

REVIEW OF THE GLOBAL FOCAL POINT FOR POLICE, JUSTICE, AND CORRECTIONS

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REVIEW OF THE **GLOBAL FOCAL POINT FOR POLICE, JUSTICE, AND CORRECTIONS**

August 2018

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ABBREVIATIONS

ASG	Assistant Secretary-General	NUPI	Norwegian Institute of International Affairs
AU	African Union	OCT	Office of Counter-Terrorism
BPPS	Bureau for Policy and Programme Support	OHCHR	Office of the High Commissioner for Human Rights
CAR	Central African Republic	OROLSI	Office of Rule of Law and Security Institutions
CIC	Center on International Cooperation	PBF	Peacebuilding Fund
CIVCAP	Civilian Capacities in the Aftermath of Conflict (UN report/initiative)	PBSO	Peacebuilding Support Office
CSPAJ	Community Security, Protection and Access to Justice	PD	Police Division
CTED	Counter-Terrorism Committee Executive Directorate	PJC	Police, Justice and Corrections
DDR	Disarmament, Demobilization and Reintegration	PKO	Peacekeeping Operation
DFS	Department of Field Support	RBB	Results-Based Budgeting
DM	Department of Management	RC	Resident Coordinator
DPA	Department of Political Affairs	RoL	Rule of Law
DPET	Division for Policy, Evaluation and Training	RoLCRG	Rule of Law Coordination and Resource Group
DPKO	Department of Peacekeeping Operations	SCC	Special Criminal Court
DPPA	Department of Political and Peacebuilding Affairs	SDG	Sustainable Development Goal
DRC	Democratic Republic of the Congo	SGBV	Sexual and gender-based violence
DSG	Deputy Secretary-General	SPC	Standing Police Capacity
DSRSG	Deputy Special Representative of the Secretary-General	SPM	Special Political Mission
EOSG	Executive Office of the Secretary-General	SRSG	Special Representative of the Secretary-General
EU	European Union	SSR	Security Sector Reform
FBA	Folke Bernadotte Academy	SSRTF	Security Sector Reform Task
GFP	Global Focal Point for Police, Justice, and Corrections	TOR	Terms of Reference
HIPPO	United Nations High-Level Independent Panel on Peace Operations	UMIRR	Mixed Unit for Rapid Intervention on Gender-Based Violence
HQ	Headquarters	UN	United Nations
IFI	International Financial Institution	UNAMID	African Union/United Nations Hybrid Operation in Darfur
IOM	International Organization for Migration	UNDAF	United Nations Development Assistance Framework
IOT	Integrated Operational Team	UNCT	United Nations Country Team
JCSC	Justice and Corrections Standing Capacity	UNDAF	United Nations Development Assistance Framework
MINUJUSTH	United Nations Mission for Justice Support in Haiti	UNDP	United Nations Development Programme
MINURCAT	United Nations Mission in the Central African Republic and Chad	UNHCR	United Nations High Commissioner for Refugees
MINUSCA	United Nations Multidimensional Integrated Stabilization Mission in the CAR	UNICEF	United Nations Children's Fund
MINUSMA	United Nations Multidimensional Integrated Stabilization Mission in Mali	UNIOGBIS	United Nations Integrated Peacebuilding Office in Guinea-Bissau
MINUSTAH	United Nations Stabilization Mission in Haiti	UNODC	United Nations Office on Drugs and Crime
MONUSCO	United Nations Organization Stabilization Mission in the Democratic Republic of the Congo	UNMAS	United Nations Mine Action Service
MOU	Memorandum of Understanding	UNMIL	United Nations Mission in Liberia
MPTF	Multi-Partner Trust Fund	UNMISS	United Nations Mission in South Sudan
		UNOPS	United Nations Office for Project Services
		UNPOL	United Nations Police
		UNSOM	United Nations Assistance Mission in Somalia
		USG	Under-Secretary-General
		UN Women	United Nations Entity for Gender Equality and the Empowerment of Women

TABLE OF CONTENTS

Executive summary.....	1
Table of priority recommendations.....	7
1. Background	9
Purpose	10
Progress since the 2014 review.....	10
Methodological snapshot.....	11
2. The origins and current structure of the GFP arrangement at HQ.....	13
What is the GFP today?.....	14
What does the GFP deliver?	15
The added value of the GFP at HQ.....	16
3. GFP contributions to joint arrangements in the field.....	17
Joint arrangements in rule of law work in the field	17
Factors affecting GFP contributions to joint arrangements	19
Areas for attention and improvement.....	24
4. Contributions of joint work to rule of law assistance in the field	26
National-level outcomes of joint programs	26
Factors affecting increased coherence of rule of law assistance.....	29
Areas for attention and improvement.....	33
5. GFP structures and processes at HQ	34
Overview of GFP processes	34
Analysis of GFP processes	35
Areas for attention and improvement.....	37
6. Overarching issues	40
A changing GFP for a changing UN	40
Current integration of thematic areas	43
Potential for thematic expansion	44
Measuring GFP assistance	46
Areas for attention and improvement.....	46
7. Conclusion and recommendations.....	48
Overall achievements.....	48
Strategic recommendations	49
Managerial actions.....	52



EXECUTIVE SUMMARY

In 2012, recognizing that the United Nations (UN) system was at a crossroads with respect to its fragmented, sometimes duplicative, and often competitive efforts on rule of law assistance in post-conflict countries, the Secretary-General took steps to incentivize cooperation and collaboration across a highly siloed structure. **The Global Focal Point for Police, Justice, and Corrections Areas in the Rule of Law in Post-Conflict and Other Crisis Situations** (the GFP) was thus born.

The Policy Committee decision that established it makes the Department of Peacekeeping Operations (DPKO) and the UN Development Programme (UNDP) accountable for delivering on operational responsibilities with respect to the UN's police, justice, and corrections work, with a focus on responding to country-level requests for assistance. DPKO and UNDP were to co-locate relevant staff and to link up with other UN entities in the Secretariat, as well as agencies, funds, and programs, that provide specialized police, justice, and corrections assistance. Current partners are the United Nations Office of Drugs and Crime (UNODC), the Office of the High Commissioner for Human Rights (OHCHR), UN Women, the United Nations High Commissioner for Refugees (UNHCR), and the Executive Office of the Secretary-General (EOSG).

As the length and complexity of the GFP's name suggest, its establishment was contested internally, with differing views on its scope and composition. The approach was fairly minimalist, drawing together the largest parts of the UN's expertise without changing mandates, functions, or reporting lines, and within a framework that was intended to be cost-neutral. But the meaning involved for the professionals housed within it is simple: it signals a clear ex-

pectation that people work together and do not duplicate efforts or compete.

This review evaluates how the GFP has contributed to joint working arrangements that have produced real outcomes on the ground in post-conflict and crisis situations. It also considers the barriers that these efforts have faced and the need for adaptation going forward. This is timely as the Secretary General has emphasized the critical need for more system-wide collaboration to address challenging conflict dynamics, highlighting the GFP as a model in significant reports such as the recent Report on Peacebuilding and Sustaining Peace (A/72/707-S/2018/43). **The clear conclusion of the review is that a "GFP 2.0" is needed if the UN is to deliver. The GFP has improved the UN's coherence in the areas of police, justice and corrections but has now reached the limits of the initial model.** The review lays out a number of recommendations that UN leadership could consider to enable a GFP 2.0.

Outcomes of GFP collaboration to support the field

Overall, the review found that the GFP has helped to leverage comparative advantage, position the UN to avoid setbacks during peace operation transitions, reduce duplication, and create efficiencies in the field:

- In Central African Republic, the joint program on impunity re-established functioning courts in Bangui and a handful of other cities, allowing the resumption of basic justice services including the first criminal hearings since 2010. In January 2018, the Bangui Central Court rendered its first conviction

for conflict-related crimes, sentencing an anti-Balaka warlord to life in prison.

- In Somalia, the joint program has built capacity in the justice chain, helped establish Ministries of Justice in the South Central States, provided scholarships for future legal professionals, and created a Policing Model that has received political buy-in and is now being developed by state organizations.
- In Haiti, joint work has made possible the continued training of police cadres (or mid-level management), as well as digitization of police systems, bringing the police force into the twenty-first century with databases, servers, and more.

These outcomes have been made possible through a great deal of detailed work to support joint arrangements and programs in the field (see box). These field-based innovations, of which this is only one or many, foreshadow some of the more systematic recommendations in this review.

Constraints

While there have been positive results, it is notable in the country cases reviewed that the outcomes (and GFP supporting activities) have often not moved to a scale sufficient to address country-level

challenges. Specific constraints that emerged in reviewing the country cases include:

- *Limited variety of (and lack of clarity about) GFP assistance.* While the focus on missions to support joint programming is understandable—the absence of joint UN programs was a criticism that spurred the formation of the GFP—this has limits. Field entities wanted more varied types of practical assistance and evidenced a need for more strategic approaches. They also wanted to understand better what the GFP has to offer.
- *Insufficient capacity to develop broader knowledge and partnerships, both within and outside the UN system.* For the managers and staff within the GFP at headquarters (HQ), the experience of the last six years has been that cooperation has real value, but it takes time: there is too little dedicated staff time available to make it happen.
- *Inefficiencies due to continuing siloed approaches.* While joint approaches have improved, especially at HQ, these efforts face challenges: joint work in many instances is stitched together rather than genuinely integrated; resource mobilization still can push entities apart; thematic elements like gender and human rights sometimes do not get their due; and entities are still working with reference to different plans, timelines, and analyses. In some countries, these contributed to an imbalance in UN approaches to police, justice, and corrections, where

BOX 1: Reducing duplication and filling gaps in Mali

In Mali, MINUSMA (inclusive of UNPOL), OHCHR, UNDP, UNODC, UNMAS, and UN Women came together in 2015, supported by a GFP expert deployment from HQ, to create a joint program, “Addressing Root Causes of Conflict through Rule of Law,” for the period 2016–20. The program was created due to the recognition that both MINUSMA and UN agencies were implementing similar activities without much coordination, which had resulted in gaps in assistance along with some duplication and conflict of interventions. The program seeks to primarily

address conflict drivers (with a focus on the north). From the joint program, three further projects have been developed, including “Reinforcing the Rule of Law for Peacebuilding in Northern Mali,” “Strengthening Mali’s Penal Chain” (also known as the Mandela Prison Project), and the operationalization of the Specialized Judiciary Unit. Some of the activities in the latter project have been implemented using programmatic funding from the MINUSMA budget, while others have received donor contributions from Germany and the Netherlands.

The Mali GFP started convening their first monthly strategic meetings, with all Heads of Agency and Division, hosted at MINUSMA HQ. In 2017, UNDP and MINUSMA decided on the need for a joint homepage to ensure that all GFP documents are easily available and accessible. The platform seeks to contribute to fostering a common understanding about the GFP. It also functions as a tool to institutionalize information sharing and transparency by requiring partners to upload key GFP documents, including financial records.

corrections and/or justice took a backseat to police in the justice chain. Additionally, at HQ, partners are not sufficiently integrated into the GFP's work and vision, also creating imbalances in approach.

→ *Co-location not achieved.* Managers and staff still report that significant efforts are needed to overcome dispersed locations (even within HQ) and reporting lines of staff working on similar issues. At HQ, this was originally intended to be overcome by co-location. But co location (even of DPKO and UNDP) was not properly executed in the wake of the original 2012 Policy Decision. A surprise in the review was the strong sentiment of staff around co-location: 84 percent of HQ staff surveyed agreed that “co-location at HQ is important for the GFP to work,” with 45 percent strongly agreeing. In addition to helping to bridge the DPKO-UNDP divide, the co-location of UN Women and OHCHR was seen as useful, although it has been discontinued for both.

Main messages

T The review has developed eight main clusters of recommendation—four strategic and four for managerial action.

Strategic recommendations

1. VARY SERVICES, PRODUCTS, AND EXPERTISE TO BE BOTH MORE STRATEGIC AND MORE FOCUSED ON UNBLOCKING PRACTICAL AND PROCEDURAL CONSTRAINTS.

As noted above, while joint programs are valued as a way to increase results and prevent duplication and competition, they are not the only tool needed in the toolbox. In country cases reviewed there was a need for two types of additional service. One is strategic, sometimes high-level engagement to support more integrated and innovative field-driven solutions. Improving integration of GFP missions (and

deployments) is an important method for HQ to contribute to better integration in the field; including senior staff, such as former Special Representatives of the Secretary-General (SRSG), in missions can also facilitate high-level discussion both within the UN and with national counterparts. The GFP could also have a larger role in providing substantive support both in areas where UN policies exist, such as on human rights and gender, or where approaches are developing, such as on sustaining peace and prevention, people-centered rule of law support, and the Sustainable Development Goals. Recommendations in this area include establishing a roster of senior individuals (such as former SRSGs, Deputy SRSGs, and Resident Coordinators) to take part in some missions and advise on approaches; identifying the five highest priority interoperability challenges for the field and working to unblock them; and establishing a principle of open, shared information among UN entities working on the rule of law.

2. CONSIDER FIELD STAFF AS PART OF THE GFP AND BETTER INTEGRATE PARTNERS.

While the background to the Policy Committee decision was the strategic need to bring together the UN's expertise on rule of law to improve results in the field, the GFP itself has come to be understood as an HQ entity. At HQ, it has placed UNDP and DPKO at the center, leaving other partners unclear about their role and the benefits of engaging in the GFP. In the field, responsibility for rule of law coherence is put in the hands of senior field leaders—and this is as it should be. However, it misses an opportunity to maximize the input from the field (not just services to the field). The review recommends steps to better integrate these actors. It suggests adding a rotating managers seat for one of the GFP partners, so that they might be formally included in decision making. It also recommends mapping all staff with expertise in rule of law as part of the GFP, not as their primary reporting line but as a community of practice who can share experiences. This also offers some important gains in recognizing and crediting staff in the field for

the expertise they bring; at a practical level, it should encourage cross-country exchanges. Additional recommendations include continuing and strengthening the training and retreats that the GFP has provided for field staff, and the appointment of a community of practice coordinator who can facilitate an exchange on the latest research and operational innovations between field, regional, and HQ staff.

3. EXPAND GFP TO INCLUDE SECURITY SECTOR REFORM (SSR) UNDER THE THEME OF RULE OF LAW OR SECURITY AND JUSTICE; INCLUDE OTHER THEMATIC PARTNERS AS RELEVANT.

Thematically, the GFP is currently defined around three functional areas—police, justice, and corrections—as “areas in the rule of law.” This focus on the justice chain can be useful in organizing work, but it has limitations. In particular, it does not address the close connection between police reform and strengthening other security services (police and military reforms, for example, are almost always closely linked). While unintended, the name may also limit attention to links with informal systems, broader access to justice/legal and judicial reform programs, and non-discrimination/equality before the law. Last, it does not translate well to partners such as international financial institutions (IFI) and regional organizations, which do not organize specifically around police, justice, and corrections. The review recommends bringing the existing SSR unit of the Office of Rule of Law and Security Institutions (OROLSI), as well as UNDP staff working on SSR, into the GFP. Other rule of law related issues, such as counter-terrorism and disarmament, demobilization, and reintegration (DDR), should be included on a country-specific basis. Finally, to solidify the link with the prevention and sustaining peace agendas, renewing dormant links with the Peacebuilding Support Office (PBSO) and the Peacebuilding Fund (PBF) should be prioritized. Without disturbing the GFP name and identity, into which considerable effort has been invested, the review recommends considering whether the GFP should rename “point” as “partnership” and substitute either “security and justice” or “rule of law” for “police, justice, and corrections.”

4. BASED ON THESE CHANGES AND LESSONS LEARNED, THE GFP SHOULD RENEW ITS MISSION STATEMENT AND VALUE PROPOSITION.

This was already a recommendation of the 2014 review: the context has evolved subsequently in a way that increases its importance (the Sustainable Development Goals, the current UN reform processes, the prevention and sustaining peace agendas). Elements we suggest leadership to consider include:

- Aiming initially to become a resource for practice on rule of law or security and justice institution building (through development of a community of practice and documentation of operational innovation in the field); over time, aiming to become a center of excellence, including on research and evidence generation
- Drawing together strategic approaches to rule of law, security, and justice, as well as specialized expertise and the ability to unblock operational bottlenecks
- Being a single point of entry for external partners on global rule of law issues

Managerial actions

5. ENGAGE SENIOR LEADERSHIP.

The original Policy Committee decision envisaged high-level leadership involvement, from the Assistant Secretaries-General (ASG) of the entities making up the GFP right up to the Deputy Secretary-General (DSG), as chair of the Rule of Law Coordination Group. This has fallen off in recent years, and top UN leadership are little involved in substantively setting direction, ensuring coherence, and mobilizing new partnerships for police, justice, and corrections or rule of law. The review recommends that the ASGs for OROLSI and the Bureau for Policy and Programme Support (BPPS) agree that they will chair a meeting with counterparts at the same level in the field for all country situa-

tions where there are significant challenges or new opportunities, ahead of investing scarce resources in field missions and joint program development. We recommend that a rotating chair from other partners involved in the GFP (e.g. OHCHR, UNODC, UN Women, UNHCR, EOSG) be added depending on the issues of most concern in each country. We also recommend that the DSG chair an annual meeting of Under-Secretaries-General (USG) on rule of law, supported by the GFP through the EOSG rule of law adviser, potentially focusing on the Secretary-General's reports on country situations of concern or on rule of law.

1. TAKE ADVANTAGE OF CURRENT REFORMS TO CO-LOCATE STAFF.

As noted above, staff interviewed felt strongly that co-location was important to building shared thinking and action. There is currently a new opportunity to do this because of the office movements that will result from implementation of the Secretary-General's peace and security reforms. The main recommendation is that the HQ staff involved from DPKO and UNDP, along with other staff whose entities are prepared to co-locate them based on the renewed value proposition, be moved into mixed teams when the larger reorganization is performed. A subsidiary recommendation is that this team be located next to the PBSO to foster the significant links that exist between strengthening security and justice institutions and broader peacebuilding. If co-location is adopted, a senior leadership figure such as the Chef de Cabinet or USG for the Department of Management could be tasked with ensuring that internal failure to solve interoperability and other practical problems does not again contribute to derailing the decision, as was the case after the Policy Committee decision of 2012.

2. DEDICATE ADDITIONAL FINANCIAL AND ADMINISTRATIVE RESOURCES TO THE GFP.

Staff and managers still report that the GFP

is run in addition to their day jobs, which are based primarily on delivering within their home entity, not collectively across entities. The review saw three possible solutions to this. The first is a major reform to draw together the relevant functions and staff into one office, as was done with UN Women, with associated formal resource requests. This was not seen as viable at this point, when the General Assembly and EOSG already have three complex reforms in front of them and have little space to take on another. The team considered two other options for strengthening the GFP. While similar, one option places weight on a strengthened core team with dedicated, sustained resources from UNDP and OROSLI's budgets, while another places weight on co-location working mainly through proximity and informal networks, relying on voluntary contributions and secondments to support the core team. The recommendation here combines the two: in addition to co-location, there should be dedicated resources from new DPKO assessed and UNDP budgets to support existing and additional core team staff. Moreover, there should be new terms of reference (TOR) for all GFP-related staff managers and partners, as well as strengthened delegations of authority for the core team; GFP partners should be asked to contribute human resources and/or symbolic financial amount to support to the core team; and the GFP should develop an analysis of the pros and cons of creating a multi-partner trust fund. In relation to the field, it is recommended that DPKO encourage use of peacekeeping funds for a dedicated post whose TOR would include rule of law coordination. This post would be charged with helping the SRSG/Deputy SRSG (DSRSG) convene the UN system and providing direct support to both operational and strategic coherence.

