

CONCEPT NOTE

STRENGTHENING THE RULE OF LAW IN CRISIS-AFFECTED SITUATIONS UNDP 2016 ANNUAL MEETING 28-30 JUNE, NEW YORK

OBJECTIVES

1. Present country-level results achieved with support from UNDP in the rule of law area in crisis-affected and fragile contexts over the last year, including those supported by the UN Global Focal Point for Police, Justice and Corrections, and reflect on the impact attained and lessons learned over the course of Phase I and II of UNDP's Global Programme on Rule of Law.
2. Bring together peacebuilding and development experts in the rule of law and conflict prevention areas to enable collaboration and outline priorities for strengthening the rule of law in complex contexts and support the implementation of the 2030 Agenda for Sustainable Development.
3. Raise awareness of rule of law assistance as part of a multidimensional approach to establishing peace and governance and promoting development, and facilitate increased support to the work of both UNDP and the UN system in this area.

BACKGROUND

Phase II of UNDP's *Global Programme for Strengthening the Rule of Law in Crisis-Affected and Fragile Situations* completed its final year of implementation in 2015. Building on Phase I (2008-2011), Phase II (2012-2015) has sharpened UNDP's rule of law engagement with national stakeholders to help build confidence between state and society in complex environments. Additionally and alongside DPKO, UNDP continues to co-chair the Global Focal Point (GFP) for Police, Justice, and Corrections Areas in the Rule of Law in post-conflict and other crisis situations.¹ This arrangement continues to enhance the coordination of support to these areas in post-conflict situations in order to ensure effective delivery and improve the impact of the UN system's rule of law assistance. Lessons learned from the GFP and UNDP's rule of law assistance delivered thus far have served as cornerstones for the development of Phase III (2016-2019) of the Global Programme. Further, the GFP arrangement and the expanding scope of the Global Programme has helped galvanize

¹In September 2012, Secretary-General Ban Ki Moon appointed UNDP and DPKO as the Global Focal Point for Police, Justice and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations through a policy committee decision. Since then, the GFP has provided a united front for rule of law assistance in crisis contexts, with the aim of streamlining assessment, planning and delivery to improve overall impact. The GFP achieves greater impact through joint approaches to assistance with involvement from UNDP, DPKO, UN Women, OHCHR, UNODC, PBSO, UNDP, DPKO, DPA, UNHCR, UNICEF, UNOPS, UN-CTITF and the UN Team of Experts on Rule of Law/Sexual Violence in Conflict. This approach allows the UN to respond more effectively to requests for complex and politically nuanced assistance by drawing quickly and strategically on the collective expertise of GFP partners. The GFP responds to requests for support from UN Country Teams, Political and Peacekeeping Missions in crisis and post-conflict settings. In Mission contexts, the support is provided throughout the mission life-cycle – from start-up to draw-down – and adds particular value in the context of transitions. Since its adoption, the GFP has worked to serve both peacebuilding and development purposes, and has become emblematic of a marked shift to an integrated model for delivering effective system-wide assistance. Building on the foundation of the Global Programme, UNDP has been able to scale up and improve the provision of country support through the GFP.

UNDP's position as the UN system's main provider of rule of law development assistance with a portfolio covering more than 100 countries worldwide.

Mindful of the responsibility conveyed by this position, UNDP remains strongly committed to serving the UN system – and the international development community – as a champion for rule of law assistance, and to ensuring that our engagement enhances the standing and effectiveness of rule of law assistance globally. UNDP believes that peer learning and consultation, knowledge exchanges, as well as transparent thought leadership and policy development, are crucially important conditions for successful implementation and sustainable impact of our own rule of law efforts – as well those of other actors. Finally, inclusive multi-stakeholder partnerships are necessary to realize the grand aspirations of the Sustainable Development Goals (SDGs), particularly Goal 16, the significance of which – as both a ground-breaking goal in its own right and an essential enabler for the entire 2030 Agenda for Sustainable Development – cannot be overstated.

RATIONALE

On-going internal crisis in countries such as the Central African Republic and Iraq and the protracted Syrian crisis exemplify the vital importance of establishing rule of law and protecting human rights as both necessary means to prevent crisis and secure peace and as critical conditions for sustainable development. Among many others, these examples also illustrate that the need to employ multi-dimensional trajectories to improve state-society relationships, overcome fragility, and build resilience, extends beyond what has previously been considered priority countries for purposes of UNDP crisis prevention and response support. Likewise, the adoption of the 2030 Agenda for Sustainable Development, particularly the unprecedented and ambitious Goal 16 on peaceful, just, and inclusive societies, continues to highlight the linkages between good governance, rule of law, and development, and advocates for these elements to be present in the agenda for the next era of global development. The important interrelation between inequality, human rights abuses, fragility, political accountability, violence, and conflict, also lies at the heart of the Human Rights Up Front Initiative² launched by the Secretary-General in 2013. Similarly, the outcomes of the 2015 peacekeeping and peacebuilding reviews demonstrate the UN system's continued commitment to human rights, not least in the context of rule of law, justice, and security assistance delivered to countries in crisis.

