarding perceptions of or experiences with, say, traffic police (or magistrates, investigating officers, judges, jailers), with a fixed time period (a few minutes) to reply. This technique would not necessarily address the class bias issue completely and urban areas may be over-represented but basic cell technology is spreading rapidly and falling in price, even in some of the poorest countries in Africa where UN missions presently tend to deploy. The technique would need an extensive public information campaign to emphasize its bona fides and would need to build in safeguards to prevent spoofing and assure recipients of a text that the request is coming from the reputed sender. It would need, in other words, to ensure the equivalent of “your vote is secret.”<sup>126</sup> If query spoofing cannot be ruled out, then the system may need to fall back on voluntary messaging, with a gating mechanism to prevent any given phone number from flooding the system.

Replies to legitimate queries would need to be filtered through a program that anonymizes them, lest elements of the host government sensitive to criticism compile lists for later retaliation. The Arab Spring has made many autocratic governments sensitive to the potential of crowdsourcing and other social media.<sup>127</sup> Yet used judiciously in something like the suggested manner, the technique could allow the mission and its hosts to develop a street-level picture of institutions’ performance that would otherwise be difficult to gather rapidly, and potentially at lesser risk than with conventional opinion polling.

Crowdsourcing data could be matched with crime-reporting trends, case closure trends and other, complementary police-citizen mechanisms for interaction such as town meetings and citizen watch committees as further means of establishing the reliability and validity of that data.

Advocates of crowdsourcing recognize this need for validation. As one practitioner with extensive experience with information and communications technology (ICT) in the area of crisis/disaster response notes, despite the rapid evolution of technologies for data gathering and analysis “our ability to respond to crises does not appear to improve much year after year. The reason for this is simple: political problems cannot be solved by technological solutions, and at root most problems in ICT4Peace are political in one way or another.”<sup>128</sup> Solve, no; but better observe? We think perhaps yes.



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## ENDNOTES

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<sup>1</sup> Frans Leeuw and Jos Vaessen, *Impact Evaluations and Development - Nonie Guidance on Impact Evaluation* (Washington, DC: World Bank International Evaluation Group, 2009), 15. (NONIE is a Network of Networks for Impact Evaluation comprised of the Organisation for Economic Co-operation and Development's Development Assistance Committee (OECD/DAC) Evaluation Network, the United Nations Evaluation Group (UNEG), the Evaluation Cooperation Group (ECG), and the International Organization for Cooperation in Evaluation (IOCE)—a network drawn from the regional evaluation associations. Ibid., ii.)

<sup>2</sup> There are many competing definitions of the "rule of law," but what UN policies and documents most often refer to is the definition by UN Secretary-General Kofi Annan, who in his first report on the United Nations and the rule of law described it as "a principle of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to the laws that are publicly promulgated, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards. It requires, as well, measures to ensure adherence to the principles of supremacy of law, equality before the law, accountability to the law, fairness in the application of the law, separation of powers, participation in decision-making, legal certainty, avoidance of arbitrariness, and procedural and legal transparency." United Nations, *The Rule of Law and Transitional Justice in Conflict and Post-Conflict Societies, Report of the Secretary-General, S/2004/616*, 23 August 2004.

<sup>3</sup> "The Capacity and Integrity Framework (CIF) provides a simple methodological tool to assess institutional reform needs in post-conflict contexts and to develop realistic programmes. The CIF identifies two fundamental dimensions of public institutions, the individual and the organizational, and focuses on two central reform areas of public institutions in post-conflict contexts: capacity and integrity. ...Individual capacity relates to an employee's education and professional training, professional experience and competence, as well as her or his physical and mental aptitude. Individual integrity refers to an employee's adherence to international standards of human rights and professional conduct, including a person's financial propriety. Organisational capacity refers to institutional qualities such as the number of staff, the organisational structure, resources, infrastructure and information systems. Organisational integrity relates to procedures employed to establish the principles and values of an institution, including disciplinary and complaint procedures, oversight mechanisms, ethical guidelines, codes of conduct and representation (gender, ethnicity, geographic origin and religion)." OECD/DAC Handbook on Security System Reform: Supporting Security and Justice, 2007, 60-61.

<sup>4</sup> See Bruce Baker and Eric Scheye, "Access to Justice in a Post-conflict State: Donor-supported Multidimensional Peacekeeping in Southern Sudan," *International Peacekeeping* 16:2 (2009): 171-185.

<sup>5</sup> Ian Johnstone, "Peacekeeping's Transitional Moment," in *Annual Review of Global Peace Operations 2011* (Boulder, CO: Lynne Rienner Publishers, 2011), 12-16.