3. HOLD A NEW EXECUTIVE COMMITTEE DISCUSSION AND DECISION ON THE GFP.

Last, we also suggest that the Executive Committee have a new discussion and decision on the GFP, to give the highest possible level of endorsement to the recommendations in this report that are sponsored by UN management.



Table of priority recommendations

Main message	Summary recommendations	Responsible
Vary GFP services, products and expertise to be both more strategic and more focused on unblocking practical and procedural constraints	→ Roster of senior leadership available for missions	GFP core team
	→ Establish a principle of access to information, and develop a platform for global information sharing	GFP core team
	→ Short, user friendly options and lessons learned notes for staff, including on thematic issues and approaches	GFP core team
	→ Identify the five highest priority interoperability problems in the field and engage senior leadership to fix them	GFP core team
	→ Develop a joint study with external partners (e.g., IFIs or regional organizations) on rule of law/security and justice	GFP managers, core team
Consider field staff as part of the GFP and better integrate GFP partners	→ Map staff and appoint community of practice coordinator	GFP managers, core team
	→ Rotating seat in management team for GFP partners	ASGs
	→ Continue and strengthen training and joint retreats	GFP managers, core team
Expand the scope of the GFP to include SSR under the theme of security and justice/rule of law	→ Bring SSR unit/staff into GFP	ASGs
	→ Strengthen links with DDR, CTED, PBSO, and other relevant thematic actors	ASGs, managers, managing partners, other partners
	→ Consider renaming the GFP as “partners” for “rule of law” or “security and justice”	ASGs, managers
Renew the GFP’s mission statement and value proposition	→ Create and communicate a value proposition for the GFP’s role in bringing together strategic, specialized, and operational/procedural practice and expertise; and as a single entry point for partnerships	GFP managers, managing partners
Engage senior leadership	→ ASGs chairing field meetings with DSRSGs	ASGs
	→ Rotating chair for meetings among partners (e.g., OHCHR, UNODC)	GFP managers, managing partners
	→ DSG chairing annual meeting	EOSG, ASGs
Take advantage of current reforms to co-locate staff	→ Co-locate mixed GFP teams during peace and security relocation	ASGs
	→ Aim for close location to PBSO	CdC, DM, PBSO
Dedicate additional financial and administrative resources	→ New TORs for all GFP-related staff, managers and GFP partners; strengthened authority for core team	ASGs, managers
	→ Increase dedicated resources to enhance GFP core team and enable GFP to deliver on its new mission/value proposition from core, assessed, and/or voluntary funding	ASGs, managers, managing partners, and donors
	→ Explore options to adapt Global Program for Rule of Law into multi-partner trust fund	GFP core team
	→ Use peacekeeping budgets to fund a post whose TORs include rule of law coordination across the UN system in country	DPKO ASGs
Hold new EC discussion and decision on the GFP	→ Explore options for a new Executive Committee decision to get senior leadership endorsements for the GFP’s mission, functions, and structure and to support addressing co-location and interoperability challenges, new partnerships, and resources	EOSG, ASGs



1. BACKGROUND

In January 2017, a new United Nations (UN) Secretary-General ushered in a year of reform proposals related to the peace and security architecture, the development system, and management issues, while also making conflict prevention a defining theme of his agenda. The year saw significant efforts in support of this agenda: the UN developed a joint study on prevention with the World Bank, *Pathways for Peace*; the Secretary General drafted a report on implementation of the dual resolutions on sustaining peace (issued early in 2018); and UN entities and Member States engaged in ongoing discussions about how to make progress against the Sustainable Development Goals (SDGs), including SDG16 on peaceful, just, and inclusive societies.

Against this backdrop, the Assistant Secretaries-General (ASGs) for the Office of Rule of Law and Security Institutions (OROLSI) in the Department of Peacekeeping Operations (DPKO) and for the Bureau for Policy and Program Support (BPPS) in the United Nations Development Programme (UNDP) commissioned a review of the Global Focal Point for Police, Justice, and Corrections Areas in the Rule of Law in Post-Conflict and Other Conflict Situations (the GFP).

The GFP was established in 2012 through Policy Committee Decision No. 2012/13 on rule of law arrangements, which makes DPKO and UNDP accountable for delivering on responsibilities with respect to the UN's police, justice, and corrections (PJC) work, with a focus on responding to country-level requests for assistance in terms of global knowledge, people, and advice on assessments, planning, funding, and partnerships. The GFP is an HQ-level arrangement, with responsibility for rule of law coherence in the field put clearly in the hands of senior field leadership.

The arrangement arose out of a number of reviews and reports, most significantly a review in 2011 by the Senior Advisory Group for International Civilian Capacities, which issued a report on Civilian Capacities in the Aftermath of Conflict (hereafter: the CIVCAP report). The report argued for greater attention to civilian capacities alongside political and military components of peace operations, because “without this capacity, resilient institutions will not take root and the risk of renewed violence will remain.”¹ The report identified five areas with capacity gaps—one of them being justice—noting that the UN is well placed to play a strong role, but that it also often does not act as “one UN” and does not always bring together the skills and competencies available throughout the system, nor does it put together a coherent financing argument and strategy to support these capacity areas.²

Key to the GFP arrangement, as described in the 2012 decision, is full co-location of police, justice, and corrections capacities in all of these entities at HQ level (with co-location mirrored in the field, if possible). The GFP was tasked with developing a joint work plan and a financing approach to Member States, as well as ensuring that rule of law is reflected in the priorities of DPKO's and UNDP's strategic plans and budgets. DPKO and UNDP were also charged with linking up with relevant UN entities and their rule of law capacities, with particular attention to the United Nations Office of Drugs and Crime (UNODC) and the Office of the High Commissioner for Human Rights (OHCHR) as entities with criminal justice elements in their mandates, as well as to the specialized roles of agencies such as United Nations Children's Fund (UNICEF), UN Women, and the United Nations High Commissioner for Refugees (UNHCR).

The timing of the current review is ripe for a number of reasons. First, the Secretary-General's focus on prevention and sustaining peace, as well as restructuring of the peace and security pillar, faces some thorny institutional dilemmas. Perhaps most important among these is the challenge of finding a genuinely cross-pillar approach in a set of institutions that are inherently siloed, each with its own culture and incentive structures. One example of this larger challenge is the fact that the GFP is asked to work across peace operation and non-peace operation settings in support of prevention efforts, and OROLSI is mandated to provide system-wide support; nonetheless, OROLSI staff are limited in their capacity to engage in non peace operation settings as they are financed by the peacekeeping support account. The recent reform proposals will not alter this fundamental difficulty; yet the sustaining peace approach continues to make the case that cross-pillar approaches that cut across all phases of a conflict cycle should be central to the UN's work.

Second, building on previous efforts to create integrated, joined-up approaches, the Secretary-General has emphasized the need for more system-wide collaboration; in so doing, he has highlighted the GFP as a model in significant reports from the Secretary-General, including his Report on Peacebuilding and Sustaining Peace (A/72/707-S/2018/43), his Report on the Restructuring of the United Nations Peace and Security Pillar (A/72/525), and his Report on Strengthening and Coordinating United Nations Rule of Law Activities (A/72/268). It is therefore worth learning more about the GFP arrangement and its results, in order to assess its suitability as a model.

A third reason for the timeliness of the review concerns an emerging sense within both DPKO and UNDP that the current arrangement has done as much as it could under its model, which was initially supposed to be “cost neutral.” As an arrangement, rather than a structure, the GFP has no institutional resources allocated specifically to it, although there is a small pot of additional funds from the UK government to support collaborative action and to act as seed funding for new projects. Indeed, it is a collaborative activity that people do as part of their interagency coordination responsibilities—the work often demanding additional time

and resources that are not officially acknowledged. Supporting staff, called the “core team,” are often seconded personnel or on temporary contracts—a model that has proven unstable over time and left gaps in support and institutional memory. Requests for more staff time and resources to engage with the GFP, in particular from the Police Division (PD) in DPKO, have not proven successful. While the arrangement may be theoretically cost neutral to UNDP and DPKO in terms of staff budget, it is not seen to be cost neutral in terms of staff time—something that is difficult to calculate and remains invisible. There have therefore been calls for a GFP 2.0.

Purpose

The purpose of the review is to inform GFP partners, Member States and other stakeholders on how the arrangement has evolved over time and how it can be further strengthened to deliver rule of law assistance in peacekeeping settings, special political mission (SPM) settings including in transition contexts, and non-peace operation settings. It examined progress, achievements, and challenges of GFP support in UN headquarters (HQ) and in the field, with a particular focus on Burkina Faso, Central African Republic, Guinea-Bissau, Haiti, Mali, and Somalia, and considered the preparedness and capacities of the GFP arrangement in light of ongoing United Nations reforms and the implementation of the 2030 Sustainable Development Agenda. The review was also guided by the points raised in Section V of the “Report of the Secretary-General on Strengthening and Coordinating UN Rule of Law Activities” (A/72/268), although many of the points raised are structural questions larger than the GFP itself.

Progress since the 2014 review

In 2013–14, as mandated by the Policy Committee decision, an independent review of the GFP was undertaken by the Stimson Center, the Clingendael Institute, and the Folke Bernadotte Academy. The 2013–14 review is used as a baseline for the current review, and some of its

BOX 2: Terms of Reference for the GFP Review

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| <p>1. Examine and provide forward-looking recommendations on the management structures and processes of the GFP arrangement at headquarters, including:</p> <ul style="list-style-type: none"> → improvements to the management structures and operationalization of the GFP arrangement (including allocation of funds); → resources and capacities required to make the GFP arrangement sustainable; → the thematic expansion of the GFP arrangement and the management of such an expanded configuration, including cooperation and partnerships with non-UN regional organizations; | <p>→ assess compliance with human rights and gender policies, as well as a people-focused approach to rule of law interventions (including the principle of leaving no one behind).</p> <p>2. Review progress of delivery to field settings through the GFP arrangement, in terms of:</p> <ul style="list-style-type: none"> → supporting joint assessments, planning and analysis; → deploying expertise; → providing joint guidance, share best practices and enhance interoperability; → mobilizing resources. | <p>3. Analyze the joint working arrangements developed in field settings as a result of GFP support and whether these joint approaches contribute to a more efficient delivery of rule of law assistance, including:</p> <ul style="list-style-type: none"> → the structures and levels of integration at the country-level, and the role of senior leaders at country level; → the impact or results of joint approaches or increased coherence in relation to national-level outcomes including from a human rights and gender perspective; → how GFP assistance can be measured and improved. |
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insights remain relevant today. Many of the recommendations have been addressed since 2014, including creating more communications tools (newsletter, fact sheets), encouraging the use of programmatic funds from the assessed peacekeeping budget as seed money for GFP projects, developing a business plan (for 2014–15), and taking initial steps to clarify the strategic vision through the GFP's work plan for 2013–16. The GFP also made partial progress on process issues, by developing draft guidance on joint programming as well as on missions and deployments (2017), and commissioning a paper on interoperability problems (2015). Further steps to finalize or make these papers operational are still needed.

Some of the recommendations were not implemented, including the following, which are highlighted for their particular salience to the current review: strengthening the core team, developing a detailed and specific value proposition for the services the GFP can deliver, implementing co-location, enhancing knowledge management and learning, and creating a GFP-managed joint financing mechanism.

The fact that another review was commissioned suggests that there is momentum gathering behind a genuine strengthening of the GFP.

Methodological snapshot

This review was led by the Center on International Cooperation (CIC) in significant cooperation with Folke Bernadotte Academy (FBA), the Norwegian Institute of International Affairs (NUPI), and a consultant hired by the Ministry of Foreign Affairs of the Netherlands.

The approach was systematic, drawing on a range of data and information sources. We took an inclusive approach, ensuring sufficient representation of genders and nationalities. The scope of the review was the GFP from inception to present, with a focus on processes and activities that have taken place since the 2014 review. Data collection included:

- An extensive desk review of GFP materials
- Key informant interviews with **75 stakeholders at HQ**, including representatives from relevant UN entities as well as 4 Member States
- **Team country visits to Central African Republic, Guinea-Bissau and Haiti, where we consulted 97 UN staff** in the peace operation and the country team, government partners, civil society representatives, and donors

- Individual interviews with 37 UN peace operation and country team staff in another three countries (Burkina Faso, Mali and Somalia), mainly by phone but also in person (Mali)
- An online survey sent to 300 UN staff, with 176 responses; the survey was sent to all relevant staff at HQ as well as all GFP-related field presences; staff were asked to forward the survey to others relevant to the GFP

The report begins by describing the background to the review and the GFP itself (Section 1). It then explains the structure of the GFP and what it delivers to the field (Section 2).

These introductory elements are followed by two sections that look at outcomes at two levels: contributions to joint arrangements in the field (Section 3), and contributions to more efficient delivery of rule of law assistance in the field (Section 4). The report then examines the current processes that the GFP uses to meet the field's needs (Section 5), and assesses the GFP in the context of larger-picture issues, such as its relationship to the Secretary-General's reform agendas, and whether or not it should be expanded thematically in light of the UN's larger needs (Section 6). In the final section, the report concludes and offers recommendations.



2. THE ORIGINS AND CURRENT STRUCTURE OF THE GFP ARRANGEMENT AT HQ

Six years after the establishment of the GFP, it may be all too easy to forget the reasons why it was initially created.

The GFP arrangement was developed in order to address a set of challenges that started to emerge during the 1990s. At that time, the UN began to do more work in the rule of law field, particularly from 1999 onwards, when the UN was given transitional executive powers—including over PJC issues—in Kosovo and Timor-Leste. The development of complex peace operations during the 2000s in a number of countries (e.g., Democratic Republic of Congo, Liberia, Haiti, Burundi, and Côte d'Ivoire) meant that DPKO in particular was undertaking deeper work in the rule of law area. UNDP had been working on governance and rule of law issues more broadly for much longer, but its work on crisis prevention and recovery increased significantly in the early 2000s, with a marked rise in donor funding enabling it to become a major player in post-conflict countries. Meanwhile, the Department of Political Affairs (DPA) SPMs had strengthened police and justice mandates, and UNODC and OHCHR (among others) also developed work in this area.

As the UN's work on rule of law grew, there was recognition of the need to better define both the UN's approach and the complementary roles of the different UN entities. OHCHR and UNODC already had mandates relevant to rule of law within the Secretariat, and UNDP was also working on rule of law issues in country. The Secretary-General undertook the task of developing a set of reports and decisions to clarify these issues. In 2004, he published "The rule of law and transitional justice in conflict and post-conflict societies," which offered a definition of rule of law. In 2006, he created the Rule of Law Coordination and Resource Group (RoL-

CRG), chaired by the Deputy Secretary-General (DSG) and including all entities with relevant rule of law issues in their mandates, to act as a high-level focal point for rule of law strategy and coherence. He also established in 2006 a system of "global leads" on rule of law, which assigned leadership within the system on specific rule of law issues to different entities. For example, DPKO became the lead on police, justice, and corrections; OHCHR became the lead on transitional justice; and UNODC became the lead on organized crime.

The larger pivot toward rule of law work was also recognized in the creation of OROLSI within DPKO in 2007, uniting PJC with SSR, DDR, and the United Nations Mine Action Service (UNMAS). Similarly, the pivot was reflected in the creation of UNDP's Global Program for Rule of Law within its Bureau for Conflict Prevention and Recovery in 2008.

In spite of the attempts mentioned above to develop more coherent and strategic approaches to rule of law across the system, however, a measure of negative dynamics between UN entities emerged. UN entities have distinct funding sources and mandating bodies, which incentivize a siloed approach. On top of that, the organizations had different ways of engaging with national stakeholders and did not have a shared theory of change to underpin their rule of law work. While there were instances of cooperative work in the field, there were also instances where parallel programs were deployed and where entities were observed to compete for the lead role as the primary interface with government stakeholders or donors. More generally, a lack of coordination led to gaps in the assistance provided, occasional overlap in programs (entities doing the same things), as well as extreme fragmentation of approaches in country.

All in all, the UN could be less than the sum of its parts when it came to rule of law assistance in country.

At HQ, tensions were particularly high between the two largest UN actors working on rule of law issues, DPKO and UNDP, and these tensions were directly affecting relationships in the field. As the previous review observed, “UNDP initially agreed to the 2006 RoL [rule of law] decision but was not as keen on an arrangement that seemed to reinforce DPKO’s growing presence and influence on rule of law issues in the places where its missions deployed.”³

All of this serves as important background to the creation of the GFP, which was framed around DPKO and UNDP at HQ in New York, as well as around PJC (a narrower term than “rule of law”). The CIVCAP process had envisioned a larger solution to these challenges. For example, it suggested creating a kind of center of excellence on rule of law (not just PJC) to unite all of the units within entities tasked with rule of law issues in a single co-located space—while each keeping their usual reporting lines. For entities with rule of law staff outside of New York, such as UNODC or OHCHR, this would have entailed moving their relevant staff to New York HQ to sit with the other GFP partners.

Much of this got narrowed down in the negotiations over the Policy Committee decision. The decision to focus on PJC instead of rule of law was partly owing to lack of agreement between UNDP and DPKO on whether or not to include SSR, which logically is part of rule of law initiatives. UNDP, which was working on a more people-centered approach to the security sector, was in favor of inclusion. DPKO, however, was initially resistant to the idea of including SSR in the thematic scope of the GFP, partly because of an existing coordination structure, the SSR Task Force, which already included UNDP and other GFP partners. And while CIVCAP had not necessarily foreseen a primacy of UNDP and DPKO in the GFP arrangement in early discussions (which was really focused on co-location), there was a sense that placing them at the center of GFP would address their particular relationship challenges. Thus, UNDP and DPKO were assigned responsibility as the GFP co-managers, replacing the 2006 designation of leads.

What is the GFP today?

The GFP in 2018 might be best described as a philosophy or a particular way of working—the idea that entities ought to work together as the most effective way to support PJC. Or, as the 2014 review aptly noted, the GFP is “a somewhat amorphous, self-governing network arrangement that neither merged existing entities, nor created a new office.”⁴

The Policy Committee decision clearly places responsibility for the GFP arrangement on the shoulders of DPKO and UNDP jointly. A description of structures and processes is provided in the internal “modalities document.”⁵ It provides a description of the roles of **senior leadership** in DPKO and UNDP; called for an annual meeting of the GFP for the USG of DPKO and the Administrator of UNDP, and identified the principals of the GFP as the ASGs of DPKO/OROLSI and UNDP/BPPS. They carry managerial responsibility for the effective functioning of the GFP. They also provide high-level leadership, for example by outlining priorities at the start of the retreat for the annual work plan.