This evolution necessitates adaptation of international responses to and support modalities for complex situations, and demands a high degree of integration between peacebuilding and development assistance in interrelated areas such as governance, rule of law, human rights, and conflict prevention. It also presents new challenges for determining chronology and priorities for rule of law assistance, making proper alignment and coherence between political engagement and technical expertise more relevant than ever. Reflecting these changes in the crisis landscape, UNDP's Bureau for Policy and Programme Support (BPPS) brings the organization's rule of law and human rights capacities - including those specifically oriented to crisis and conflict-affected situations - together into one technical team. This allows UNDP to build its global profile and deepen its rule of law and human rights assistance in all environments, as well as to utilize UN-wide corporate mechanisms – such as the GFP arrangement and the Human Rights Up Front Initiative – to support UNDP programmes to the maximum extent.

The 2016 Annual Meeting will highlight the work of UNDP (and the GFP) on behalf of the UN system to support national partners' efforts to strengthen justice, security, and human rights, and also provide a platform for Member States, national counterparts, UN partners, civil society and other relevant experts and actors to speak to these issues, and explore means to improve rule of law assistance as a vital part of a multi-dimensional governance approach to securing sustainable peace and development. As the UN system's sole global event dedicated exclusively to rule of law assistance, the 2016 Annual Meeting presents a unique opportunity for vested stakeholders to shape the international rule of law agenda in a manner fit to address the daunting challenge of ensuring peace and prosperity for all.

DESCRIPTION OF EVENTS

Session I: Innovation Forum on Strengthening Rule of Law in Crisis Contexts (Tuesday 28 June)

Prior to the week's main events, this open dialogue on the morning of 28 June will feature a number of civil society organizations and (I)NGO's will present case-studies of inventive approaches to support peace, access to justice, rule of

² Launched by the Secretary-General in 2013.

law and human rights at global and national level. In partnership with HiiL, this session will draw on the experiences from the presenters and participants present to generate an interactive discussion on lessons learned and potential opportunities for strengthened collaboration between civil society, development partners and the UN system.

Session II: High-Level Plenary (Wednesday 29 June)

The high-level plenary session will take place on the morning of 29 June. This session will offer a platform for partners and high-level UN Officials to present results, discuss challenges, and outline priorities for how to best support the rule of law and human rights in crisis-affected and fragile contexts.

The plenary will commence with keynote messages from high-level UN and UNDP officials on the key themes of the day (agenda attached). This session will also feature a high-level panel discussion among national counterparts from various crisis-affected contexts on the topic “Building and Sustaining Peace through Strengthening of the Rule of Law and Human Rights.” The plenary session will also serve to launch the 2015 Annual Report of UNDP’s *Global Programme on Strengthening the Rule of Law in Crisis-Affected and Fragile Situations*, with a presentation of results achieved in 2015. This component of the session will also provide an opportunity to reflect on the impact attained and lessons learned over the course of Phase I and II of the Global Programme. Remarks by selected high-level Member State representatives or UN Officials will be featured throughout the session.

Session III: SDG Goal 16 and Access to Justice (Wednesday 29 June)

The afternoon of 29 June will feature a thematic session on SDG Goal 16 and Access to Justice, organized in partnership with the Permanent Mission of the State of Qatar to the United Nations. This event will feature a panel discussion dedicated to the topic of “Inclusive Partnerships and Innovative Solutions to Promote SDG 16 of the 2030 Agenda for Sustainable Development.” The session will feature examples of platforms for collaboration, data-gathering and innovation to support the achievement of peaceful, just and inclusive societies. The session will also feature the key findings of the Global Legal Aid Study on the availability and accessibility of legal aid services – a key means of ensuring access to justice for all.

Session IV: Political Obstacles to Rule of Law (Thursday 30 June)

On the morning of 30 June, a thematic discussion co-hosted by the Folke Bernadotte Academy (FBA) and the International Peace Institute (IPI) will feature the topic of “Political Obstacles to Rule of Law.” This session will provide a forum to discuss rule of law as a ‘political concept’ based on country examples and in the context of SDG 16, and explore ways and means of combining political engagement with technical support to establish effective and rights-based rule of law. It will also seek to analyse the mutually reinforcing link between state-society relations and systematic access to justice, examining the role of multilateral institutions in supporting the latter. Furthermore, this session will provide an opportunity to take stock of UNDP and FBA’s joint engagement in this space over the course of the past year, and explore experiences from leading actors in this complex field.

Session V: Global Programme Partnership Meeting – By Invitation Only (Thursday 30 June)

This meeting, involving key partners of the Global Programme and hosted by the Permanent Mission of the Netherlands to the United Nations, will serve as an opportunity for supporters to discuss their observations about UNDP’s rule of law and human rights work, and offer suggestions as to priorities of the Global Programme moving forward.

Crisis-Specific Discussions (Tuesday 28 June, Thursday 30 June)

A series of roundtable discussions hosted by the GFP partners will run from midday of 28 June throughout the afternoon of 30 June. Taking the rule of law and human rights dimensions of some of the world’s most pertinent crises as starting point, these technical discussions will provide insights from the GFP partners’ work in the field, and draw linkages to current discourse on peacebuilding, prevention of violent extremism, the development-humanitarian nexus, and the fight against organized and international crime.