<sup>6</sup> Johnstone, "Peacekeeping's Transitional Moment," 10, 11.

<sup>7</sup> We endeavor to use "national" to refer to dealings in the capital or at top levels of government, and "local" to refer to other locations and levels of society and governance.

<sup>8</sup> Robert Muggah and Keith Krause, "Closing the Gap between Peace Operations and Post-conflict Insecurity," *International Peacekeeping* 16:1, February 2009, 147.

<sup>9</sup> Mats Berdal, *Building Peace After War*, Adelphi Paper No. 407 (London: Routledge for the IISS, 2009), 174-175.

<sup>10</sup> Berdal, *Building Peace After War*, 177.

<sup>11</sup> Andrew Goldsmith and Sinclair Dinnen, "Transitional Police Building: critical lessons from Timor-Leste and Solomon Islands," *Third World Quarterly*, 28:6, 2007, 1106-1107.

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<sup>12</sup> United Nations, *Peacebuilding in the Immediate Aftermath of Conflict. Report of the Secretary-General*, UN doc. A/63/881-S/2009/304, 11 June 2009, para. 8.

<sup>13</sup> Henriette von Kaltenborn-Stachau, *The Missing Link – Fostering Positive Citizen-State Relations in Post-Conflict Environments* (Washington: World Bank Communications for Governance and Accountability Program, 2008).

<sup>14</sup> James Cockayne and Adam Lupel, “Rethinking the Relationship between Peace Operations and Organized Crime,” *International Peacekeeping* 16:1, February 2009, 6; Cockayne and Lupel, “Iron Fist to Invisible Hand: Peace Operations, Organized Crime and Intelligent Law Enforcement,” *idem.*, 152.

<sup>15</sup> Séverine Autesserre, *The Trouble with Congo: Local Violence and the Failure of International Peacebuilding* (Cambridge, UK: Cambridge University Press, 2010), 22, 73.

<sup>16</sup> James K. Boyce, “Aid and Fiscal Capacity Building in Post-Conflict Countries,” Ch. 5 in *Ending Wars, Consolidating Peace: Economic Perspectives*, ed. Mats Berdal and Achim Wennmann. Adelphi Paper No. 412–13 (New York and London: Routledge for the IISS, 2010), 114.

<sup>17</sup> “According to numerous personal communications from researchers and practitioners, conflicts as dissimilar as Afghanistan, Nepal, East Timor and northern Uganda share one significant characteristic: Extensive violence continues, in part because national and international pacification programs fail to address the critical role of contested land ownership.” Autesserre, *The Trouble with Congo*, 256.

<sup>18</sup> Those missions that came under violent threat fared best where there was not only verbal, diplomatic and development program support but also, as needed, military support, especially from a single source. The most valuable of these military support packages have been those that lasted until the main threat dissolved, as in the case of British intervention in Sierra Leone (2000), the French Operation Licorne in Côte d'Ivoire, the International Security Force in Timor-Leste, and the NATO Kosovo Force (the latter three continue as of this writing but at reduced size compared to initial deployments). See Peter Albrecht and Paul Jackson, *Security System Transformation in Sierra Leone, 1997-2007*, Global Facilitation Network for Security Sector Reform and International Alert, 2009, [www.ssrnetwork.net/publications/security\\_s.php](http://www.ssrnetwork.net/publications/security_s.php); Crisis Group, “Liberia: Uneven Progress in Security Sector Reform”, Africa Report N°148, 13 January 2009, 5-6; Crisis Group, “Liberia: How Sustainable is Recovery,” Africa Report N°177, 19 August 2011, 11-13; and Arthur Boutellis, “The Security Sector in Cote d'Ivoire: A Source of Conflict and a Key to Peace,” (New York: International Peace Institute, 2011). Autesserre suggests that UN operations would be much more effective at dealing with predatory violence entrepreneurs if they were to emphasize special forces over infantry battalions and have the authority to engage such entrepreneurs pro-actively. Autesserre, *The Trouble with Congo*, 269.

<sup>19</sup> See Alix J. Boucher, *UN Panels of Experts and UN Peace Operations, Exploiting Synergies for Peacebuilding* (Washington, DC: The Stimson Center, 2010).

<sup>20</sup> Inter-Agency Justice and Corrections Planning Mission to MINURCAT (15-23 April 2008); S/2008/601 (12 September), para. 27; VTC on Justice and Corrections (Feb. 09).

<sup>21</sup> S/2008/501, 29 July 2008, para. 21; UNIOGBIS internal documents.

<sup>22</sup> UN DPKO-DFS, *The New Horizon Initiative: Progress Report No. 2*, December 2011, 17.