Since the beginning of the GFP, there have also been three **GFP managers**, initially referred to as “Point of Contact for Country-level Requests.” Currently, these managers are the Chief, Justice and Corrections Service and the Chief Strategic Policy & Development Section of the Police Division (DPKO/OROLSI), and the Team Leader for Rule of Law, Justice, Security, and Human Rights (UNDP/BPPS). There are no terms of reference for the managers; in the modalities document, they are tasked with receiving and responding to country-level requests for assistance, although in practice, their decision-making scope is broader.

Alongside the GFP managers, there are currently five **partner** UN entities: EOSG, OHCHR, UNODC, UNHCR, and UN Women. There is a procedure for UN entities to join the GFP as GFP partners, involving a meeting between entity leadership, e.g., ASG level. There are no terms of reference for partner entities describing their roles and responsibilities; these are also not described in the modalities document, and it is unclear how co-location is or would be addressed in these agreements.

The GFP arrangement also has a **core team**, which currently consists of one officer seconded to UNDP from Sweden and one consultant working as a shared resource (under contract with UNDP, but paid for through shared GFP resources), both working full-time to support the GFP arrangement. From December 2014–August 2017, there was a core team post in DPKO paid for from extra-budgetary funding from Germany. The funding was not continued after that date and the role disappeared.

Finally, at the heart of the GFP are the **desk officers** in HQ. They are also part of the GFP arrangement—which was to be signaled symbolically and practically through their co-location, but which is now reflected mainly by the degree to which they self-identify with GFP and through their actions (e.g., cooperation and information sharing).

What does the GFP deliver?

The GFP categorizes its support in four ways: supporting joint assessment, planning, and analysis; deploying expertise; providing joint guidance, sharing best practices, and enhancing interoperability; and mobilizing resources.

The previous review made several observations about GFP delivery to the field from 2012–14, noting that the GFP had begun an important process to build “clients” in the field through the 19 missions it undertook in its first two years, but that it still had “a long way to go in terms of impact in the delivery of high quality and timely PIC services to UN peace operation and country teams.”⁶ While having a “light impact” on peace operations and UN country teams (UNCT), GFP interventions were often seen as supply-driven and without a clear added value to the field.

Currently, the most visible aspects of the GFP’s work to counterparts in the field are the GFP missions and the deployments of HQ staff or consultants to support program and planning support. These missions and deployments take up the largest proportion of the GFP’s current dedicated budget of £300,000 per year, which is provided by the UK’s Foreign and Commonwealth Office.

Since the 2014 review, the GFP arrangement has conducted **29 missions**. The top receiving countries were CAR and Sudan/Darfur (4), and Haiti and Mali (3). Most missions included DPKO (15) and UNDP (21) members, with other entities represented less frequently: UN Women (2), OHCHR (4), UNODC (2). There were several instances (5) in which only one entity was represented on the mission, either UNDP or DPKO. Missions in this time frame have had an average of 2 members,⁷ and serve a range of purposes. Many have been designed specially to support the development of joint programming (e.g., CAR, Guinea-Bissau, Haiti, Libya, Mali, Somalia). Others undertake strategic assessments and identify gaps and opportunities (Burkina Faso, Democratic Republic of the Congo, the Gambia, Haiti).

The GFP has been involved in **deployments of expertise to 14 countries** since the beginning of February 2015, with the top receiving countries being CAR and Sierra Leone (4).⁸ The majority of deployments (16/24) have come from the Police Division’s Standing Police Capacity (SPC). These deployments are reported to have filled important technical gaps, with a notable focus on dealing with sexual and gender-based violence (SGBV) and community policing. Most other deployments (6/24) have consisted of sending UNDP or OROLSI desk officers to the field in order to provide program and planning support. A handful were consultants.

With respect to joint guidance, sharing best practices, and enhancing interoperability, the GFP organized **trainings for country-level staff in Entebbe in 2016 and 2017**. As for joint guidance, this is an area where the GFP has taken some initial steps; for example, it has developed a draft “joint programming tool,” although it has yet to be approved.

Finally, support to **resource mobilization** can be critical in these countries, which often lack adequate financing for rule of law initiatives. Support to resource mobilization can be given directly by providing seed funding, either through UNDP’s Global Program or through programmatic funding in peace operations budgets. In addition, there is support from HQ for resource mobilization, by sharing experiences from other countries, by jointly approaching donors, and through new models such as creating a donor “reference group,” in New York.

The added value of the GFP at HQ

While most of this review focuses on results at field level, it is important also to highlight the change that has been achieved at HQ, keeping in mind the starting point in 2012 referenced at the beginning of this section.

When GFP desk officers are asked what the GFP is, most of them reference two ideas: that there is an expectation that they should work together and that they are in fact working together—both are important. This is a fundamental added value of the GFP to work at HQ-level, primarily through encouraging cooperation and information sharing. This was also a key finding from the 2014 review, where such cooperation was already well underway.

While clear that this trend has continued to strengthen, it is also important to provide nuance. Within DPKO, in particular, GFP desk officers were more likely to express skepticism of the value of the GFP arrangement, even if they were in a minority. Some mission management staff within PD are examples of this viewpoint.

That said, an important added value of the GFP in our analysis seems to be created in the informal exchanges between desk officers working on the same countries. Although this is hard to pin down, it is clear that informal self-organization of approaches occurs when

there is active information sharing. Desk officers providing HQ support to the countries also have the ability to signal potential or actual problems in terms of UN coherence (such as gaps, duplication or competition of activities) occurring in the field and escalate issues to higher levels of decision-making or propose other interventions. We will explore in subsequent sections the difference this has or has not made to outcomes in the field.

BOX 3: The GFP at HQ: perspectives on added value

Illustrative examples of the added value of the GFP at HQ are:

“Justice, policing, SSR, and human rights are all seen as separate areas of work, so if you don’t get people around the table, you waste time, money, and you lose credibility in the country and here.”

—UNDP desk officer

“It’s now a mantra: non-duplication, aligning with strategic priorities, etc. Something that can funnel or guide the way we interact with donors. Present a unified front. Strengthened dialogue as ‘one UN’ when people are pulled in different directions because of funding streams or regional groupings.”

—DPKO desk officer

3. GFP CONTRIBUTIONS TO JOINT ARRANGEMENTS IN THE FIELD

One of the main motivations for establishing the GFP arrangement was to improve the coherence and agility of support to the field on PJC issues. This is no simple matter, as the countries to which GFP provides support represent challenging contexts, characterized by weak state institutions, high poverty, large populations of displaced people, and chronic conflicts. Additionally, in many of these countries, donors sometimes have less interest in investments relating to rule of law (including those directly related to SDG16 targets) that may be critical to sustaining peace once a peacekeeping operation (PKO) or SPM departs.

To grasp the full scope of the challenge, one also needs to consider blockages within the UN system such as competition among UN entities, a lack of strategic coherence both in the field and at HQ (as entities may not be operating from joint analysis and objectives, but rather from separate plans), and the dispersion of UN capacities across entities, which can make it difficult to find the right expertise at the right time when gaps in the field urgently needed to be filled.

In this section, we describe how the GFP's delivery to field has or has not contributed to new ways of working at field level, as part of a larger UN response to the shifting contexts in which it works. We also analyze key factors affecting GFP contributions to joint arrangements, in order to generate recommendations for strengthening the GFP's delivery to the field.

Joint arrangements in rule of law work in the field

There are a wide variety of joint arrangements in the field, ranging from formal joint programs to informal information sharing.

Joint programs, as mentioned previously, have been a primary modality encouraged by the GFP for joint work in the field. These programs contain projects with agreed deliverables and shared responsibility for delivery within a specific time frame, usually in the framework of a memorandum of understanding (MOU). Joint programs related to the GFP have been created in CAR, Côte d'Ivoire, Sudan (Darfur), DRC, the Gambia, Guinea-Bissau, Haiti, Kosovo, Liberia, Libya, Mali, Somalia, and South Sudan. Funding mechanisms for these programs vary, with some being entirely funded through programmatic funding in assessed peacekeeping budgets, others entirely funded through voluntary funding, including UNDP's Global Program funds, and still others with a mix of the two. Roles and responsibilities for joint programs are typically defined in the joint program document. If funding passes from one UN entity to another, this is defined through an MOU between the relevant entities. Joint programs sometimes include steering committees comprised of the entities, designated coordinators for each entity, and co-location of staff.

A key example of how the GFP can positively shape joint arrangements in the field concerns GFP engagement in CAR. Starting in 2014, GFP missions and deployments contributed to developing the "Joint Program Supporting the Fight Against Human Rights Violations and the Revival of Justice (2014-17)," whose partners

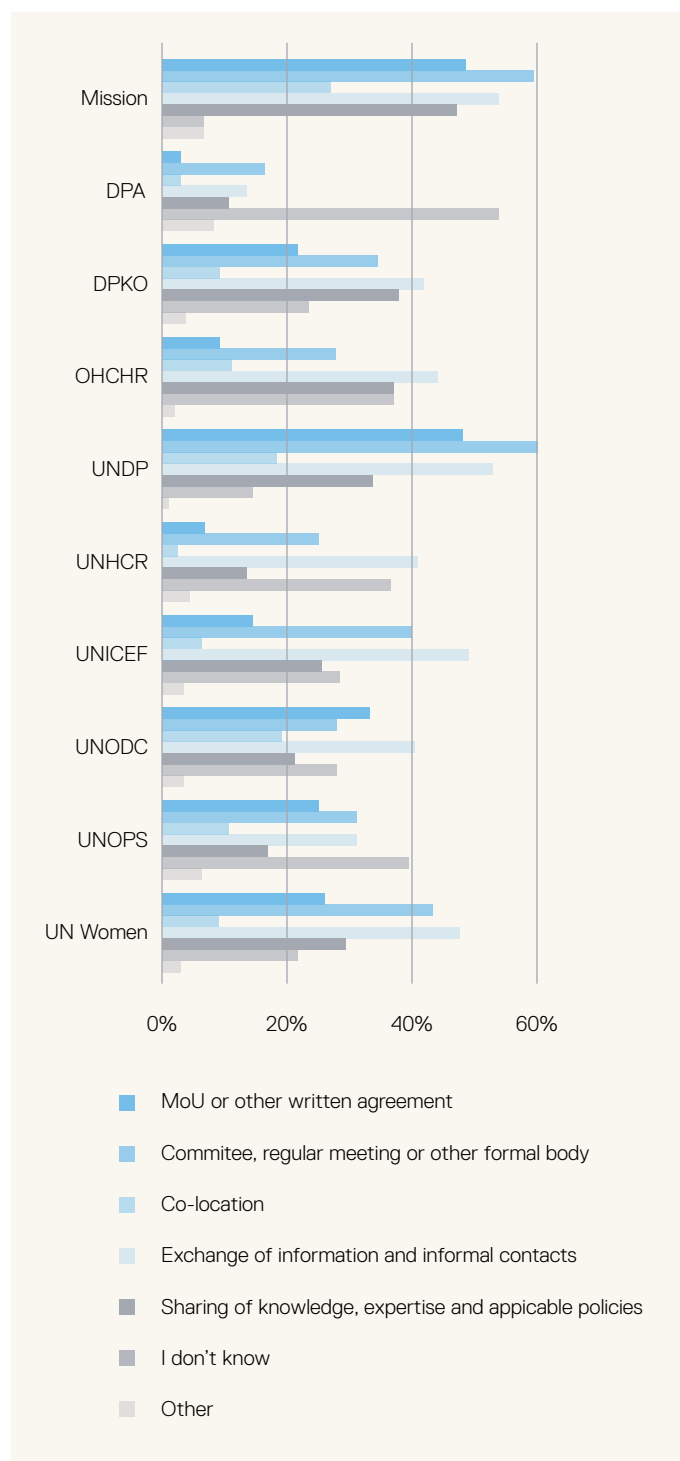
are UNDP, MINUSCA, and UN Women. The program's \$15 million budget was fully funded, initially by Denmark, UNDP, and UN Women; today the main donor is the U.S. government (\$11.5 million). The program focused on rebuilding justice institutions as well as promoting access to justice, and it is being continued for 2017-20. The GFP also contributed to the "Joint Program Supporting the Special Criminal Court (SCC)," whose partners are UNDP, MINUSCA, UN Women, and UN Volunteers, and which supports the political, financial, and substantive development of the SCC. Among many other things, it undertakes tasks from capacity building of national actors to rehabilitation of the court's building to regular political engagement of UN member states through the CAR reference group. The joint program is budgeted at \$7-10 million per year, and most of the money has been raised through 2018; the largest share comes from programmatic funding, with other contributions from UNDP, UN Volunteers, the Netherlands, and the U.S.; funding from the European Union (EU) is also expected for 2018.

While joint programs represent the highest degree of integration that we observed, UN entities use other means as well. The survey shows that the most common form of coordination at field level is through exchange of information and informal contacts. This form of communication, while valuable, is highly dependent on personalities; it is therefore a good supplement to other means of coordination, but likely not a substitute for it.

Note, however, that for both UNDP and DPKO, the most common form of cooperation is through more formal convening: in particular, committees or other regular meetings. Our case studies also bore out this finding. Committee meetings of several types were mentioned, with the most common being steering committees for joint programs and sector-wide meetings bringing the UN system and other international actors (bilaterals, multilaterals, regional organizations) together on rule of law issues. We also found a few instances of UN system-level meetings on rule of law issues, for example, in Haiti under MINUSTAH and also in Mali; however, convenings specifically of the UN system on rule of law were not the norm.

Co-location of offices is another means of coordination. The survey shows that co-location

Do you have coordination structures with other UN entities working on police, justice and corrections issues in your country setting/duty station?



is the least used form of coordination in the field. In our case studies, for example, we observed co-location of peace operation and UNDP staff in Haiti and Somalia; co-location of UNIOG-BIS and UNDP staff in the Ministry of Justice in Guinea-Bissau, and co-location of UNDP and UN Women staff in CAR.

BOX 4: Mali: examples of joint arrangements in the field

Mali has made progress in developing innovative joint arrangements in the field, which have come about through demand-driven, bottom-up initiatives. In addition to the Rule of Law and Security Institutions weekly meetings, a central coordination mechanism for rule of law actors in Mali that includes participation beyond GFP partners, there are now two monthly GFP specific meetings. The first, hosted at UNDP, has been used to discuss progress and implementation of the joint program and its component projects. However, there was eventually a recognition that coordination arrangements needed to go beyond the tech-

nical level, and a more concerted-strategic level discussion was necessary to breathe life into the joint program and overall vision in Mali. As of February 1, 2018, the Mali GFP started convening their first monthly strategic meetings, with all Heads of Agency and Division, hosted at MINUSMA HQ.

In early 2018, the Justice and Corrections team in MINUSMA created a GFP-related intranet platform. In 2017, UNDP and MINUSMA decided on the need for a joint homepage to ensure that all GFP documents are easily available and accessible. The platform seeks to contribute to fostering a common

understanding about the GFP. It also functions as a tool to institutionalize information-sharing and transparency, by requiring partners to upload key GFP documents, including financial records.

The website is well-structured, user-friendly and contains basic information on the joint program, its component projects, and funding. Senior MINUSMA staff noted how the platform has transformed staff's consciousness about the GFP arrangement, noting the importance of creating management tools that can foster improved collaboration in practice.

Finally, resource sharing or co-financing has been a key part of the GFP. We observed two ways in which the GFP was making a contribution to joint financing. The first is through seed funding. The Global Program has supported GFP-related joint programs in 13 countries since 2015, with the highest amounts going to CAR (\$1.75 million), DRC, (\$1.5 million), and Mali (\$1.3 million).⁹ Programmatic funding in assessed peacekeeping budgets for rule of law activities began to take off in DPKO's 2016-17 budget year. In that year, we found three countries using programmatic funding for GFP-related joint programming (CAR, Haiti, Liberia), and the following year we found that number expanding to five (CAR, Haiti, Kosovo, Liberia, and Mali).

The second is through new and innovative models such as creating and convening the CAR Reference Group, which is a group of member states supporting politically and financially at UN HQ level. In addition, HQ colleagues provide support to field colleagues in resource mobilization efforts, for example, by sharing experiences from other countries or by jointly approaching donors to mobilize funding for joint programs. Fact sheets with summary information on joint program activities have been elaborated for information and resource mobilization purposes.

Factors affecting GFP contributions to joint arrangements

Our analysis of the most significant crosscutting issues identified from interviews and survey results suggests that the GFP's main contribution to joint arrangements has been through its focus on joint program development and analysis. Where joint programs have been put in place and have mobilized enough resources to start work—for example, in Haiti, CAR, and Somalia—they have made contributions to cross-entity learning and joint thinking. It is fair to say that on operational issues, for many of the staff interviewed, working in the context of a joint program entailed a steep learning curve, particularly when programmatic funding from assessed peacekeeping budgets was involved. While staff identified many challenges of working jointly through a program—mainly in terms of process and information sharing—many also affirmed the value of such work.¹⁰

We also found, mainly in the context of joint programs, valuable GFP-related dialogue on structures to foster integration and coherence. This included, in both CAR and Somalia, the integration of UNDP and peace operation reporting structures (for example, in CAR, a UNDP staff person sitting with and reporting to

a DPKO superior), as well as identifying coordinators within programs and structures for steering committees. Another contribution was through suggestions for co-location of UNDP and peace operations elements, which were adopted in both Haiti and Somalia. (By contrast, in CAR, staff suggested that the opportunity to co-locate had been missed, as it was not included in initial plans for the start-up of the peace operation in 2014).

The GFP is seen to be less strong in relation to offering practical guidance or options to interoperability problems, which remain a key obstacle to joint arrangements in the field. For staff drawing on programmatic funding from PKO budgets, the difficulties of getting, implementing, and reporting on this funding loomed large in our interviews. The challenges to agreeing on MOUs, to getting clear and timely information from partners, and to agreement on mutual expectations across a range of issues (including how much money the implementing partners would ultimately receive) have become a source of renewed mistrust and friction between and sometimes within UN entities. The GFP arrangement was not able to solve blockages with relevant entities at HQ level or offer guidance to the field in these areas. Similarly, interviewees said that they would welcome more information about how UN operations in other countries have implemented joint approaches.

GFP contributions are currently less developed in the area of knowledge sharing and development. GFP could have a larger role in providing substantive support both in areas where UN policies exist, such as on human rights and gender, or where these are developing such as on sustaining peace and prevention, people-centered approaches and the sustainable development goals as mentioned in section 6. GFP has not yet developed substantive guidance, other knowledge products or support that would promote agreement on approaches to rule of law support among UN entities.

We identified seven factors that both helped and hindered GFP contributions to joint arrangements in the field. Analysis of these factors are used to develop a set of recommendations to shape GFP support to integration in the field.

1. SENIOR LEADERSHIP BUY-IN

Bringing the UN system together is no easy task and, indeed, it is not the responsibility of the GFP to do this at field level. Policy Committee Decision No. 2012/13 clearly states that primary responsibility for “guiding and overseeing UN rule of law strategies, for resolving political obstacles and for coordinating UN country support on the rule of law” lies with the SRSG or, in non-peace operation settings, the Resident Coordinator (RC). With this in mind, we observed that the GFP’s contributions were more successful when senior leadership was favorable to cooperation and coherence; where senior leadership was not favorable, then GFP contributions were less likely to bear fruit.

We observed, in one case study country, that the fortunes of GFP efforts to encourage a joint program rose and fell with shifts in leadership, both within DPKO and UNDP field staff; currently, lack of leadership buy-in has reduced trust that had previously been built through the joint program. In another, the opportunity to take forward a joint program that had been worked on for years with GFP support finally opened up only after changes at the senior management level. In yet another, consistent support from leadership, which appeared to strengthen over time, has allowed joint approaches to flourish, in spite of many difficulties.

Many interviewees noted the signal importance of the DSRSG/RC in peace operation contexts in setting expectations for coherence and using convening authority to bring the UN system together. In Guinea-Bissau, the arrival of a new DSRSG/RC breathed new life into fraught UN entity relationships, as they convened a retreat with all UN staff working on rule of law in the country to adopt the joint program, and agreed to a joint work plan and joint results.

2. JOINT PROGRAMS AS A PREFERRED MODALITY

The GFP's influence on joint arrangements has been most pronounced in relation to its support—through missions, deployments, technical support, and resource mobilization—for joint programs. When asked what type of support they received from the GFP, the top response from field staff was “joint program planning” (52 percent). Generally, UN staff are favorable to joint programming. For some, joint programs have helped them learn about procedures and working cultures of other UN entities, which they consider a prerequisite to effective collaboration. Such joint efforts have forced entities to work cooperatively to address thorny interoperability challenges. Others note that this approach has promoted joint thinking on country strategies and plans; in Mali, the joint program was perceived to be based on sound conflict analysis, which continues to guide the development of projects. Finally, in transition countries like Haiti and Liberia, UNCT staff said that they believed joint programs to be critical to shoring up support for UNCT continuation of work once the peace operations close. These factors suggest an added value for the GFP's approach.

The survey and the interviews also gave insight into risks involved in the GFP's focus on joint programming as the main modality for cooperative work. One is the fact that, as noted by staff in both HQ and the field, joint programs were not new, many having predated the GFP, and that joint programs continue to be developed outside of the orbit of the GFP. Another is that GFP missions were coming with a specific solution (the joint program) that was not always the best one or that may not address the simultaneous need for greater strategic coherence and vision. For example, in CAR, where the joint programs are broadly supported, there were nonetheless calls for more strategic coherence on rule of law issues outside of the joint programs. In Mali, some staff regretted the lack of a strategic vision for rule of law, likening the GFP to a “box ticking” exercise, though others indicate that it was through the engagement of the GFP that the lack of common, strategic rule of law work was first identified. External observers

questioned a clear imbalance in UN approaches to PJC, where corrections and/or justice took a backseat to police in the justice chain.

A positive example of a type of joint arrangement that serves as a useful model was the existence of a D-2 post in MINUSTAH (Haiti) whose terms of reference included coordinating the UN system on rule of law. This post was not continued after the transition to MINUJUSTH in November 2017; both MINUJUSTH staff and UNCT staff observed that this position contributed to there being more UN-system discussion at the strategic level under MINUSTAH than there was currently, in spite of the ongoing joint program. It should also be noted that there was also only one DSRSG for MINUJUSTH, which may have also reduced overall capacity for convening.

3. QUALITY OF GFP MISSIONS AND GFP “PERSPECTIVE”

We also noted that GFP missions, when they are well integrated themselves from a strategic perspective, can provide an important added value by modeling a different way of working together. The GFP thereby performs a signaling function through its demonstration of improved working relationships at HQ level—this has been particularly important in contexts where teams on the ground are not coordinating or interacting. The presence of a joint mission, on a practical level, forces people to be in the same room, have a discussion on joint issues, and so forth.

There remains a persistent view that GFP missions are not always sufficiently integrated—and therefore bringing a distinctive strategic approach—in their efforts. In some cases, interviewees and survey respondents perceived that GFP missions were used to promote their own individual agencies in the field. The previous review noted that large missions were a sign there was not yet sufficient trust within the GFP that entities would represent one another's views. This has improved during the more recent period, with many being comprised of only 2 entities. But analysis of the draft GFP Mission and Deployment Procedures, as well as the TORs for the missions addressed in this review, also suggest that there is no particular GFP per-

spective—with the exception of supporting the normative value of jointness. There was therefore an ask that missions deliver on substance in addition to process, bringing new ideas and approaches that could add value to the existing expertise in the field.

This is also important because there is a consensus both at HQ and at field level that if there is not a strong UN Women or OHCHR presence, then thematic perspectives, such as gender and human rights approaches risk becoming marginalized. This was also the case with people-centered approaches, which do not have a specific entity to champion them. With the inclusion of UNHCR, this latter issue could be positively influenced, given UNHCR's work on statelessness and forced displacement and their relationship to weak justice systems. The narrow focus on PJC means that GFP missions may miss opportunities to make strategic-level linkages to relevant UN agendas, such as sustaining peace and the SDGs. (These issues will be discussed again in section 6).

4. PRE-EXISTING LEVEL OF (OR PRIOR STAFF EXPERIENCE WITH) INTEGRATION

GFP encouragement of joint work benefited from previous experiences with integration either in the same peace operation or other peace operations. These experiences built confidence that working jointly could overcome interoperability challenges and leverage comparative advantage. Both Haiti and CAR, for example, had experience with joint programs in rule of law work before the GFP. Moreover, in both places, staff had previous experiences with joint work, where they had seen how leadership could overcome political differences between entities and push past interoperability problems. In Haiti, various staff were confident that they could find a way to co-locate, because they had previous experience in Burundi; they were optimistic that they could find a way to use programmatic funding from assessed peacekeeping budgets, because they recalled that it had been done in Timor-Leste; they saw the value of senior leadership convening the UN system on rule of law issues, because they witnessed it in Mali.

These examples suggest that the GFP would benefit from both acknowledging and building on existing field knowledge and capacity—and systematizing and disseminating such best practices. While this was one of the original goals of the GFP, the current setup and available resources have limited the ability to deliver on this goal.

5. TIMING OF GFP INTERVENTIONS

To the extent that the GFP has been able to capitalize on opportunities for change during transitional periods (including both start-ups and drawdowns), its efforts have been more fruitful. As the Somalia and CAR case studies show, integration is easier if done at the outset, even if it is not always entirely successful, as there is less resistance to experimentation. Both countries integrated UNDP staff into the peace operation's structure. This was also the case in Haiti during MINUSTAH. In CAR, ultimately, the practice was not sustainable, and the UNDP post in MINUSCA was shifted back to UNDP.

Similarly, changing habits and behaviors in relationships with longer-standing peace operations, such as UNAMID and UNIOGBIS, can be difficult, and therefore are more likely to be top-down or HQ-driven in nature. This is another reason that the GFP has had relatively more success with start-ups (e.g., in Somalia and CAR).

6. GFP POSITIONING TO ADDRESS THE FIELD'S NEEDS

The GFP's practice suggests that its own comparative advantage lies in assisting the field with joint programming. In this sense, the GFP has leveraged its main resource—the time of its HQ desk officers—supplementing this with the small pot of money that it has from the UK for GFP-related activities.

An area where the field wishes for the GFP to add value concerns the provision of practical tools and options, as well as advocacy on issues that can often only be addressed by or at HQ level. Practical interventions that have been valued

by the field include the staff trainings at Entebbe in 2016 and 2017.¹¹ Field staff who attended the training valued the opportunity to discuss the GFP both with colleagues from other entities in their own country, as well as with colleagues from other countries. They also had the opportunity to learn about experiments in collaboration in other settings; for many, the relative degree of integration of the PJC work in Somalia left an impression.

Aside from this valuable initiative, the field is hungry for more support on practical challenges relating to interoperability (e.g., different information technology systems, human resources processes, security arrangements)—one DSRSG observed, “Who pays for office space? Whose network? I get it—but it’s not good enough. We have to do better.” Additionally, field staff are asking for more guidance on resource mobilization, and strategic engagement with leadership. All of these issues may be difficult for them to address on their own.

Although an isolated instance for the moment, an initiative like the CAR Reference Group is an example of what the GFP can do in terms of fostering political support. The Reference Group could be a good model for addressing, where relevant, the needs of the field for more visibility with Member States on key issues, and shoring up political, practical, and financial support.

On HQ-level advocacy, the GFP has engaged to an extent with challenges related to programmatic funding from assessed peacekeeping budgets, contributing to DPKO/UNDP leadership’s adoption of a model MOU and an agreement through 2021 that UNDP’s rate would be capped at 7 percent (instead of its usual 8 percent). GFP support also demonstrated how programmatic funding could be used for joint initiatives within the peacekeeping budget’s strict parameters for the 2016–17 budget. This success notwithstanding, field staff in Haiti expressed the view that they expected more support from HQ in addressing the myriad challenges with programmatic funding.

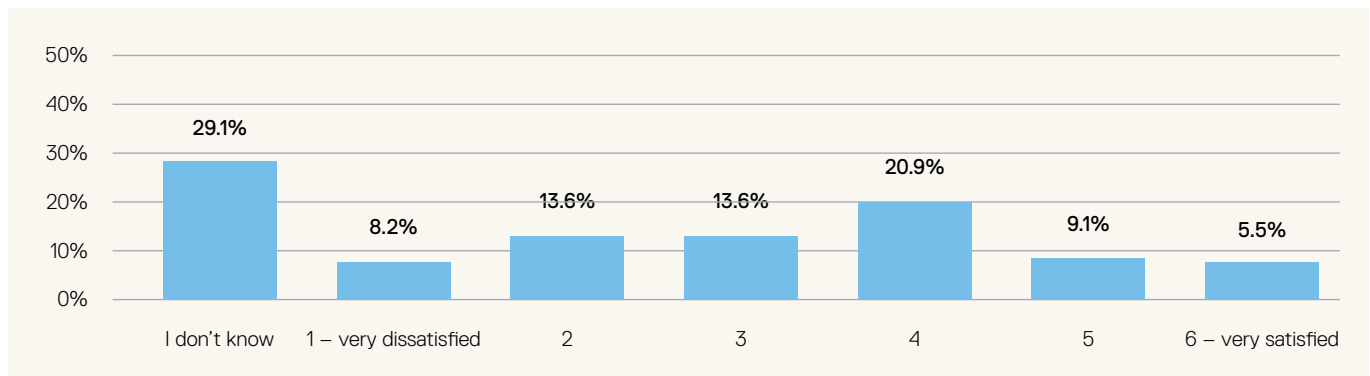
7. LEVEL OF UNDERSTANDING OF GFP SERVICES

While most people surveyed and interviewed were familiar with the GFP, there remained a

degree of confusion in interviews conducted in the field about what the GFP is and what it has to offer. While the review team noted the positive development of newsletters and fact sheets, we did not have any information on the extent to which people in the field were picking up messages in these products.

Similar to the previous review, some field staff were not sure that the GFP brought anything new, compared with the services that they normally receive from their desk officers. In Mali, for example interviewees described excellent support from the MINUSMA Justice and Corrections Section, UNDP, or UN Women desk officers, but not from GFP missions specifically. In Somalia, to cite a different case, GFP deployments were used to help draft joint programs, but staff in the field did not necessarily understand this deployment as “GFP,” since it was a UNDP desk officer who came; they viewed this as UNDP support. Similarly, when OROLSI colleagues in Guinea-Bissau called their OROLSI colleagues in New York HQ to ask for advice on mobile courts, they did not see this as seeking expertise from GFP, but as a routine exchange with the OROLSI focal point at HQ. One area in which the GFP can add clear value is in relation to expert deployments through the DPKO’s SPC and Justice and Corrections Standing Capacity (JCSC) or from a roster, and this is welcomed by the field. We note, however, that the low number of requests for such deployments suggest that entities are largely meeting this demand internally (or that demand is actually low, which seems unlikely), or that the need is high, but they are not aware of the scope and nature of expertise available to them and therefore neither asked for such assistance nor budgeted for it.

These reflections about the added value of the GFP should be balanced against the fact that field staff may not always recognize the many ways that they benefit from improved collaboration at HQ; HQ needs to make the field aware of what the GFP has to offer and clarify and strengthen GFP coordination. Highlighting these benefits for people outside of HQ is important if the GFP is to be field oriented. Currently, the arrangement remains HQ centered. The field must be a full partner in all things GFP and drive the process under GFP 2.0, not the other way around.

If you received GFP support – how satisfied were you?

Areas for attention and improvement

We have given a nuanced picture on the role of the GFP in supporting joint arrangements in the field. Overall, field staff were only somewhat satisfied with the GFP support that they received—for the reasons mentioned above.

Some of the steps that the GFP can take to support joint arrangements in the field include the following:

Priority recommendations:

- Where commitment to enhanced coherence from senior leadership does not exist, senior leadership at HQ (ASG level and EOSG) should be engaged to address critical issues with field leadership before scarce resources are invested in missions and joint program planning; ideas include ASGs regularly co-convening country-level meetings that bring senior field staff into the discussion (ASG DPKO/OROLSI, ASG UNDP/BPPS, and Rule of Law Unit/EOSG)
- Create a roster to tap into senior expertise in joint missions in challenging contexts, including figures such as former SRSGs in the mission composition, who will be more credibly placed to engage with field leadership on issues of strategy and coherence (GFP managers)
- Where it does not already exist, encourage use of assessed peacekeeping funds for a dedicated post whose terms of reference would include rule of law coordination; post would be charged with helping the SRSG/

DSRSG convene the UN system and providing direct support to both operational and strategic coherence (ASG DPKO/OROLSI)

- Follow the previous review's recommendation to "develop a detailed and specific value proposition for the services and products that the GFP can deliver," i.e., clarify the added value (GFP managers); ensure that this is included in the briefing packs for senior management (SRSG's, DSRSG's and RC's), in trainings for new field staff and distributed widely using up-to-date email lists (GFP core team)
- Re-brand the GFP to remove the term "focal point," which is not an accurate description of the partner arrangement; substituting "Partner" for "Point" and playing with the other two letters in "GFP" may give a solution that does not lose the identity already built up; "Global Focal Partners," "Global Partners for Rule of Law" are ideas (GFP partners) (How about Global Framework Partners (or Partnership) for Rule of Law?)
- Have the GFP act as a "solutions team" by identifying the five most pressing issues on interoperability that impede the achievement of results in the field and provide solutions within the next 12 months; make this an annual exercise (GFP core team)
- Establish a principle of access to information so as to allow anyone working for the UN on Rule of Law issues anywhere in the world to share with UN colleagues any policy, program, operations or related document; to ask for and provide an account for a relevant knowledge management system (intranet, yammer); to ask for and provide an account for management systems (Atlas, Umoja). (ASG DPKO/OROLSI and ASG UNDP/BPPS)

- Develop a “GFP perspective” to strengthen and integrate GFP missions and technical assistance; counter imbalances among areas of the justice chain; drive interlinkages in the justice chain; and ensures inclusion of crosscutting issues such as gender and human rights in TORs for assessments and missions, as well as guidance for joint programs (GFP managers and core team)
- In collaboration with the field, and with a strengthened core team, create bottom up and user-friendly lessons learned and options for the field on: implementation of programmatic funding from assessed peace-keeping budgets; knowledge management; joint resource mobilization; co-location and other collaboration issues and feed these experiences into policy making at HQ level (GFP core team, field staff, and other partners, like DPET/DPKO)
- Building on knowledge in the field, map staff and capacities in the field and appoint a community of practice coordinator; continue to strengthen shared retreats and other opportunities for cross-fertilization among field staff (GFP managers, core team).

Other recommendations:

- Redefine mission TORs to focus on the strategic level, identifying shared objectives that cut across the many work plans and program documents that often exist at field level (GFP core team, managers, and GFP partners)
- To deliver more practical guidance for the field, the GFP core team should continue to work with relevant internal knowledge partners, such as DPKO’s Division for Policy, Evaluation, and Training (DPET), which is currently undertaking a survey of practice on programmatic funding use, and strengthen relationships with others such as the UN Development Operations Coordination Office, which existing guidance on joint programming (GFP managers and core team).

4. CONTRIBUTIONS OF JOINT WORK TO RULE OF LAW ASSISTANCE IN THE FIELD

In this section, we take a closer look at the joint programs that have been designed and implemented with GFP assistance through our case studies in Haiti, CAR, Guinea-Bissau, Somalia, Mali, and Burkina Faso.¹² We caution that this is not an evaluation, whose purpose would be to produce evidence of outcomes against a certain set of criteria; instead, the review reports on stakeholder perceptions of the programs, including where they are doing well and where they could use improvement. To the extent that there have been formal evaluations of joint programs, as there have been in CAR and Somalia, we also report on those findings here.

We begin by noting a surprising statistic from the survey, which indicates that UN staff in the field do not have a consensus on the extent to which integrated approaches to rule of law have increased or decreased in recent years.

As the chart shows, perceptions are widely distributed across positive and negative responses. Indeed, 42 percent of respondents indicated that integrated approaches in their view had decreased over the last three to five

years. This is surprising because our interviews in the field were more positive about integration. We use this section also to explore explanations for this statistic.

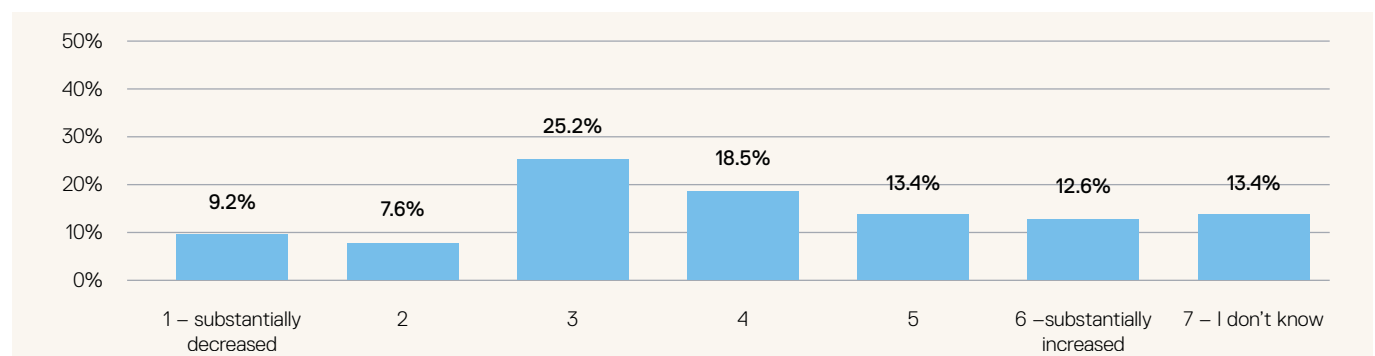
National-level outcomes of joint programs

The case studies provide rich information about how staff in the field are working hard to overcome powerful incentives that push the UN system apart. Combating these incentives is difficult for two reasons: first, rule of law work is dispersed across the UN system; second, strengthening rule of law in peace operation contexts is particularly difficult, with a previous CIC report describing the situation as often helping countries “establish order precisely in the *absence* of rule of law.”¹³

In some of the case study countries, such as Guinea-Bissau and Burkina Faso, it is premature to discuss national-level outcomes. For the others, we can start to give some indications,

Overall, is it your perception that over the past 3-5 years in integrated UN approach in the area of rule of law in your country has increased or decreased?