<sup>23</sup> UN DPKO/DFS. *Policy on Justice Components in United Nations Peace Operations*. Ref. 2009.30, December 2009, 12–13; *Policy Directive on Prison Support in UN Peacekeeping Operations*, December 2005.

<sup>24</sup> UN DPKO, Policy (Revised), Formed Police Units in United Nations Peacekeeping Operations, February 2010.



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<sup>25</sup> Unless otherwise cited, this section draws upon: Interviews, DRC, October 2011; Interviews, Guinea-Bissau, October 2011; Interviews, Liberia, December 2011; Interviews, Sierra Leone, December 2011; Interviews, HQ, 2011/2012.

<sup>26</sup> Unless otherwise cited, this section draws upon: Interviews, DRC, October 2011; Interviews, Liberia, December 2011; Interviews, HQ, 2011/2012.

<sup>27</sup> HQ focus groups, 7-9 March 2011; A/65/761, 28 February 2011, 71.

<sup>28</sup> Post-quake MINUSTAH is an exception with \$7.5 million and a \$100,000 project ceiling (versus \$25,000) to facilitate reconstruction. A/65/776, 9 March 2011.

<sup>29</sup> Report of the Panel of Experts on the Standing Police Capacity's First Year of Operation. Note by the Secretary-General. A/63/630, 19 December 2008, para. 35.

<sup>30</sup> "61(c) Enable missions to undertake programmatic tasks. When, as in the example of the police above, civilian capacities within the mission have a comparative advantage in implementing a mandated task, heads of mission should be able to provide the necessary programmatic funds from assessed contributions, within the envelope approved by the General Assembly. Where missions undertake programmatic activities, they should specify a time horizon and identify successor arrangements. The Group urges the General Assembly to build on existing successful examples from the United Nations Stabilization Mission in Haiti and others to expand this initiative for future missions." United Nations, *Civilian capacity in the aftermath of conflict Independent report of the Senior Advisory Group*, A/65/747 - S/2011/85, 22 February 2011, 31 (substantiating argument paras. 51-59).

<sup>31</sup> See *Report of the Secretary-General on Peacebuilding in the Immediate Aftermath of Conflict*, A/63/881-S/2009/304 and UN DPKO and DFS, "DPKO/DFS Early Peacebuilding Strategy for Peacekeepers," June 2011.

<sup>32</sup> Unless otherwise cited, this section draws upon: Interviews, DRC, October 2011; Interviews, Guinea-Bissau, October 2011; Interviews, Liberia, December 2011.

<sup>33</sup> Interviews, Liberia, December 2011; S/2009/344, p.3; UNOCI internal documents; Interviews, Guinea-Bissau, October 2011; MINUSTAH internal documents; Crisis Group. "Keeping Haiti Safe: Justice Reform," Latin America/Caribbean Briefing No. 27, 27 October 2011, 7-8.

<sup>34</sup> Otwin Marenin, "The futures of policing African states," *Police Practice and Research* 10:4 (2009) 358-359.

<sup>35</sup> In an otherwise bleak assessment of UN Police peacekeeping achievements, including in Timor-Leste, Gordon Peake notes promise in police training partnerships: "Training partnerships facilitate requests by the UNPD to get states to contribute to the effective functioning of officers. In 2008, UNPOL developed a pre-deployment training package and, since 2009, has also trained and certified trainers to deliver the packages at training schools worldwide. Although there is often insufficient time to distil the complexities of language, history, law and internal policies and procedures, for example, the training package exemplifies the way partnerships can be leveraged between the UN and state contributors." Peake, "Partnerships and International Policing: The Reach and Limits of Policy Processes," *International Peacekeeping*, 18:5, November 2011, 618.

<sup>36</sup> Since the new arrangement, however, UNPOL, UNDP and the Timor-Leste National Police (PNTL) have developed a 2011-12 Police Development Program. An UNPOL Project Manager is to report to a joint UNPOL-PNTL-UNDP Board and the Mission will also make substantial in-kind contributions to the project in the form of 19 new civilian police development specialists while UNDP funds workshops, goods and materials, and other contracted services. The project is intended to build PNTL management and administrative capacity. UNDP also supports the PNTL 2011-12 training plan with updated course materials and sustainable internal training capacity; a new audit system; and an outreach campaign raising police and public awareness of new

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police discipline and ethics rules. UNDP, UNMIT and PNTL. "Strengthening the National Police Capacity in Timor-Leste." Project Document. July 2011, 8, 10; S/2011/641, 14 October 2011, paras. 26-27.

<sup>37</sup> Interviews, DRC, October 2011; Interviews, Liberia, December 2011; Boshoff, et al. "Supporting SSR in the DRC." April 2010.