N=119, only respondents from the field



particularly for Somalia and CAR, where there have been evaluations of joint programs.¹⁴ For example, the evaluation of the Somalia program concluded that it had built capacity in the justice chain, helped to establish Ministries of Justice in the South Central States, provided scholarships for future legal professionals, and created a Policing Model that has received political buy-in and is now being developed by State organizations.

We focus, however, on the outcomes that have been achieved owing to the joint nature of the work—i.e., outcomes that would have been unlikely to occur had entities acted alone. We categorize these outcomes under three headings: leveraging comparative advantages, positioning the country team for a transition, and reducing duplication and creating efficiencies—for the latter, we add a question mark.¹⁵

1. LEVERAGING COMPARATIVE ADVANTAGE AND FILLING GAPS

Haiti saw some use of comparative advantage. MINUJUSTH staff—particularly those doing police-related work—reported that the joint program allowed them to accomplish some key tasks that they would have otherwise been unable to do: for example, to continue training for police cadres (or mid-level management), and helping to digitize police systems, bringing the police force into the twenty-first century with databases, servers, and more. In short, through the partnership with UNDP, MINUJUSTH could use UNDP's procurement and management processes to acquire items and expertise important to its mandate. In the GFP, however, UNDP is an equal partner and should not be seen as an administrative agency.

In CAR, the work around the SCC—although still early—is a good example of leveraging the capacities of the wider UN system. In it, MINUSCA and UNDP work together to develop strategies and implement a broad range of activities; UN Volunteers uses its national volunteer networks to conduct outreach. Although UN Women has been minimally involved, it was foreseen to provide access to expertise on gendered approaches. OHCHR also played a role alongside MINUSCA and UNDP in designing the emerging

prosecutorial strategy—a key document for both practical and political reasons—through its support to a national mapping of human rights violations; and the SPC and JCSC have contributed through deployment of expertise on the drafting of the law on the SCC, the Rules of Procedure and Evidence, managing court evidence, and planning and budgeting. UNODC is also formally involved in support to the establishment of the legal aid system, as well as victims and witness protection. Finally, at HQ, GFP partners developed the CAR Reference Group to shore up political support for the court.

Also in CAR, apart from the general results of the joint program on impunity—which re-established functioning courts in Bangui and a handful of other cities, rehabilitated public buildings, and contributed to training corrections officers, among other things—a recent evaluation highlighted the positive nature of the Mixed Unit for Rapid Intervention on Gender-Based Violence (UMIRR in French), which is a unit in the national police established in 2015 and tasked with rapidly responding to sexual violence incidents. UMIRR provides an excellent model of leveraging different parts of the UN system, as it was supported by the joint program as well as other entities—including the Team of Experts on Rule of Law and Sexual Violence in Conflict and a deployment from the SPC.¹⁶

Similarly, the involvement of SPC with UN-HCR in Ethiopia in 2017 to support implementation of project on community security, protection and access to justice for refugees and host communities was a collaborative arrangement with other partners. It provided security and policing expertise through a joint delivery approach particularly to address camp security and refugee/community collaboration through community-oriented policing approaches.

2. POSITIONING THE COUNTRY TEAM FOR PEACE OPERATION TRANSITION

While joint programming may have general benefits in some instances, it has specific benefits as peace operations draw to a close or start to phase out aspects of their mandates. In these instances, shifting or building up the capacity and the resources of other actors—

Box 5: The GFP in transition contexts: Haiti

In Haiti, with assistance from the GFP, UNDP and DPKO have been collaborating on a “UN Joint Interim Rule of Law Program in Haiti” since 2016, with seed money from programmatic funding in the PKO’s budget. For 2016-17, UNICEF and UN Women joined the MOU on UNDP’s side with a budget of \$4,435,000, while in 2017-18, only UN Women joined for a budget of \$2,200,000. Since both of these joint programs were entirely funded out of programmatic funding, all of the activities were directly related to mandates. In 2017, UNDP received a grant from Canada for \$3,200,000 over three years, contributing to its “Joint

Rule of Law Project Phase 2” program, which it will implement with the existing programmatic funding and alongside MINUJUSTH staff. All of the activities in these programs focus on strengthening police, justice, and corrections, with indicative activities under the MOUs including refurbishment of physical structures, capacity building and technical assistance, workshops, equipment purchase, and hiring consultants. UN Women’s component has also included direct grants to civil society, and human rights work has focused on strengthening the ombudsperson’s office. In spite of a PKO whose singular focus is on rule of law

strengthening, a shared vision had yet to be created, by all accounts.

Notable points of the GFP approach in Haiti include the successful use of seed funding (the programmatic funding of \$4.4 million) to get activities started and attract other donors (in this case, Canada). This new funding should give UNDP more flexibility and position it to be a stronger joint partner with MINUJUSTH and its national authority counterparts as the PKO draws down. An additional innovation includes the incorporation of national counterparts in the 2017 GFP mission to do forward planning on rule of law work for MINUJUSTH.

mainly national actors, and also the UNCT—can be critical to ensuring that the gains achieved during a peace operation do not then get rolled back once the operation departs.

This was a central reason for creating joint programs, using programmatic funds from assessed peacekeeping budgets, in Haiti and Liberia. In both instances, the capacity and resources of key UNCT partners—including UNDP—were or are too limited to be able to take on rule of law tasks at the same scale when a PKO draws down, and the funding landscape for the UNCT on rule of law in Haiti in particular remains difficult, even though donors are funding major non-UN projects in the rule of law field there.

In Somalia, the 2017 evaluation raised concerns about the sustainability of some initiatives in the rule of law sector, including police stipends, the mobile court scheme, and legal aid. The evaluation recommended that the joint program should do more to enhance government revenue schemes.

It is unfortunately too soon to tell whether or not these initiatives will make a significant difference to improved national outcomes, as the transitions are ongoing or have just taken place. Interviews with both DPKO and UNCT staff suggest, however, that there is solid (if not complete) support for well-designed and targeted joint programs—and use of programmatic funding from PKO budgets—in transition contexts.

3. REDUCING DUPLICATION AND CREATING EFFICIENCIES?

Most people interviewed said that joint action did reduce duplication, and that their perception was that duplication was happening less frequently. In Mali, for example, national counterparts spoke positively about their engagement with MINUSMA Justice and Corrections Section (their main interlocutor from the Specialized Judiciary Unit project) and UNDP. They have benefited from the approach, because UN agencies have brought different expertise to the table.

In terms of efficiencies, one type of efficiency is already mentioned above in light of its positive outcomes, which are the instances of leveraging comparative advantages of different entities.

Yet another kind of efficiency often mentioned in the context of joint programs concerns speed of delivery—with the idea that UNDP’s processes allow it to deliver more quickly on the ground than DPKOs. However, in Liberia, UNMIL decided against using UNDP as implementing partner for a Community-Oriented Policing program funded out of the UNMIL’s budget, even though it was a part of the joint rule of law program—owing to its overhead and personnel costs. Instead, UNMIL used its own personnel and used the savings for further

investment into the Liberia National Police. Whereas, in Somalia, the 2017 evaluation found that some donors chose to work bilaterally with UN entities such as the United Nations Office for Project Services (UNOPS), due to the additional costs of the Multi-Partner Trust Fund (MPTF) and delays caused by the MPTF's procurement and other administrative procedures. This type of efficiency received mixed reviews, with some DPKO staff remarking with surprise on the longer-than-expected time it took UNDP to implement certain activities or recruitments. It is difficult with current information to make judgments about this. Going forward, such efficiencies might be better captured by gathering information on implementation rates and spending rates, and even comparing these for programmatic funding budgets implemented by DPKO and UNDP.

We note also that coordination itself often can create inefficiencies, especially if done without clear roles and responsibilities, because it can multiply the number of interactions needed to achieve any particular task. In such cases, if the added value of comparative advantage and other interests (like facilitating transitions) is not strong enough, entities may resist cooperation.

Factors affecting increased coherence of rule of law assistance

Three major themes on the potential for increased coherence emerged from these case studies.

1. THE "JOINTNESS" OF JOINT WORK ON RULE OF LAW

While recognizing the many positive values of joint programs discussed above, a consistent theme across the case studies (and supported by the survey) was that some of the joint programs were not as integrated as they might be, with entities essentially taking a "slice of the cake" or "wish list" approach to the program design. These observations—made by

Box 6: Reducing duplication in Mali

In Mali, MINUSMA (inclusive of UNPOL), OHCHR, UNDP, UNODC, UNMAS, and UN Women came together in 2015, supported by a GFP expert deployment from HQ, to create a joint program, "Addressing Root Causes of Conflict through Rule of Law," for the period 2016–20. The program was created due to the recognition that both the peace operation and UN agencies were implementing similar activities without much coordination, which had resulted in some duplication and conflict of interventions. With a budget of \$24,222,800, as of March 2017 \$5,637,800 was funded through donor contributions, \$1.5 million from Germany mobilized by GFP at HQ, and \$4 million from the Netherlands. The program seeks to primarily address conflict drivers (with a focus on the North), and supports overall justice sector reform in Bamako. From the joint program, three further projects have been developed, including "Reinforcing the rule of law for peacebuilding in Northern Mali," "Strengthening Mali's Penal Chain" (also known as the Mandela Prison Project), and the operationalization of the Specialized Judiciary Unit. Some of the activities in the latter project have been implemented using programmatic funding from the MINUSMA budget, while others have received donor contributions again from Germany and the Netherlands. While the majority of GFP staff interviewed in Mali commended the content and strategic aims of the program, they regretted the limited resource mobilization initiatives from HQ which have resulted in a large funding gap of \$18,585,000.

staff themselves—were strongest with respect to the Haiti and Somalia joint programs. For Haiti, one person in MINUJUSTH recounted, "It's not a joint program—everyone arrived with a list of activities and it was a little shocking;" while another in the UNCT called it "an expenditure strategy" rather than driven by needs. In CAR, the evaluation of the joint program on impunity remarked that the program by the end was mainly seen as UNDP's responsibility, rather than a joint responsibility of partners. In Liberia, the joint program was planned jointly, but as soon as implementation began, it was observed that entities went back to working in their habitual silos.

Where this lack of jointness was evident, it was also more likely for thematic elements on gender and human rights to be weak, since thematic expertise is by nature crosscutting. In some cases, gender and human rights appear as separate activities in these programs, rather

than mainstreamed as a larger strategy. In Somalia, for example, the 2017 evaluation noted inconsistencies regarding the degree to which crosscutting issues such as gender, human rights, corruption, and prevention of violent extremism have been mainstreamed, arguing that any gender and human rights coherence took place by chance and not by design, with siloed and inconsistent activities being undertaken.

We observed that the structure of the funding was sometimes a factor in shaping these perceptions (justified or not) about the joint programs. In Haiti, the fact that the joint program was entirely financed by programmatic funding from the peacekeeping budget led some in DPKO to see UNDP as an implementer rather than as an equal partner; had UNDP brought its own money to the table, that perception might have been different. (Note now with new Canadian funds that this may change, but there are still challenges—discussed below in resource mobilization.) By contrast, in CAR, with respect to the joint program on impunity which received no programmatic funding, the perception of ownership shifted to UNDP, according to the independent evaluation.

The stitched together nature of the programs is reflective of two larger issues with joint work that remain difficult to address. First is the fact that PJC efforts ought to be considered in their totality, as interlinked and affecting one another, rather than as efforts that can be undertaken effectively in a separate way. To address this, more coherence between but also within UN entities is required (not to mention non-UN programs). Second is a related but larg-

er problem, mentioned several times previously in this report, which is the frequent lack of reference to a shared vision or wider strategy on rule of law. We recognized also that it may be challenging for teams in the field to adequately integrate thematic issues like gender and human rights absent this larger strategy, which clarifies the interlinkages. While the review did not examine closely the relationship between this gap and the development of mission concepts or the role of the integrated operational teams, both of these should be considered as sites for engagement in the future to strengthen coherence.

In response to the joint programming challenges identified in Somalia, the core partners developed an interesting new approach. They have decided that separate police, justice, and corrections joint programs would be more efficient and effective, but that they would be tied together under a joint Framework for Rule of Law.

2. RESOURCES AND RESOURCE MOBILIZATION

Even with many positive developments on resource mobilization, access to and control over resources continues to be a source of conflict for UN entities, unfortunately with no systemic solutions in sight for the time being. In the field, these issues were alive, although some countries were able to manage them more effectively than others. This is an issue where the

Box 7: Revisiting “jointness”: the GFP in Somalia

In Somalia, the United Nations Assistance Mission in Somalia (UNSOM) and the UNCT initiated a Joint Rule of Law Program in May 2015, after two years of internal discussions and engagement with the GFP. The program followed the priorities developed for the Peacebuilding and State-building Goals. It raised \$39,751,700 (against an initial budget of \$160 million), administered through a UN Multi Partner Trust Fund (MPTF), and involved nine UN partners: UNDP,

UNICEF, UNODC, UNOPS, UN Women, IOM, UNFPA, UNHCR, and later increasingly also UN Habitat. UNSOM was involved in joint implementation of activities through its the Rule of Law and Security Institutions Group.

As the joint program had to accommodate nine UN partners, some staff found the joint program to be a “stitched together” and “not joint at all.” An independent evaluation from November 2017 also identified lack of

coherence as a key challenge. But it also found that the program has made progress in several areas, including capacity building of key institutions and the development of future leaders of the rule of law sector. The evaluation made many recommendations, and as a result a new joint program has started in 2018, with a focus on more effective delivery, a narrower scope, a revitalized governance structure and fewer—only four—partners.

Box 8: Programmatic funding from peacekeeping budgets: a new tool for rule of law support

Both the CIVCAP and the HIPPO reports advocated for the use of programmatic funding in peacekeeping budgets to support rule of law initiatives, in order to rectify a situation where peace operations were providing large numbers of civilian personnel, but with no budgets to implement activities. In fact, no specific rules prevented this use, but it was not customary. Programmatic funding had been used in other areas, like DDR and mine action, for many years, and indeed it had previously been used for rule of law in places like Chad (MIN-URCAT). The main challenges were an understanding among both substantive and support sides of the PKOs, and their counterparts at HQ, on how to budget for and then manage programmatic funding from the assessed budgets. After several smaller efforts in 2013–14 and 2015–16, DPKO/DFS colleagues drafted generic guidance on the use of assessed resources to implement mandates, whether directly or through partner entities, opening the way for a number of PKOs to seek and obtain assessed funds to implement their rule of law mandates. Among others, MI-

NUSTAH included \$4.4 million for a joint program on rule of law and MINUSCA included \$4.6 million for the Special Criminal Court (\$2.125 of which also supported a joint program).

In our interviews, programmatic funding emerged as a central point of discussion. Staff on all sides wished for more guidance on programmatic funding use, and perceived (rightly or wrongly) that guidance kept changing over time, complicating efforts to arrive at agreements with partners. MOUs for joint programs were delayed for months, resulting in very short timelines to implement projects—as work had to be completed within the fiscal year for the peacekeeping budgets (in many cases, extensions were negotiated to allow for more time). The process for deciding on the level of funds to support joint programs was in some cases opaque; and once funds were approved by the Fifth Committee, UNCTs in many instances saw PKOs roll back on previous commitments to provide funding at an agreed level (Kosovo, Liberia, Haiti). Programmatic funding also in some cases created donor-implementer power dynamics, particularly

where the UNCT was not bringing funds to the table to support joint efforts (Haiti). Conflicts around information sharing and timely reporting were common.

There is a big upside for PKOs and their partners in the use of programmatic funds to achieve meaningful rule of law results. We have already noted the positive outcomes achieved in CAR and Haiti in particular. This said, process does matter, and it will be important to guard against the possibility for programmatic funds to create tension and mistrust, especially among entities that have fragile relationships. HQ (and the GFP) needs to do more to support the field in developing and delivering on programmatic funding. Much of this is a learning curve, and should be improved with the recent issue of “Guidelines on Mandated Programmatic Activities funded through Peacekeeping Assessed Budgets” by DPKO/DFS in late 2017 and through the Secretary-General’s proposals to delegate more authority to the field. This is important, because such funding is a critical way to support transitions and to make the bridge to prevention and sustaining peace.

role of leadership was frequently mentioned to be important, in particular whether they promote competition and fuel mistrust or facilitate communication and encourage synergies.

Programmatic funding from assessed peacekeeping budgets, as mentioned, has both opened up new possibilities for cooperative work and also created its own challenges. [See Box 8.]

We saw coordinated approaches to resource mobilization in CAR in relation to the SCC, where the relevant entities and the DSRSG/RC worked together. In other circumstances, methods of resource mobilization could be a source of conflict. In Haiti, there was a degree of confusion over how the money the UNDP raised from Canada would be used in the service of a “joint program,” as not all parts of MINUJUSTH perceived they were equally consulted. In Mali, there were also conflicting views. In some cases, such as the Mandela Prison Project (2017-2020),

partners approached the Netherlands together, but had differing recollections about whether donors had been approached jointly for other projects. Overall, many expressed the view that their expectations about the possibilities of increased fundraising on joint programmes had not materialized.

In addition to lack of clarity around resource mobilization, there were observations around allocations of funds within joint programs—around the “slice of cake” that entities had been offered. We heard many stories suggesting that slicing up the cake could be driven as much by institutional priorities and favorable positioning than by national needs. Here, the structure of programmatic funding from assessed peacekeeping budgets—in particular, MOUs between UNDP and DPKO—could foster this kind of perception, as other partners may be minimized in negotiations over allocations.

In Guinea-Bissau, we noted that those agencies with a smaller in-country presence (e.g. UN-ODC), and for whom rule of law was not their primary mandate (e.g., UN Women), relied more on joint fundraising initiatives from which they hoped they would benefit, while others such as UNDP showed more initiative to mobilize funds on their own or in collaboration with other UN agencies. In Somalia, UNDP felt that although the joint program raised slightly more funding for rule of law than was the case before under the UNDP rule of law program, UNDP itself had less funding because the cake now had to be shared with eight other UN partners.

These are the kinds of issues that the GFP might address more effectively through ensuring that national needs instead of institutional interests are the primary factor in all decisions about funding in its own advice. In addition, guidance could be developed drawing from lessons learned from the field about how to mobilize and manage resources jointly. This guidance could also clarify how HQ and the field could work better together on resource mobilization.

3. ENTITIES WORKING WITH REFERENCE TO DIFFERENT PLANS, TIMELINES, AND ANALYSES

An issue raised in many interviews and the survey concerns the fact that multiple plans—UN Development Assistance Frameworks (UNDAF), results-based budgeting (RBB) documents related to peace operation mandates, national plans, to name a few—make it difficult to drive strategic coherence across rule of law initiatives. In Haiti, one UNCT staff person noted, “We need a common factual basis and foundation. Every entity has its own facts and data sets. ...We are all working from different, alternative premises”; a MINUJUSTH staff person, when asked about the UNDAF, pointed to a physical copy of the RBB on the table and said that this is what they follow.

Another challenge is the fact that peace operations and UNCTs run on different timelines and fiscal years. When programmatic funding from peacekeeping budgets is factored in, these differences create practical head-

aches. One is that UNCT entities must try to bridge funding gaps created by the different budgetary cycles. Another is that PKOs work on annual cycles, whereas UNCT entities typically work on multi-year plans. While we would expect that programmatic funding could be used in line with multi-year planning, as in the case of the SCC in CAR, we have observed that sometimes it supports annual projects that do not build on one another. Indeed, the report from the February 2017 Strategic Assessment Mission to Haiti suggested that programmatic funding be based on multi-year plans going forward. While obviously such funding cannot be guaranteed year over year (nor can a PKO), teams can still plan under the assumption that it will continue. For example, programmatic funding is used for the SCC in CAR, even though it is understood that this is a multi-year initiative.

4. RELATIONSHIPS WITH NATIONAL STAKEHOLDERS

Another issue concerns relationships outside of the UN, in particular with national actors, and the way they are engaged in the development of the joint programs. While joint program documents are signed with national counterparts, suggesting a level of engagement and approval, it was sometimes difficult to see the extent to which decisions in the programs were driven by national priorities. Positive examples of this kind of alignment included the linking of PJC programming to national plans—for example, the national plan for the Haitian National Police.

Interviews with national stakeholders showed a mixed picture, with some having been fully engaged and others stating that they were in no way consulted. Generally speaking, civil society organisations indicated that they were less consulted than national authorities, most of which had been involved in some shape or form. We noted in Haiti, for example, that there appeared to be little contact between PJC elements in the PKO and civil society. In some of the countries we examined, however, the capacity of national actors to engage or to absorb the level of activity generated by the UN's presence

was quite low, representing a different kind of challenge. CAR represented a case where that kind of absorption capacity was stretched to the limit by innumerable demands and resource limitations.

In Guinea-Bissau, some of the national government counterparts complained about the UN not aligning their programs with national priorities. National counterparts in the Ministry of Justice, including Corrections, felt that there was an over-supply of training, seminars, and workshops, often on topics that have been covered before. Given the high turnover in the civil service and the fact that the joint program took five years to elaborate, it is however quite possible that the predecessors of some of those interviewed had been involved. Engagement with national stakeholders beyond the representatives of the national ministries has been more limited by all accounts. Some in the SPM felt that the joint program was overly focused on state institutions and the formal justice sector in a country where 80-90 percent of conflicts were being handled by the informal justice sector.

Areas for attention and improvement

Reflecting on the statistic that opened this section, we can perhaps better understand the very mixed perspectives on UN integration. The ideal of bringing the UN system around a coherent rule of law strategy, with entities using their comparative advantages to work toward shared objectives, remains a major challenge given its siloed structure and institutional incentives working against collaboration. Joint programs have seen some successes, as well as challenges, both of which can be learned from.

Priority recommendations:

- The GFP should support SRSGs/DSRSGs, where needed, in identifying shared rule of law objectives that cut across multiple plans (UNDAFs, RBBs, etc.) and that can align UN entities and drive strategic coherence across rule of law initiatives (GFP desk officers, GFP core team)

- GFP technical assistance should focus on joint analysis (prior to and with more emphasis than joint programs), to give priority to strategic coherence and interlinkages over inclusion of entity-defined activities; GFP core team should consider sending joint program documents out for external peer review to identify missing elements or improve less coherent, “stitched together” approaches (GFP desk officers, GFP core team)

Other recommendations:

- The GFP should model institutional neutrality as much as possible in its assessments and recommendations. TORs for assessments and missions, as well as guidance for joint programs, should include checks and personnel that ensure inclusion of crosscutting issues such as gender and human rights (GFP managers and core team)
- The GFP core team should develop options and lessons learned on joint resource mobilization and implementation; core team should work in collaboration with DPET to identify key lessons learned on programmatic funding from peacekeeping budgets (GFP core team, DPET)
- The GFP should advocate for multi-year approaches to programmatic funding within DPKO HQ and with PKOs, even if decisions are made annually, they should be based on a longer-term perspective (GFP managers)

5. GFP STRUCTURES AND PROCESSES AT HQ

As mentioned above, a major achievement of the GFP has been the strengthening of cooperation at HQ, particularly between UNDP and DPKO desk officers, but also with other GFP partners. Through improved cooperation, the GFP delivers on requests for assistance from the field, and acts as a convening platform for entities involved in PJC work, to further encourage cooperation and information sharing. It has an annual work plan organized around four main areas: country support, knowledge management, outreach and advocacy, and management.¹⁷

Overview of GFP processes

The GFP convenes a management team meeting, chaired by one of the three managers, that takes place every two weeks, and whose agenda is prepared by the core team. Typically, one or two country situations are discussed along with broader thematic topics (for example, transitions), or specific GFP-related business issues (such as the present review). The GFP managers, representatives of the GFP partners, members of the core team, and desk-officers for the countries discussed take part in the meeting. Although called a “management” meeting, as a matter of practice they are open to relevant UN entities working in the area of rule of law. In theory, the meetings are also the primary space for managers and partners to make decisions.

The GFP managers are joint budget holders of a small pot of money of £300,000/year, provided by the UK government. Rules on allocations are described in an internal document dating May 2014, which states that DPKO and

UNDP have joint responsibility for administration and accountability.¹⁸ This funding is used to support field missions, catalytic actions, deployments, trainings, and GFP core team salary (for the current core team consultant—one person). The GFP managers outside of UNDP do not have a formal role in the larger pots of money seen as potential seed funding for GFP joint programs in the field, namely, UNDP’s Global Program and programmatic funding from assessed peacekeeping budgets.

With respect to processes for addressing requests from the field for specific expertise, the GFP core team has a system to collect requests for assistance from the field and channel them to the attention of the management team.

The core team has, over the years, played an important role in the informal aspects of GFP working methods. Having core team members for both UNDP and DPKO had added capacity to each entity, and they have played a critical role in fostering coordination and encouraging information sharing among desk officers (in addition to the support they provide to the management team).

The GFP was intended to work through co-location. Good efforts have been made over the years to achieve co-location of UNDP and DPKO, with success being hampered by a variety of larger factors mostly outside of each entity’s control, including interoperability challenges and the timing of internal restructuring processes. All of the GFP partners are considered “co-located” partners through an exchange of letters or emails among ASGs; in reality, co-location has been intermittent. UN Women co-located with UNDP for several years; when the co-located person changed jobs in 2017, a new person was not sent. Up to 2016, OHCHR had a co-located staff person. UNODC

has decided not to co-locate, and UNHCR does not have a GFP representative in New York.

Analysis of GFP processes

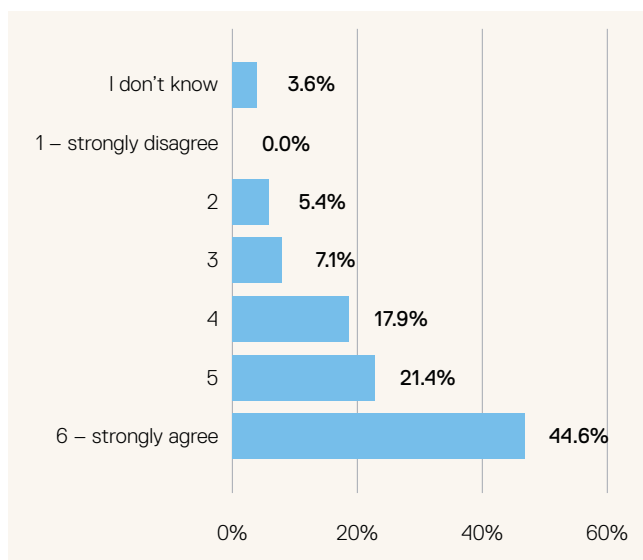
While the GFP has a number of formal processes, described above, it nonetheless relies on the establishment of personal and informal relationships among desk officers at HQ; this is a positive development, but our analysis suggests that more structure is needed to deepen the collaboration. (This analysis is in line with the 2014 review's analysis of the GFP as a loose network of partners.) We identified three key findings that suggest the direction for these structures and processes.

1. CO-LOCATION IS STILL SEEN AS KEY TO THE GFP

Let us begin where we found strong signals about the direction in which GFP structures and processes should move: co-location and a strengthened core team. Indeed, the strongest finding in our survey (and also reflected in our interviews) was that staff overwhelmingly support co-location, and believe that it is critical

To what extent would you agree or disagree with the statement: “Co-location at HQ is important for the GFP to work”?

N=56, only HQ (all HQ respondents equal 56)



for the GFP to work. Previous experience with co-location typically strengthened the argument for its merits; as one DPKO desk officer said, “The amount of cross-fertilization and discussion was greater when we were in the same building. Now I hardly ever see [my counterpart].”

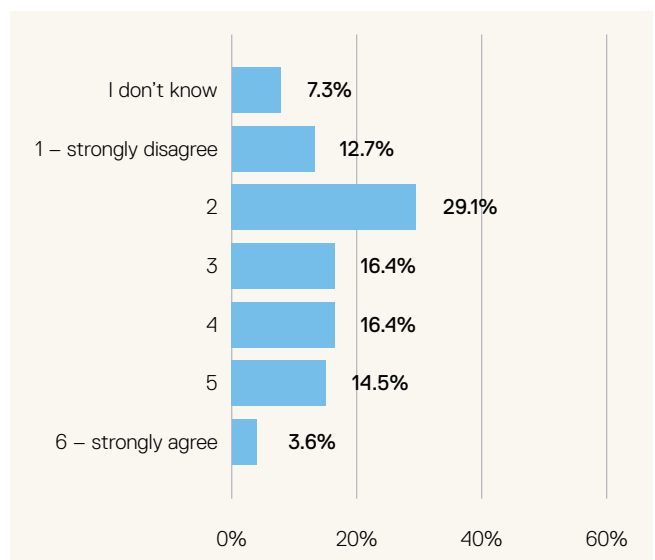
There are a variety of reasons why co-location of UNDP and DPKO staff has not taken place, part administrative/bureaucratic, part relating to the timing of the institutional restructuring, which is also taking place currently.

Some interviewees referred to the need to re-focus on “co-location of the mind” instead of actual co-location. Yet, this is not the advice that is given to teams in the field, who are urged to physically co-locate. In our judgment, from a GFP perspective, co-location of the mind is not sufficient, and has the potential to serve mainly as justification for continued inaction. Staff have called for co-location; leadership has called for co-location; it is difficult to understand how administrative obstacles could not be overcome to make this happen.

Perhaps this should be seen as a litmus test for the UN with respect to coherence: if the bureaucracy cannot find a way to make this happen, and if Member States cannot provide needed support when requested, then it is hard to see how the calls for improved coherence can be taken very seriously.

To what extent would you agree or disagree with the statement: “The GFP arrangement at HQ has the resources and capacities required to make it sustainable”?

N=56, only HQ (all HQ respondents equal 56)



2. THE CURRENT STRUCTURE AND CAPACITIES OF THE CORE TEAM DO NOT SERVE THE GFP ADEQUATELY

Another strong finding is that staff observe that the GFP does not currently have the resources and capacities needed to make it sustainable.

There are a number of gaps here. The first is the fact that the GFP's "resource neutral" approach is by all accounts unsustainable. Managers do not have the GFP directly in their TORs, and yet are expected to take on added tasks. While some managers have accepted the added burden and have tried to make it work, others have protested and interpreted their role in the GFP as more "light touch." Neither approach is right or wrong in itself, as there are no official instructions for managers; instead, they raise the issue of sustainability. We doubt that a GFP where managers disagree on the level of effort they can or will contribute to its functioning can be sustainable.

The added burden to the managers would conceivably be reduced if the core team had been resourced from the start with staff on regular—and longer term—contracts (not secondments), and with an adequate number to do the work of coordination for the whole group. Indeed, the GFP reliance on secondments has led to a high turnover and gaps in staffing and this has had a negative impact on GFP functioning, especially in terms of institutional memory, follow-through on tools development, monitoring and tracking, etc. The added burden to managers would also be reduced if core staff were delegated more authority and empowered to do their work. Currently, our observation is that these are glorified administrative jobs in which staff must seek manager approval for every decision.

In short, resources have not been properly aligned with high aspirations to develop resource mobilization strategies, implement "Country Support Plans," do monitoring and evaluation, and generally support information sharing and cooperation. Factor in the fact that co-location never succeeded, and the job of the managers and core team become even more difficult.

3. PROCESSES REMAIN UNCLEAR AND UNDERDEVELOPED

The 2014 review recommended that the GFP should strengthen its business processes. A positive step in that direction was the creation of the "Procedures on the Management and Administration of GFP Funds" in 2014. Interviews suggest that it was a months-long process to get agreement on this document. Subsequent attempts to clarify business processes through similar documents have gotten bogged down in disagreements and what has been described as "endless" rounds of commenting. The fact that the 2012 "Modalities" document, which is still the GFP's main point of reference on process, is out of date and much of it is not operational, is of concern. The lack of clear working methods with the Standing Capacities is also an issue, as there are no clearly established procedures. It was reported that the GFP receives very few requests per year. Many requests are handled through the SPC (and to a much more limited extent, the ICSC). An intermittent and methodologically unclear approach to internal tracking of GFP work and outputs has hindered the use of information to assess GFP performance.

Management meetings now follow a specific format, which provides a sense of expectation for participants. Staff are skeptical, however, that the operational and project-focused discussions are the best way to leverage the GFP's time, as they believe that the added value of bringing the group together periodically is to take a more strategic perspective. Some participants say they engage little in the meetings because they are not strategic enough, with little discussion on positioning UN rule of law assistance within broader UN goals such as prevention and the SDGs. Meetings need to be something that outsiders want to join, because they see value in them, in order to build interest in partnership.

Above all this, a larger issue hovers, which is that the overall decision-making processes for the GFP are not well defined. Few decisions are taken in the GFP management meetings, and staff report that decisions, particularly on the use of GFP funds, are often made via email and then (if needed) formal-

ized in management meetings. The result is a general lack of clarity on how decisions are arrived at, especially for GFP partners. The review team was told that GFP partners take part in the management meetings and thereby contribute to the decision-making process; but we subsequently learned that there was a lack of consensus between the GFP managers on the “management” role of the partners and whether there was such a role at all. It is hard to see how this works in practice, and therefore a definition of process would be helpful. In practice, for example, the UN Women’s co-located partner was often able to participate in decision-making processes and lead on decisions impacting on women, peace and security issues or gender mainstreaming. However, although all partners are able to put forward their views, the decision-making often takes place outside the GFP management meetings between DPKO and UNDP. The lack of clarity is also relevant to the UNDP Global Program, whose relationship to the GFP is somewhat ambiguous.

A final issue is the underdeveloped role of senior leadership in the GFP, specifically in holding the GFP to account for results. Apart from the annual meeting and their formal management and oversight role vis-à-vis the managers that report to them directly or indirectly, the ASGs do not engage very frequently with the GFP as such, and their role in country-specific discussions is limited.

Areas for attention and improvement

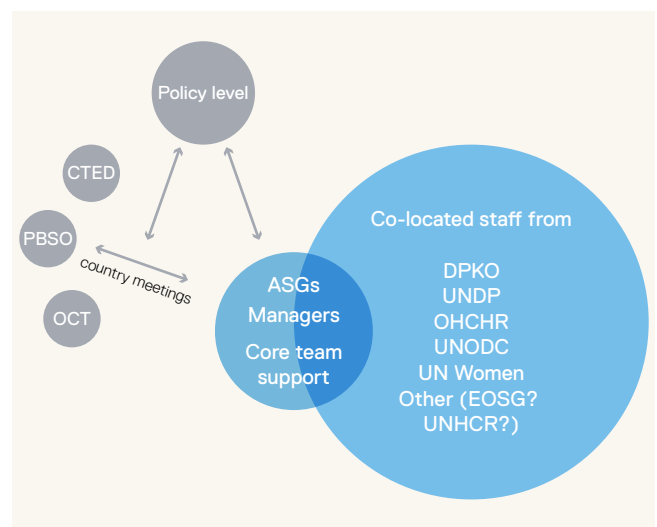
The GFP has continued to build on its early successes in bringing UNDP and DPKO together around PJC issues. Yet plans for the GFP have never been fully realized, and attempts to implement the good recommendations from the 2014 review—including the creation of a “network administrative team” to pull the network partners together—stalled. With renewed engagement at the senior levels of UNDP and DPKO, there is now a strong possibility of strengthening the GFP and fulfilling some of its original aims.

The team considered two options for strengthening the GFP. While similar, Model

1 places weight on co-location (which is closer to the initial vision for the GFP), while Option 2 places weight on a strengthened core team (which is closer to the current model).

In Model 1, the GFP desk officers function collectively as a “center of excellence,” with support from a small team of managers and light administrative support. The main advantage of this option is that most of the weight of GFP transactions will be distributed across a higher number of co-located staff, thus requir-

Model 1: Focus on co-location and light administration

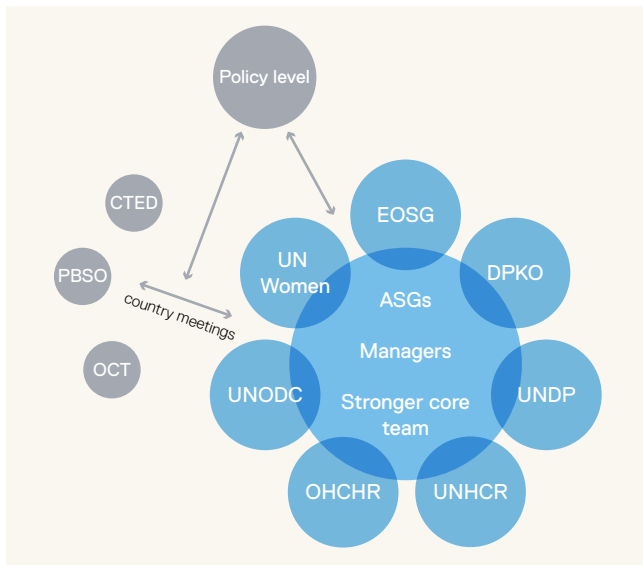


ing less convening and administrative support. What is lost in this model is a “center” that can drive action and strategy across the entities.

In Model 2, the focus is on a stronger centralized, stabilized function to support the transactions between staff that may or may not be co-located. The main advantage of this model is greater organization and accountability. What may be lost, however, is the creativity and innovation that can happen in everyday interactions.

The review team recommends a combination of the two, drawing on the strengths of each. The team’s analysis suggests that the GFP has indeed outgrown the “light” support model; even if full co-location were achieved, a more robust core team would be necessary in order to advance the GFP. The team urges a strong re-engagement on the issue of co-location, with a priority for UNDP and DPKO elements to be co-located as soon as possible, combined with a more sustainable and empowered core team.