<sup>38</sup> The term 'prisoner' refers to an incarcerated person who has been tried, convicted and sentenced. The term 'detainee' refers to a pre-trial incarcerated person who is being held on criminal charges but who has not yet been convicted, sentenced or acquitted.

<sup>39</sup> Interviews, DRC, October 2011.

<sup>40</sup> William J. Durch et al. *Improving Criminal Accountability in United Nations Peace Operations* (Washington, DC: The Stimson Center, 2009)

<sup>41</sup> Albrecht and Jackson, *Security System Transformation in Sierra Leone, 1997-2007*, 199–208; Joseph P. Chris Charley and Freida Ibuduni M'Cormack, "Becoming and Remaining a 'Force for Good' – Reforming the Police in Post-conflict Sierra Leone" (Brighton, UK: Institute of Development Studies, September 2011), 18.

<sup>42</sup> "There is general agreement that if a Sierra Leonean had been appointed to head the force at the time, very little would have changed. As Sierra Leone is an extremely relational (neopatrimonial) country, jobs and opportunities often come down to who you know, and who you are related to. This makes it very difficult to hire and fire people at will, and can make progress slow." Charley and M'Cormack, "Becoming and Remaining a 'Force for Good'", 19.

<sup>43</sup> Interviews, DRC, October 2011; MONUSCO internal documents; S/2011/20, 17 January 2011, para.64; Boshoff, et al. "Supporting SSR in DRC", 18.

<sup>44</sup> Accountability of mission civilian personnel is limited to UN administrative sanctions unless the UN Secretary-General waives 'functional immunity' or decides that an alleged infraction did not involve official duties, in which case UN staff may in theory be liable to local prosecution. Since the mission cannot detain staff under investigation and investigations only continue while those accused remain in the mission area, flight is the obvious option. For uniformed personnel, including UNPOL, the UN waives even administrative jurisdiction. See Durch, et al., *Improving Criminal Accountability in United Nations Peace Operations*.

<sup>45</sup> Interviews, Liberia, December 2011; Interviews, Sierra Leone, December 2011.

<sup>46</sup> UN DPKO. Civilian Police Division. *United Nations Selection Assistance Teams, Guidelines for Police Contributing Countries*, Revised Version 1, October 2001, 7–11.

<sup>47</sup> S/2012/186, 29 March 2012, para. 65.

<sup>48</sup> United Nations. *Civilian capacity in the aftermath of conflict, Independent report of the Senior Advisory Group*, A/65/747 - S/2011/85, 22 February 2011, summary and para. 22.

<sup>49</sup> *Civilian capacity in the aftermath of conflict*, A/65/747 - S/2011/85, paras. 29, 31.

<sup>50</sup> S/2011/32, 25 January 2011, para. 22 and S/2011/641, 14 October 2011, para. 28.

<sup>51</sup> Interviews, DRC, October 2011; Interviews, Guinea-Bissau, October 2011; Interview, Liberia, November-December 2011.

<sup>52</sup> Security issues will of course always limit the degree to which raw criminal intelligence or materials related to criminal investigation are shared, but this should not be an obstacle to the creation and use of systems that track and inform about the police component's work with programming partners, for example.

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- <sup>53</sup> Unless otherwise noted, this paragraph draws upon a June 2011 DPKO synopsis of Kosovo police development based on a detailed review compiled by Madeline L. England on behalf of UN DPKO.
- <sup>54</sup> “Strengthening the National Police Capacity in Timor-Leste.” Project Document. July 2011, 8, 10; Muggah, Robert, ed. *Urban Violence in an Urban Village: A Case Study of Dili, Timor-Leste* (Geneva: The Geneva Declaration Secretariat, 2010), 44–53.
- <sup>55</sup> Michael Dziedzic and Robert Perito, “Confronting the Gangs of Port-au-Prince,” USIP, September 2008; S/2005/124, 25 February 2005; S/2005/313, 13 May 2005; S/2006/60, 2 February 2006; S/2006/592, 28 July 2006; S/2007/503, 22 August 2007; S/2009/129, 6 March 2009; S/2009/439, 1 September 2009; S/2011/183, 24 March 2011; S/2011/540, 25 August 2011; International Crisis Group, “Keeping Haiti Safe: Police Reform, Latin America/Caribbean Briefing N°26,” 8 September 2011, 6; MINUSTAH internal documents.
- <sup>56</sup> For data on UNPOL deployment rates to mid-2010, see William J. Durch and Madeline L. England, eds. *Enhancing United Nations Capacity to Support Post-Conflict Policing and Rule of Law*, Report 63, Rev. 1 (Washington, DC: The Stimson Center, 2010), 44–45.
- <sup>57</sup> MONUC internal documents.
- <sup>58</sup> International Crisis Group, “Liberia: Uneven Progress in Security Sector Reform”, 2009, 17; UNMIL internal documents.
- <sup>59</sup> S/2011/20, 17 January 2011, para. 62 and S/2012/65, 26 January 2012, para. 62.
- <sup>60</sup> United Nations, Reports of the Secretary-General on the Interim Administration Mission in Kosovo, 1999–2009; S/2008/553, 15 August 2008; UNMIT internal documents; S/2010/217, 29 April 2010, para. 21; S/2010/409, 30 July 2010, para. 32.
- <sup>61</sup> UN DPKO, “Gender Statistics by Mission,” March 2012, <http://www.un.org/en/peacekeeping/contributors/gender/2012gender/March12.pdf>.
- <sup>62</sup> International Crisis Group, “Liberia: How Sustainable is Recovery, Africa Report N°177,” 19 August 2011.
- <sup>63</sup> S/2008/760, 4 December 2008, para. 24; S/2009/359, 14 July 2009, para. 38; S/2010/409, 30 July 2010, para. 62; MINURCAT internal documents.
- <sup>64</sup> MINURCAT internal documents.
- <sup>65</sup> UNDP, UNMIT and PNTL. “Strengthening the National Police Capacity in Timor-Leste.” Project Document, July 2011, 5.
- <sup>66</sup> Beyond that point, however, certification stalled as the 15 percent remaining were the harder cases. Decisions regarding their disposition were ultimately political. UNMIT internal documents.
- <sup>67</sup> Interview, UN Police Division official, March 2012.
- <sup>68</sup> Interview, UN Police Division official, March 2012.
- <sup>69</sup> “Liberian Vote on Schedule Despite Killing at Opposition Protest,” VOA, 7 November 2011.
- <sup>70</sup> Melissa Beale, “The CARICOM Blueprint for Illicit Drug Trafficking,” Council on Hemispheric Affairs, 28 December 2011. [www.coha.org/the-caricom-blueprint-for-illicit-drug-trafficking/](http://www.coha.org/the-caricom-blueprint-for-illicit-drug-trafficking/).
- <sup>71</sup> In the fall of 2011, UNOCI and UNMIL loaned one another several platoons of formed police as each faced greater needs for public security as national elections approached. See UN docs. S/2011/577, 15 September 2011 and S/2011/747, 30 November 2011.

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<sup>72</sup> Of the countries included in this study, Liberia and Timor-Leste are “compliant” member countries of the Extractive Industries Transparency Initiative, which promotes “a standard for companies to publish what they pay and for governments to disclose what they receive.” Chad, Cote d’Ivoire, DRC and Sierra Leone are “candidate” countries, having met initial requirements of the Initiative, with a two-and-a-half year window in which to be “validated as a Compliant country.” [www.eiti.org](http://www.eiti.org).

<sup>73</sup> UNMIS internal documents; MINURCAT internal documents; S/RES/1565 (1 October 2004), OP7 (DRC). S/RES/1509 (19 September 2003), OP3n (Liberia).

<sup>74</sup> See, for example, Bayley, *Changing the Guard*. Other cogent and critical assessments of efforts to inculcate precepts of democratic or community-based policing in post-conflict areas include: Goldsmith and Dinnen, “Transnational Police Building: critical lessons from Timor-Leste and Solomon Islands,” 1095-1097; Alice Hills, *Policing Post-Conflict Cities* (London & New York: Zed Books, 2009); Peake, “Police reform and reconstruction in Timor-Leste”; and Abraham Sewonet Abatneh and Simon Monoja Lubang, “Police Reform and state formation in Southern Sudan,” *Canadian Journal of Development Studies*, 32:1 (2011): 94-108.

<sup>75</sup> Colombian National Police, Analysis of the Haitian National Police, October 2009, part 1; S/2011/183, 24 March 2011; S/2011/540, 25 August 2011; Crisis Group, “Keeping Haiti Safe: Police Reform,” Latin America/Caribbean Briefing N°26,” 8 September 2011.

<sup>76</sup> UNMIS internal documents.

<sup>77</sup> UNMIL internal documents; Bruce Baker, “Resource Constraint and Policy in Liberia’s post-conflict policing,” *Police Practice and Research*, 11:3, June 2010, 184–196. Interview, civil society organizations committee representative, Liberia, December 2011; Crisis Group, “Liberia – How Sustainable is the Recovery,” August 2011, 13.

<sup>78</sup> Charley and M’Cormack, 39. Interviews, Liberia, December 2011.

<sup>79</sup> United Nations, “Addressing Conflict-related Sexual Violence: An Analytical Inventory of Peacekeeping Practice,” June 2010, 12–15. <http://reliefweb.int/node/359684>.