Model 2: Focus on core team and more dispersed partners



Priority recommendations:

- Relevant desk-officers from UNDP/BPPS and DPKO/OROLSI, should co-locate in the UN Secretariat building, and GFP partners should renew their commitment to the GFP by co-locating their staff representatives in the new office space; as will be described in the next section, such co-location should include relevant non-GFP partners such as PBSO (ASGs)
- Core team: Commit dedicated resources and add staff to the core team; both DPKO and UNDP should support **at least two full-time**

Figure 1: Word cloud of recommendations for improvement from the survey



positions each using dedicated funding for these posts to provide for stability and continuity; GFP partners should be asked to contribute human resources and/or a symbolic financial amount to support the core team; consider positioning the core team to provide more direct interaction with senior leadership levels, especially the ASG offices (ASGs). Create new TORs for the core team, with strengthened delegations of authority, that align with the GFP's new value proposition and that make clear that the core team serves the entire GFP, not just one entity.

Functions that could be carried out by a strengthened core team may include 1) serving as a secretariat of the GFP; 2) developing the normative framework, substantive policy guidance, guidelines, and processes for the GFP including cooperative work processes that outline various options of work and interoperability; 3) facilitating a field-driven community of practice and building a repository of lessons learned and best practices for the GFP; 4) mobilizing resources; 5) coordinating outreach and strategic communications; and 6) developing partnerships

- Create TORs for GFP partners, which clearly describe their roles and responsibilities, distinguishing them from "other" partners that simply attend meetings periodically (ASGs, managers, GFP partners)
- Consider whether there should be a rotating manager's seat for one of the partners, so that they might be formally included in decision making (ASGs, managers, partners)

Other recommendations:

- Define TORs for GFP managers and ensure that the TORs can be fulfilled effectively by the person chosen for the manager role; elements of the GFP manager TORs should be integrated into the TORs of the managers' regular positions; if the work burden of being a manager is too great, then rotating management seats should be considered (ASGs)
- The modalities paper of 2012 should be revised and made broadly accessible. It should be updated to reflect current practices, and identify more specific roles for the ASGs, especially vis-à-vis policy discussions and field leadership (GFP managers, core team)

- All documents about the management structures and processes, including the above-mentioned TORs and updated modalities document, should be easily available and accessible to both HQ and field staff through a shared GFP workspace (GFP core team)
- Separate which meetings should be held to cover country-specific situations; country-specific meetings should be significantly

strengthened to be more strategic and more inclusive of voices from the field; chairing of the meetings should be opened to the GFP partners, in order to strengthen their engagement; consider quarterly or semi-annual country-level meetings chaired by both ASGs, where senior leadership from the field are also convened (ASGs, managers, GFP partners, core team, field staff)



6. OVERARCHING ISSUES

One of our interviewees reminded us of an African saying: “If you want to go quickly, go alone. If you want to go far, go together.”

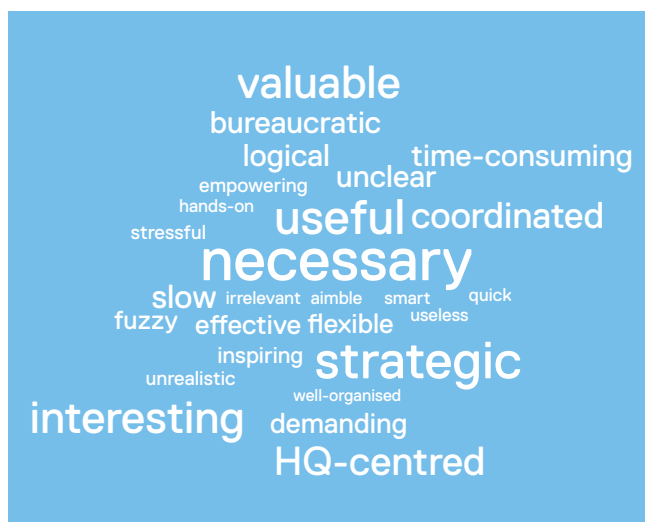
The world is changing, and the UN is trying to change with it. Member States are putting pressure on budgets for peacekeeping operations, which are also being asked to refocus on their political objectives, as the Secretary-General is advocating for a shift of attention (and resources) to prevention. At the same time, some Member States are concerned that prevention is a way of sneaking development into peace and security arrangements—or vice versa—which gives them pause. The way forward is fraught with dilemmas, with some seeing it as a zero-sum game.

The very issues that the GFP works on are at the heart of these dilemmas. Whether the focus is narrowly on the justice chain, or more

broadly on rule of law, one cannot escape the fact that these are issues sitting at the nexus of peace and development, as described in the *2011 World Development Report*. Investing in rule of law is investing in consolidating and sustaining peace, and in preventing violent conflict. Finding a way to make UN entities—each with their own unique mandates and constraints—come together to work seamlessly across pillars in some of the most difficult contexts is a challenge that has yet to be solved, and it is likely that it cannot be solved within the current structures.

The GFP is therefore not a perfect solution, but it is seen—in HQ and in the field—as a necessary one: “If you want to go far, go together.”

Figure 2: Survey respondents were asked to select three words to describe their overall impression of the GFP; “necessary” was the top choice



A changing GFP for a changing UN

In order to meet the challenges of a changing UN, the GFP should address directly the following contextual opportunities (and obstacles).

1. PEACEKEEPING AND SUSTAINING PEACE

The UN High-Level Independent Panel on Peace Operations (HIPPO) report argued that peacekeeping operations needed to make four essential shifts: the primacy of politics, more responsive operations, stronger partnerships, and field-focused and people-centered. The GFP could logically support a number of these shifts, especially the last two.

Box 9: The GFP and sustaining peace: assistance to Burkina Faso

In Burkina Faso, the United Nations is piloting the sustaining peace approach, which makes the situation different from other settings where the GFP works. GFP support to Burkina Faso is based on a consultative mission of the Inter-Agency Working Group on Burkina Faso (co-chaired by UNDP and DPA), which provided clarity on entry points. Subsequently, and as recommended by the IAWG, the GFP conducted an assessment resulting in a joint analysis that serves as the basis for support to the rule of law sector for the UN as a whole. Based on the assessment, the GFP provided seed funding through UNDP Global Program funds, several strategic deployments, as well as longer term technical capacity. As such, the United Nations now provides rule of law support in three ways: political good offices and advocacy by a strengthened RC Office and the UNOWAS' SRS; UNDP's programming in the area of transitional justice and reconciliation with PBF funding; and support to security sector reform (SSR).

This reflection from DPKO staff is also relevant to the push for OROLSI to work in non-peace operation settings. It should be taken seriously, because it has not been addressed in the current reforms of the Secretary-General, where OROLSI is still mandated to work across the system but is still funded from the

peacekeeping support account. While there may be no specific rules preventing OROLSI from working in non-peace operation settings (and some within OROLSI are more open to pushing the boundaries), as a matter of practice, there is a risk that the Fifth Committee will not allow these kinds of expenditures. Within OROLSI, it is hoped that the recognition of the office in the Secretary-General's reports on the peace and security architecture reform as a system-wide provider in both peace operation and non-peace operation settings will ensure that resources can be provided through assessed means for all of the OROLSI's activities eventually.

While accepting these realities, the GFP can continue to play the role of bringing actors together to explore common ground. One important factor is to further develop the relationship with PBSO and the PBF.

2. THE SDGS

The UN-World Bank *Pathways for Peace* report argues that the SDGs should be at the core of working collaboratively to prevent the human and economic cost of conflicts around the world. One DPKO desk officer saw the GFP

Box 10: How should the GFP interact with PBSO?

In his reports on the Peacebuilding and Sustaining Peace (A/72/707-S/2018/43) and Restructuring of the United Nations Peace and Security Pillar (A/72/525), the Secretary-General describes PBSO as the “hinge” of the UN system on peacebuilding. We explored with interviewees how this hinge role would actually work in practice in relation to the GFP. The question is an important one for the UN, as the rule of law functions within the peace and security architecture (namely, OROLSI) remain separated from the other peacebuilding-related thematic units, which are located in DPA/ Department of Political and Peacebuilding Affairs (DPPA). How can they come together?

Ideas are still in development. Regular meetings of the ASGs will be important

in order to model cooperation, but the mechanics of cooperation among PBSO (which is not operational) and the operational staff of OROLSI and the wider system are under development. OROLSI is planning to convene a retreat with PBSO in the latter part of 2018 to discuss collaboration and working modalities when the restructuring of the peace and security architecture is expected to come into effect in January 2019. As the ASGs develop ideas for structural relationships, we are recommending that PBSO staff be located close to the GFP in the Secretariat building—not as formal co-located partners, but rather as a means of promoting information exchange and informal relationships. PBSO could sit alongside relevant JCS and PD staff, UNDP rule of law staff,

and the co-located partners. (Additional consideration should be given to the idea of closer physical location to the Mediation Support Unit, which alongside PBSO could enhance connections with DPA.)

Another question concerns the relationship of the GFP to the PBF. The 2014 review called for a strengthening of this relationship, and in our judgment, it has not happened sufficiently. Within PBSO, there remains a lack of clarity about how the GFP operates and what value it adds. As the Secretary-General calls for a “quantum leap” in financing for the PBF—which does provide funding on rule of law issues and operates in many of the same countries as the GFP—a more strategic relationship needs to be developed.

as “the mechanism to achieve SDG16,” and a DSRSG (not RC) suggested that “the SDGs need to be crafted so that they become the vehicle in which we all move.” And while many others recognize the substantive linkages, the SDGs are not typically referred to in the context of GFP and do not (yet) provide a framework against which to measure and articulate results. One positive example of this linkage, however, has been taking place with MINUJUSTH in Haiti, where links to the SDGs have been made.

Yet SDG16 is the main goal for fostering peaceful, just, and inclusive societies and some of its indicators, such as the rates of crime-reporting (16.3.1) and pre-trial detention (16.3.2) go to the very heart of working on PJC. Beyond these, there are in total 36 targets across seven SDGs that measure aspects of peace, inclusion or access to justice, collectively referred to as the SDG16+ targets.¹⁹

These SDG16+ targets can serve as useful guideposts in peace operation settings (in addition to non-peace operation settings), and some peace operations are starting to recognize this. In Haiti, for example, both DPKO and UNCT staff referenced SDG16 as the critical rallying point for their work; as universally agreed targets, there was an effort to bring the government around them as well. Apart from this example, we did not observe a GFP approach to SDG16, SDG16+ targets, or even to the SDGs at HQ or in other countries, beyond some generic references in joint program documents.

3. FUNDING MODALITIES

It is well understood that one of the major factors driving UN entities apart relates to the way that they are funded. As mentioned, this will not change for GFP-related entities (especially OROLSI) in the Secretary-General's current reforms, which is seen as a missed opportunity by many.

We observed these tensions at work around GFP-related funding modalities. There is no resource mobilization strategy, and fundraising is not always done jointly; in some instances, fundraising specifically for the GFP at HQ has been done by one side of the part-

nership without the participation of the other. This is all the more reason for the GFP to focus attention on implementing the original vision from its 2012 Modalities document, as well as the recommendation from the 2014 review, to develop a joint resource mobilization strategy.

On UNDP's side, the Global Program is the main tool that may be used to support GFP-related joint programs. Global Program funds are meant to be “catalytic” insofar as they provide the necessary means to help kick start country-level operations, support the necessary capacities in country to then mobilize further resources, or bridge budgetary gaps until additional funding can be raised, etc. For instance, the Global Program bridged salary costs for the rule of law project manager in Haiti to maintain operational coherence and continuity and negotiate the use of programmatic funds until they were made available to the UNCT. This said, we observed a lack of clarity about the relationship between the GFP and the Global Program: to what extent was the Global Program supporting GFP work? In the most recent Annual Report for the Global Program (2016), the GFP is mentioned 16 times; and in 2016, 18 percent of the Global Program's funds supported GFP-related activities (\$4.2 million out of \$24 million), which includes the earmarked funding from the UK.

On DPKO's side, the key funding modality is programmatic funding from assessed peace-keeping budgets, which is entirely different in its operation to the Global Program. It is typically developed at field level (with some exceptions)—and with the Secretary-General's reforms, field-level control of the funding will be strengthened. Its direct value to a GFP arrangement at HQ is therefore limited and, indeed, even with DPKO at HQ, it has been a struggle to arrive at a global picture of how programmatic funding is being used for rule of law initiatives.

Taking steps to address this fragmented funding picture will benefit the GFP arrangement. Interesting new incentives are being put in place to encourage donors to reduce the fragmentation of their funding, including recent adoption of a tax on single agency funds and a commitment to double contributions to MPTFs. In this light, it is worth exploring a new modality for the Global Program—one that would open it up to fund entities outside of UNDP and that would allow for joint man-

agement with the GFP partners. The idea is to make the Global Program an MPTF, or window in an existing trust fund, such as the PBF or another MPTF. There are a number of factors to consider in decision-making, including: whether the size of the Global Program lends itself to the MPTF modality; how supportive donors will be of this change, as they may wish to have more control over their earmarks; and working methods for decision-making on disbursement.

Current integration of thematic areas

In order to work across silos, the GFP needs to integrate thematic issues into its work; but effective integration poses challenges in every organization that has thematic expertise cutting across program areas, and the GFP is no different in this regard. How to bring that expertise most effectively into the GFP's practical work (field missions, deployments, etc.) is an issue that has not been sufficiently addressed thus far, as mentioned in previous sections, and accompanied by recommendations.

It should be recognized that each of the GFP partners brings something to the table when it comes to gender and human rights, including their own dedicated experts; at the same time, UN Women and OHCHR are leads within the system on these issues, and therefore their expertise is critical. One issue that surfaced in interviews is that some entities argue that their work is gender sensitive and human rights oriented by default, because it ticks all of the UN boxes on these issues. This is no doubt true in a general sense, but there is a substantive difference between, for example, making sure that a training includes a discussion of gender, and a substantive understanding of the role of gender inequality as a conflict driver—and therefore at a deeper level of analysis—we were more likely to see the first approach in joint programming than the latter. The GFP is ticking the right boxes, but that deeper level is not always there unless UN Women or OHCHR is involved.

Interviewees reported a high degree of satisfaction with the full-time UN Women co-location, which they perceived to deliver

Box 11: New partnership, new opportunities with UNHCR

In September 2017, the Standing Police Capacity (SPC) at the request of UNHCR Ethiopia through the Global Focal Point supported the implementation of a security project for the Community Security, Protection and Access to Justice for refugees and host communities (CSPAJ) project in four districts of the Gambella Region in Ethiopia. The security package was to be undertaken in close coordination with national authorities and UNHCR protection and security staff, and participation of UNHCR, UNICEF, UNDP and UN Women and other partners. The project supported enhancement of community security, social cohesion and peaceful co-existence for refugees and host communities in targeted districts and; improvement of access to justice for refugee and host communities with particular attention to women, children, and youth. In line with GFP objectives, the project leveraged joint delivery and partnership in security and rule of law in addressing shared refugee and community concerns. While further action has been restrained by funding, it is expected that this approach could be replicated in other refugee situations.

real benefits in terms of substantive inputs to GFP-related work. It is therefore crucial that this arrangement be continued. In the meantime, OHCHR (which has withdrawn from co-location) and UNODC (which has never participated) should be re-engaged and asked what they require in order to make co-location work for them. UNDP and DPKO ASGs may also be able to play an encouraging role with their counterparts at OHCHR and UNODC HQ.

We also note that people-centered approaches—as called for in the HIPPO report—did not in our observation take a central place in the work of the GFP. More traditionally a strength of UNDP than of peace operations, we did not observe that joint thinking in the GFP on country situations had done much to shift DPKO practices, which tend to focus on institution-to-institution approaches (which are linked also to how Security Council mandates are written). This is an area to be further developed, particularly with the addition of UNHCR to the GFP partners, as well as through engagement with others (discussed below) such as DDR with regard to community violence reduction approaches.

Potential for thematic expansion

In this report, we have gone back and forth between the terms “PJC” and “rule of law,” as did many of our interviewees and survey respondents. Few people argued explicitly for keeping the narrow focus on PJC, as most people see PJC as inherently linked to larger rule of law issues. These ideas fit well with thinking on peacekeeping as early peacebuilding, and with peacekeeping’s contribution to sustaining peace. Rule of law, in this thinking, is more about structural prevention, i.e., putting in place the legal framework, the institutions, and the educated and trained people, necessary to provide inclusive rule of law, which will contribute to sustaining peace and prevention.

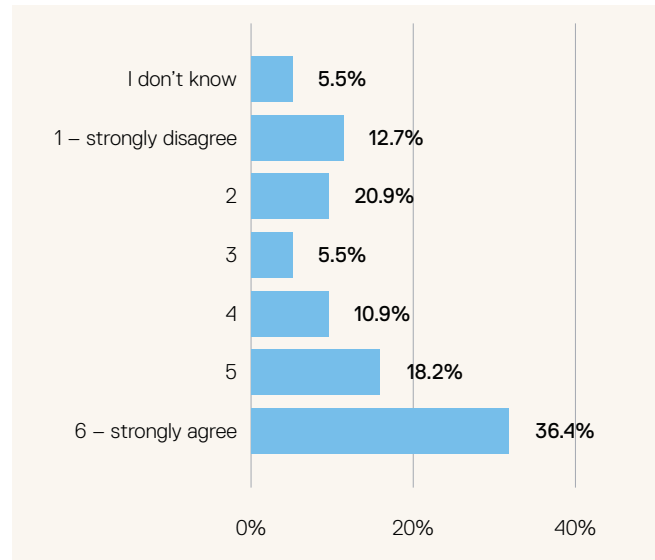
Those who did argue for the PJC term had a point: that PJC, with its focus on the justice chain, is well understood and agreed upon, whereas “rule of law” can be a problematic concept with different interpretations and approaches within the UN system, in spite of the Secretary-General reports that define rule of law.

This good point notwithstanding, the focus on the criminal justice chain is not the most relevant frame for prevention and sustaining peace, which are now core agendas under the new Secretary-General. It also does not address the close connection between police reform and strengthening other security services (police and military reforms, for example, are almost always closely linked); nor does it translate well to partners such as IFIs and regional organizations, which do not organize specifically around police, justice, and corrections.

Expanding to rule of law brings in the important aspects of good governance, equality before the law, and people-centered approaches (such as access to justice) that have been identified as essential to peacebuilding. This is not just the view of the review team; the survey suggests that most people believe that the GFP would benefit from moving beyond the criminal justice approach of PJC. We were also struck by interviews with two Police Commissioners in the field, who argued forcefully that, in order to work, justice chain reform needs to be embedded in broader rule of law change over the long-term. Indeed, they lamented that they did

To what extent would you agree or disagree with the statement: “The GFP arrangement should be expanded beyond Police, Justice and Corrections to include other thematic issues (such as SSR; DDR; preventing violent extremism; human rights, corruption and counter terrorism)”?

N=56, only HQ (all HQ respondents equal 56)



not see this link sufficiently in their own peace operations, with one of them calling for a “Mr. Rule of Law” (or Ms. Rule of Law, we might also suggest) within the peace operation in order to fill this gap.