<sup>80</sup> Thorsten Benner, Stephan Mergenthaler and Philipp Rotmann, *The New World of UN Peace Operations: Learning to Build Peace?* (Oxford, UK: Oxford Univ. Pr., 2011), 110–115.

<sup>81</sup> A/64/670, 16 February 2010, 32-33, 88-89; Interviews, DRC, October 2011; Interviews, Liberia, December 2011; Interviews, HQ, 2011/12.

<sup>82</sup> UNMIS internal documents.

<sup>83</sup> MONUC internal documents; UNMIS internal documents.

<sup>84</sup> Interviews, DRC, October 2011; Interviews, Liberia, December 2011; Interviews, HQ, 2011/12.

<sup>85</sup> UN DPKO/DFS, *Policy on Justice Components*, 10–11.

<sup>86</sup> United Nations, Executive Office of the Secretary-General, “Decision No. 2006/47 – Rule of Law,” 24 November 2006.

<sup>87</sup> Jensen, “Justice and the Rule of Law,” 136; Interviews, Liberia, December 2011; Interviews, DRC, October 2011; Interviews, Guinea-Bissau, October 2011; International Crisis Group, “Reforming Haiti’s Security Sector,” 18 September 2008.

<sup>88</sup> S/2009/504, 2 October 2009, para. 36; Integrated Strategic Framework for Timor-Leste, 2011-2012, para 18; S/2011/641, 14 October 2011, para. 35; UNMIT internal documents.

<sup>89</sup> S/2006/628, 8 August 2006, para. 90; S/2011/641, 14 October 2011, para. 47.

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- <sup>90</sup> Interviews, Liberia, December 2011; S/2006/958, 11 December 2006, 8; Blume, "Implementing the Rule of Law in Integrated Missions," 2008, 7; UNMIL, *At Work Together*, 2008, 17.
- <sup>91</sup> S/2010/164, 31 March 2010, para 51; S/ 2011/298, 12 May 2011, para 58.
- <sup>92</sup> Interviews, DRC, October 2011; Interviews, Liberia, December 2011.
- <sup>93</sup> Interviews, Liberia, December 2011; S/2011/72, 14 February 2011, 8; Interviews, DRC, October 2011; Jensen, "Justice and the Rule of Law", 130-131.
- <sup>94</sup> Unless otherwise cited, this section draws upon: Prison Visits and Interviews, DRC, October 2011; Prison Visits and Interviews, Guinea-Bissau, October 2011; Prison Visits and Interviews, Liberia, December 2011.
- <sup>95</sup> Interviews, Liberia, December 2011.
- <sup>96</sup> UNMIL, *At Work Together*, 2008, 17; International Crisis Group, "Liberia: How Sustainable is Recovery," 2011; Interviews, DRC, October 2011; Interviews, Guinea-Bissau, October 2011; Interviews, Liberia, December 2011.
- <sup>97</sup> S/2006/628, 8 August 2006; S/2010/85, 12 February 2010.
- <sup>98</sup> Unless otherwise cited, this section draws upon: Interviews, DRC, October 2011; Interviews Guinea-Bissau, October 2011; Interviews, Liberia, December 2011.
- <sup>99</sup> Interviews, Liberia, December 2011; Interviews, DRC, October 2011; Interviews, Guinea-Bissau, October 2011; Blume "Implementing the Rule of Law in Integrated Missions", 2008; UNMIL, *At Work Together*, 2008, 17.
- <sup>100</sup> UN and World Bank, Liberia Report 2009; Blume, "Implementing the Rule of Law in Integrated Missions," 2008.
- <sup>101</sup> MONUSCO internal documents.
- <sup>102</sup> UN, "Addressing Conflict-related Sexual Violence," 2010, 12.
- <sup>103</sup> Interviews, DRC, October 2011.
- <sup>104</sup> Interviews, Liberia, December 2011; International Crisis Group, "Liberia: How Sustainable is Recovery," 2011.
- <sup>105</sup> Erik G. Jensen, "Justice and the Rule of Law," in *Building States to Build Peace*, Charles Call and Vanessa Wyeth, eds. (Boulder, CO: Lynne Rienner Publishers, 2008).
- <sup>106</sup> See A/64/298, para. 37 for a description of the study; Discussion from project review workshop, New York, March 2012. See also Eric Scheye, "Local Justice and Security Providers in South Kivu" (Netherlands Institute of International Relations: Clingendael, October 2011); Janine Ubink and Thomas McInerney, eds., *Customary Justice: Perspectives on Legal Empowerment*. Legal and Governance Reform: Lessons Learned. No.3 (Rome: IDLO, 2011); Deborah H. Isser, Stephen C. Lubkemann, et al. "Looking for Justice: Liberian Experiences with and Perceptions of Local Justice Options" (Washington, DC: United States Institute of Peace, November 2009; and D. H. Isser, "Understanding and Engaging Customary Justice Systems," in Isser (ed.), *Customary Justice and the Rule of Law in War-Torn Societies* (Washington, DC: United States Institute of Peace, 2011). For a cautionary view on legal pluralism, see Bruce Oswald, "Informal Justice and United Nations Peace Operations: Principles for Military members," draft, March 2012.
- <sup>107</sup> United Nations, Report of the Secretary-General on Timor-Leste pursuant to Security Council resolution 1690, S/2006/628, 8 August 2006.
- <sup>108</sup> Leeuw and Vaessen, *Impact Evaluations and Development*, 15 – 16.

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- <sup>109</sup> United Nations, *Monitoring Peace Consolidation: United Nations Practitioners' Guide to Benchmarking*, New York: Peacebuilding Support Office, 2010, 19.
- <sup>110</sup> OECD DAC, "Glossary of Key Terms in Evaluation and Results Based Management," Paris: OECD, 2002, 24, 28.
- <sup>111</sup> Leeuw and Vaessen, *Impact Evaluations and Development*, 13.
- <sup>112</sup> Leeuw and Vaessen, *Impact Evaluations and Development*, 12.
- <sup>113</sup> S/2002/987, 5 September 2002.
- <sup>114</sup> "Benchmarking peace consolidation is distinct from assessing the efficiency, effectiveness, or even attributed impact of the United Nations presence. Considerable information exists already, in the context of Results-Based Budgeting (RBB) and Results-Based Management (RBM) strategies, on the use of benchmarking as a tool for mission or programme performance monitoring and planning. While benchmarking for RBB or RBM lies outside the scope of this handbook, these efforts and peace consolidation benchmarking should ideally be linked." United Nations, *Monitoring Peace Consolidation: United Nations Practitioners' Guide to Benchmarking*, New York: United Nations, 2010, 15.
- <sup>115</sup> "The *UN Practitioners' Guide to Benchmarking* goes even further in this direction, by recommending a focus solely on monitoring the condition of a country and not necessarily trying to define the effects of UN operations. The rationale here is that monitoring should primarily provide on-the-ground information and knowledge of trends that can inform the UN's strategic planning and peacebuilding activities—and not, or not primarily, document the UN's involvement (although the latter can be done within the same framework). The approach where monitoring is sought by trying to correlate activities and effects, which incorporates biases on achievements and measures of what is measurable, incurs the risk of a "tragedy of the commons"—where all actors take credit for achievements, while none takes responsibility for a negative development of the overall situation in a country. The result is a dissonance where an organization's annual reports of a situation and assessment of its own role bears little relation to independent evaluations of the country's predicament." Svein Erik Stave, "Measuring peacebuilding: challenges, tools, actions," NOREF Policy Brief, May 2011.
- <sup>116</sup> "The vast majority of benchmarks and indicators used to measure the effects of these UN peace operations derive directly from their mandates, normally in combination with the UN's five general pillars of peacebuilding: 1) Peace and security, public safety; 2) Political processes, including electoral processes, reconciliation and conflict resolution; 3) Human rights, rule of law, transitional justice; 4) Economic revitalization; and 5) Provision of basic services." Stave, "Measuring peacebuilding."
- <sup>117</sup> DPKO-DFS. "A New Partnership Agenda: Charting A New Horizon For UN Peacekeeping," July 2009, 15.
- <sup>118</sup> "...once a mission has deployed, the establishment of relevant and realistic benchmarks on the ground at an early stage in the mission can facilitate management and monitoring." DPKO-DFS. "A New Partnership Agenda: Charting A New Horizon For UN Peacekeeping," July 2009, 8. "Field-driven benchmarks--developed during the first year of a mission's deployment and regularly reviewed and updated--can support monitoring of progress and identification of emerging challenges." DPKO-DFS. "The New Horizon Initiative: Progress Report No. 1," October 2010, 5.
- <sup>119</sup> Indeed, it has taken other missions anywhere from 3 (UNMIL) to 8 years (MONUC) to establish benchmarks; and only UNMIL, MONUC, MINUSTAH, MINURCAT have updated their benchmarks and indicators of progress.
- <sup>120</sup> "Build capacity to conduct monitoring and evaluation within organisations such as the UN. A Review of monitoring or benchmarking practice within the UN reveals a huge gap between the organisation's formal benchmarking ambitions and its field missions' capacity to carry these out. At present, benchmarking relies to a large degree on individuals' dedication, competence and capacity (including the capacity to direct funding

for this purpose.) As a result, the understanding and implementation of benchmarking varies widely from country to country. A related issue is the need to give a higher priority to establishing benchmarking routines within the UN, including the allocation of earmarked resources and the creation of benchmarking units and clear responsibilities.” Stave, “Measuring peacebuilding.”

<sup>121</sup> “Where indicators existed, these were not mainstreamed or socialised, even among the people who designed them. In the course of our interviews, we were struck by the lack of reference made to actual indicators in place as a way of measuring stability such as—in a UN context—the UNDP matrix, the mission integrated strategic framework or the Human Development Report. We got the sense that many ‘indicators’ were there as much to fulfil a political imperative to be seen to have indicators as anything else. Take for example the Report of the Secretary-General on the United Nations Integrated Mission in Timor-Leste of 4 February 2009 (UN, 2009, p. 18), which provided benchmarks for measuring and monitoring success and indicators of progress in addressing the underlying problems of reconciliation and peace-building in Timor-Leste. [...] The benchmarks represent an important development on the road to measuring progress in support of stabilisation, as they are specifically designed and include a large number of milestones that are indeed of high relevance to the effort. The ultimate test will be whether these milestones become ‘mainstreamed’ and the prime determinant of mission duration and shape rather than, say, budgetary issues that were at the fore in 2004–06. Early results are not encouraging. In February 2009, for instance, Atul Khare, the SRSG, presented the benchmarks to the UN Security Council in New York, where they were warmly welcomed by Member States. One month later, during discussions on the peacekeeping budget for UNMIT, the issue of ‘benchmarks’ was not mentioned at all in the course of the debate. In March 2010, one author asked a senior member of UNMIT to name the benchmarks and the individual could not recite a single one.” Elisabeth Lothe and Gordon Peake, “Addressing symptoms but not causes: stabilization and humanitarian action in Timor-Leste,” *Disasters* 34(3) (2010), 440.

<sup>122</sup> “In evaluating the relevance of a programme or a project, it is useful to consider the following questions: To what extent are the objectives of the programme still valid? Are the activities and outputs of the programme consistent with the overall goal and the attainment of its objectives? Are the activities and outputs of the programme consistent with the intended impacts and effects?” OECD/DAC, “Criteria for Evaluating Development Assistance,” accessed July 2011, [http://www.oecd.org/document/22/0,2340,en\\_2649\\_34435\\_2086550\\_1\\_1\\_1\\_1,00.html](http://www.oecd.org/document/22/0,2340,en_2649_34435_2086550_1_1_1_1,00.html).

<sup>123</sup> Charles T. Hunt, “Policing Transformation, Transforming Police: Monitoring and Evaluating the Impact of Police in UN Peace Operations,” unpublished PhD thesis, March 2012. Copy provided by the author.

<sup>124</sup> iRevolution, “Truthiness as Probability: Moving beyond the True or False Dichotomy When Verifying Social Media,” 10 March 2012, [irevolution.net/2012/03/10/truthiness-as-probability](http://irevolution.net/2012/03/10/truthiness-as-probability).

<sup>125</sup> <http://ushahidi.com/>.

<sup>126</sup> Arthur Chatora, “Encouraging Political Participation in Africa – The potential of social media platforms,” *Situation Report*, Institute for Security Studies, 15 March 2012, 2–3. <http://www.iss.co.za/pgcontent.php?UID=31399>.

<sup>127</sup> Chatora, “Encouraging Political Participation in Africa,” 7–9. See also Eric Gujer, “Intelligence of the Masses or Stupidity of the Herd?” in *Peacebuilding in the Information Age – Sifting Hype from Reality*, Daniel Stauffacher, et al, eds., ICT4 Peace Foundation, January 2011, 23–25, [www.ict4peace.org](http://www.ict4peace.org).

<sup>128</sup> Christy McConnell and William Tsuma, Toward a Credible Crowd Sourcing System for Prevention – Reflections for Practice. Global Partnership for the Prevention of Armed Conflict (GPPAC), 4 July 2011. [http://www.gppac.org/uploads/File/Programmes/Knowledge%20Generation%20and%20Sharing/Credible%20Crowdsourcing%20for%20Prevention-Reflections%20for%20Practice%20\(June,%2027%20-Nairobi\).pdf](http://www.gppac.org/uploads/File/Programmes/Knowledge%20Generation%20and%20Sharing/Credible%20Crowdsourcing%20for%20Prevention-Reflections%20for%20Practice%20(June,%2027%20-Nairobi).pdf). Also Paul Currian, “Conclusion,” in *Peacebuilding in the Information Age*, 40–43.





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