Recognizing possible sensitivities around the “rule of law” concept for member states, however, another option is to frame around “security and justice.”

The GFP should not be a mechanism that pushes the field toward its own issue areas; instead, it should be flexible enough to follow the field’s needs. In this regard, we note that, in the field, entities seek out partners that are most relevant to achieving their objectives, whether they are in the GFP or not. In practice, entities are partnering in some cases with SSR units, they are working with UNICEF, the International Organization for Migration (IOM), UNOPS, and so forth.

It is within this context that it makes sense for the GFP to expand its relationships to include other thematic elements—mainly on a country-specific basis—with a priority to SSR as a GFP partner, but also DDR, counter-terrorism, and others on a country-specific basis as relevant. Interviews suggest caution, however, in

how this inclusion is done. First, as mentioned in previous sections, it will be important for the GFP to demonstrate its added value to these areas, which already have their own coordination structures—many of which are comprised of the same entities and staff that are in the GFP. The argument for the added value is the fact that the GFP is focused on operational issues (rather than policy issues), and that it is engaging directly with support to overall rule of law strategy in the field.

Second, at this point, given the GFP's weak administrative capacity, the most appropriate approach for entities external to DPKO and UNDP (such as the Counter-Terrorism Committee Executive Directorate (CTED) or the Office of Counter-Terrorism (OCT)) will be a light one that does not displace or duplicate the existing coordination that these entities have in place. These entities should be invited to relevant country-specific meetings, where they should be given a clear role to play in the agenda. The core team should also develop mechanisms and guidance to ensure inclusion of these thematic issues in the work of the GFP, from missions to deployments. Over time, with a strengthened GFP, another level of partnership might be considered.

Third, the inclusion of SSR and DDR sections should be considered, with a clear priority to SSR. SSR is relevant as it deals with reform of the overall legal and policy environment for PIC reforms. Additionally, there is a close connection between police reform and strengthening other security services (police and military reforms, for example, are almost always closely linked). Including SSR will help the GFP translate its work more effectively to partners such as international financial institutions (IFIs) and regional organizations, which do not organize specifically around PIC and which will be more aware and accepting of a security and justice frame. DDR is also relevant in terms of dealing with ex-combatants and gang-leaders accused of crimes or in its bottom-up approaches to community violence reduction; however, it could be included on a country-by-country basis as needed.

In some interviews, it was suggested, however, that OROLSI sections themselves are not particularly well integrated with each other; the GFP should not be burdened as the primary

mechanism to get these sections to work together, but rather additional levers should be put in place within OROLSI, if that is the real goal. Additionally, if these sections are added, it would not make sense to create additional members of the management team from DPKO's side, which would create imbalance and tension.

We were also asked to investigate whether or not the GFP should cooperate with non-UN actors, such as the World Bank, the EU or the African Union (AU). This is an important issue, as the CIVCAP report observed that many of the civilian capacities needed in post-conflict contexts cannot be found within the UN itself, but rather through partnership with other actors. The GFP could benefit from collaboration with outside institutions such as the ones mentioned or others, such as the Open Society Justice Initiative, the International Development Law Organization, and Justice Rapid Response, which are often bringing innovative and forward-thinking approaches to rule of law. Additionally, people in the field are often already working with these actors. However, the GFP does not yet have a clear value proposition for engagement at HQ level with these groups; what would be the objectives and how would they benefit? For the review team, the value for these outside actors would be the presence of a single entry point in the UN system on rule of law and the existence of a kind of center of practice or excellence—things that the GFP is still working toward. Indeed, for the GFP to attract meaningful participation of these actors, clarifying and strengthening its own value proposition is a key step.

Finally, the Policy Committee decision established a link between the GFP and EOSG, via the RoLCRG, which is a high-level policy coordination structure created by the General Assembly, and chaired by EOSG. The link is important, as it provides a different set of entry points at the policy level, particularly with the Security Council and rule-of-law-related mandates. While the RoLCRG is now inactive, EOSG joined the GFP in 2017 as a strategic partner and participates in management meetings and related key discussions, which has been a welcome development. It must be noted that the RoLCRG is the only existing mechanism designed to ensure the effectiveness and efficiency of the entire UN system working on all

aspects of rule of law in all contexts. The EOSG is also engaged at the inter-governmental level, with civil society, other UN (such as CTED and OCT) and external partners and could support engagement between non-UN actors and the GFP, as necessary. While there is no discussion of co-location, having EOSG participate in the GFP is a welcome development.

Measuring GFP assistance

The GFP core team has developed a number of tools that, if updated and used by managers for decision-making, could already serve as a useful basis for measuring GFP assistance. We emphasize the need for managers and GFP partners to play a role in asking for this information and actively using it—otherwise, it will not be prioritized.

These tools include a “Master Matrix” that tracks types of GFP assistance by country, deployments, joint programs, and decisions for disbursements; they also include a tracker of requests for assistance. In addition, they include the annual work plans, which are populated with indicators.

This is a good start. To improve, the tools should have a well-defined methodology for monitoring (e.g., what is a mission versus a deployment, what is GFP versus what is not GFP); they should be regularly updated and made accessible, and they should be discussed in management meetings. GFP managers and partners should be interested to track GFP assistance over time: is the GFP delivering the right things to the right entities? Are the right countries receiving the right amount of attention? These tools are needed as the basis for this type of strategic discussion; right now, they do not appear to be used at all, except to feed into talking points.

In addition to improving the quality of the existing tools and their use, the GFP would benefit from closer tracking of funding to support the joint programs that have been at the heart of GFP assistance, including seed funding from the Global Program and programmatic funding from assessed peacekeeping budgets, as well as contributions from other donors. For programmatic funding, it will be important to track

a variety of dimensions: the amount requested for joint programs, the amount approved by the Fifth Committee, the amount actually received through the MOU, and the amount expended.

Short surveys (3–4 questions) for relevant field staff will also be a good way to capture the perceptions of satisfaction of GFP “clients,” particularly after GFP missions.

We close this section by cautioning that the GFP should not itself engage in monitoring and evaluation of joint programs, which is best left to field-level or outside entities. We raise this issue because it was mentioned as a possible task of a strengthened core team at HQ. HQ should encourage monitoring and evaluation and provide options and tools, rather than to do such work itself. HQ could also play a role by gathering evaluations of joint programs and drawing up lessons learned.

Areas for attention and improvement

In this section, we have mainly focused on ways that the GFP arrangement could continue to “go far together” in the changing UN context.

Priority recommendations:

- The GFP should, over the next six months, explore options for a new Executive Committee decision to re-define the structure of the GFP, the roles of partners, the relationship to EOSG and RoLCRG, and so forth (GFP ASGs, managers, and partners)
- The GFP should expand its focus from PJC to rule of law (or “security and justice,” if there are concerns about member state sensitivities), and it should include SSR as a GFP partner; it should include other thematic areas (DDR, counter-terrorism) on a country-specific basis; the GFP should develop a more formal relationship with PBSO and PBF at ASG and working levels (Executive Committee; relevant ASGs)
- Strengthen the relationship with PBSO by the GFP’s physical location in proximity to PBSO in the Secretariat building and developing a more strategic engagement with the PBF (ASGs)
- Once core capacity has been strengthened,

enhance relationships with external partners by developing a joint study with, e.g., the World Bank, AU, EU, Organization for Economic Co-operation and Development, International Development Law Organization, Avocats Sans Frontières, Justice Rapid Response, Open Society Justice Initiative, etc. (GFP managers, core team)

- GFP, in partnership with relevant administrative actors, should develop an analysis of the pros and cons of creating an MPTF, leveraging new incentives for donors to increase contributions to multi-agency funds. This analysis should consider a range of options, including windows in other MPTFs, including but not exclusive to the PBF; the analysis should take the interests, perspectives and concerns of donors into account (GFP core team)
- Efforts to encourage GFP partners to co-locate staff should be redoubled; proposals that take partner concerns into account should be created; engagement of the ASGs with their counterparts at OHCHR and UNODC should be considered (GFP ASGs and GFP partner ASGs)
- Potential addition of OROLSI units, such as SSR, should not result in additional man-

ager positions, but rather a new definition of managers, perhaps with a rotating post among DPKO units (GFP ASGs)

Other recommendations:

- Develop option papers on key thematic issues: one on the role of the SDGs (especially SDG16) in the GFP's approach to its assistance, and one on strengthening people-centered approaches (particularly in security) in the GFP's assistance (GFP core team)
- Existing monitoring and evaluation tools should be improved through creation of a well-defined methodology for counting things; they should be updated on a set basis (in time for each management meeting); and they should be discussed in management meetings; further monitoring and evaluation tools should be developed, especially on funding and on gathering field perceptions of GFP assistance (GFP managers, core team)
- Drawing on growing financial incentives within the UN system to support joint efforts, donors should consider increasing their funding to GFP in order to strengthen the core team and position the GFP to be a better model for cross-pillar collaboration (GFP donors)



7. CONCLUSION AND RECOMMENDATIONS

As many recent reports have argued, including the recent UN-World Bank study, *Pathways for Peace*, the nature of conflicts has transformed, and, to be effective, international responses need to change along with it.²⁰ Conflict today is likely to be intrastate and resistant to traditional political solutions; to have regional and transnational dimensions both in its sources and its effects; and to mobilize grievances both economic and political. Piecemeal approaches are not what is required: old divisions between peacekeeping and peacebuilding, and between peace and development, are being challenged.

Given this context, the UN's overly siloed approaches must adapt. To deliver in the field and support national actors, the UN, as the Secretary-General emphasized in his response to the CIVCAP report, needs to be "strategically and operationally coherent." The HIPPO report also stressed the need for both HQ and the field to integrate its own diverse efforts—observing that "without strong Headquarters support, coordination efforts in the field face major challenges." Yet both reports also acknowledge the profound difficulties facing such coordination. The CIVCAP report pushed for coherence, "notwithstanding the separate character, governance structures, mandate and source of financing of the different entities." The HIPPO report observed that the mandates of peace operations and the objectives of Agencies, Funds, and Programs do not always align, and that Agencies, Funds, and Programs reliance on voluntary funding could also pose a challenge to collaboration.²¹

Overall achievements

The GFP could hardly be expected to solve these systemic challenges on its own, and yet in spite of all the challenges, it has made solid progress. The GFP has made contributions to joint arrangements through its focus on joint program development and analysis. Where joint programs have been put in place and have mobilized enough resources to start work—for example, in Haiti, CAR, and Somalia—they have made contributions to cross-entity learning and joint thinking. While staff identified many challenges of working jointly through a program—mainly in terms of process and information sharing—many also affirmed the value of such work.

It was also found, mainly in the context of joint programs, valuable GFP-related dialogue on structures to foster integration and coherence. This included, in both CAR and Somalia, the integration of UNDP and peace operation reporting structures, as well as identifying coordinators within programs and structures for steering committees. Another contribution was through suggestions for co-location of UNDP and peace operation elements, which were adopted in both Haiti and Somalia.

The following are highlighted as examples of significant GFP support to specific achievements:

- The establishment of joint programs in CAR and Haiti, both using seed funding from GFP partners (including from UNDP's Global Program and/or assessed peacekeeping budgets) to stimulate further donor interest
- The encouragement of coordination structures, including, for a period of time, in-

tegrated UNDP/peace operation offices in Somalia and CAR

- The creation or strengthening of resource mobilization strategies and donor engagement, through innovations like the CAR Reference Group for member states in New York, as well as through the use of assessed peacekeeping budget funds and UNDP Global Program funds for joint programs

The GFP also contributed to outcomes at the national level that were achieved owing to the joint nature of the work—i.e., outcomes that would have been unlikely to occur had entities acted alone. These outcomes were found to be: leveraging comparative advantages, positioning the UNCT for a transition, and reducing duplication and creating efficiencies.

There were a number of outcomes related to the effective use of comparative advantage, including in CAR, Haiti, and Mali. For example, in Haiti, joint work was able to strengthen existing support to the Haitian National Police; and in CAR, joint approaches supported the creation of the SCC (a complex task) as well as a unit with Central African Police to address sexual violence. Each of these instances required joining of a range of expertise and practical skills to be achieved.

Joint programs also had specific benefits in facilitating transitions, positioning UNCTs as peace operations draw to a close or start to phase out aspects of their mandates. This was a central reason for creating joint programs, using programmatic funds from assessed peacekeeping budgets, in Haiti and Liberia. In Haiti, seed funding to the joint program attracted further donor support from Canada; similarly, in Liberia, there now exists a well-funded UNDP rule of law program.

Finally, there were instances where joint efforts in the field were shown to reduce duplication, like in Mali. In terms of efficiencies, one type of efficiency is already mentioned above in light of its positive outcomes, which are the instances of leveraging comparative advantages of different entities.

The following are highlighted as examples of key achievements significant support to:

- In CAR, the work around the SCC is a good example of leveraging the capacities of the wider UN system. In it, MINUSCA and UNDP

work together to develop strategies and implement a broad range of activities; UN Volunteers uses its national volunteer networks to conduct outreach. OHCHR also played a role alongside MINUSCA and UNDP in designing the emerging prosecutorial strategy through its support to a national mapping of human rights violations; the SPC has contributed through deployment of expertise; and GFP partners at HQ developed the CAR Reference Group to shore up political support for the court

- As part of transition planning in Haiti, seed funding from the assessed peacekeeping budget was used to get activities started and successfully attract other donors. The new funding should give UNDP more flexibility and position it to be a stronger joint partner with MINUJUSTH and its national authority counterparts as the PKO draws down. An additional innovation includes the incorporation of national counterparts in the 2017 GFP mission to do forward planning on rule of law work for MINUJUSTH

Recognizing the many achievements of the GFP, and in the spirit of supporting and strengthening it, the team offers eight priority recommendations—four strategic and four managerial.

Strategic recommendations

1. VARY SERVICES, PRODUCTS, AND EXPERTISE TO BE BOTH MORE STRATEGIC AND MORE FOCUSED ON UNBLOCKING PRACTICAL AND PROCEDURAL CONSTRAINTS.

The ideal of bringing the UN system around a strategic rule of law approach, with entities using their comparative advantages to work toward shared objectives, remains a challenge given its siloed structure and institutional incentives working against collaboration. While joint programs are valued as a way to increase results and prevent duplication and competition, they are not the only tool needed in the toolbox.

In country cases reviewed there was a need for two types of additional service. One is strategic, sometimes high-level engagement to support more integrated and innovative field-driven solutions. Improving integration of GFP missions (and deployments) is an important method for HQ to contribute to better integration in the field; including senior staff, such as former SRSGs, in missions can also open doors and facilitate a different kind of high-level discussion both within the UN and with national counterparts. The GFP could also have a larger role in providing substantive support both in areas where UN policies exist, such as on human rights and gender, or where approaches are developing, such as on sustaining peace and prevention, people-centered rule of law support, and the SDGs. Substantive guidance and other knowledge products or support would promote agreement on approaches to rule of law support among UN entities.

The second additional service required is very practical focused assistance to solve interoperability problems (e.g., different information technology systems, human resources processes, security arrangements). Field staff are also asking for more guidance on resource mobilization, and strategic engagement with leadership. A key sticking point has been the use of assessed peacekeeping budgets for joint work. For staff drawing on this kind of funding, the difficulties of getting, implementing, and reporting on it loomed large in the review team's interviews. All of these issues may be difficult for them to address on their own.

Recommendations in this area include establishing a roster of senior individuals (such as former SRSGs, DSRSGs and RCs) to take part in some missions and advise on approaches; identifying the five highest priority interoperability challenges for the field and working to unblock them; and establishing a principle of open, shared information among UN entities working on the rule of law.

2. CONSIDER FIELD STAFF AS PART OF THE GFP AND BETTER INTEGRATE GFP PARTNERS.

While the background to the Policy Committee decision was the strategic need to bring together the UN's expertise on rule of law to improve results in the field, under the decision, the GFP itself was defined as a HQ level arrangement, with the responsibility for coordination at the field level clearly placed upon the shoulders of the SRSG, or the HC/RC in non-peace operation settings. At HQ, the decision placed UNDP and DPKO at the center, leaving other partners unclear about their role and the benefits of engaging in the GFP.

In the field, responsibility for rule of law coherence is put in the hands of senior field leaders—this is as it should be, and the review would not recommend changing reporting lines. However, it misses an opportunity to maximize the input from the field (not just services to the field). Indeed, many staff in the field already have previous experiences with integration either in the same peace operation or other peace operations. These experiences have built confidence that working jointly could overcome interoperability challenges and leverage comparative advantage. These examples suggest that the GFP would benefit from both acknowledging and building on existing field knowledge and capacity—and systematizing and disseminating such best practices.

The review recommends steps to better integrate these actors. For GFP partners, it suggests adding a rotating managers seat for one of the partners (with the same responsibilities as the other managers), so that they might be formally included in decision making. It also recommends mapping all staff in the field with expertise in rule of law as part of the GFP, not as their primary reporting line but as a community of practice who can share experiences. Symbolically, this also offers some important gains in recognizing and crediting staff in the field for the expertise they bring; at a practical level, it should encourage cross-country exchanges. Additional recommendations include continuing and strengthening the training and retreats that the GFP has provided for field staff, and the ap-

pointment of a community of practice coordinator who can facilitate an exchange on the latest research and operational innovations between field, regional, and HQ staff.

3. EXPAND GFP TO INCLUDE SSR UNDER THE THEME OF RULE OF LAW OR SECURITY AND JUSTICE; INCLUDE OTHER THEMATIC PARTNERS AS RELEVANT.

Thematically, the GFP is currently defined around three functional areas—police, justice, and corrections—as “areas in the rule of law.” This focus on the (criminal) justice chain can be useful in organizing work, but it has limitations. In particular, it does not address the close connection between police reform and strengthening other security services (police and military reforms, for example, are almost always closely linked). While unintended, the name may also limit attention to links with informal systems, broader access to justice/legal and judicial reform programs, and non-discrimination/equality before the law. Last, it does not translate well to partners such as the international financial institutions (IFIs) and regional organizations that do not organize specifically around police, justice, and corrections.

The review recommends bringing the existing OROLSI SSR unit as well as UNDP staff working on SSR into the GFP. Other rule-of-law related issues, such as counter-terrorism and DDR should be included on a country-specific basis. Finally, to solidify the link with the prevention and sustaining peace agendas, renewing dormant links with PBSO and the PBF should be prioritized. Without disturbing the GFP name and identity, into which considerable effort has been invested, the review also recommends considering whether the GFP should rename “point” to “partnership” and substitute either “security and justice” or “rule of law” for “police, justice, and corrections.”

4. BASED ON THESE CHANGES AND LESSONS LEARNED IN THE LAST SIX YEARS, THE GFP SHOULD RENEW ITS MISSION STATEMENT AND VALUE PROPOSITION.

While most staff engaged with for this review, both in the field and HQ, were familiar with the GFP, there remained a degree of confusion—especially in the field—about what the GFP is and what it has to offer.

This was already a recommendation of the 2014 review: the context has evolved subsequently in a way that increases its importance (the SDGs, the current UN reform processes, the prevention and sustaining peace agendas). A strengthened GFP can offer value in several areas: acting as a single point of entry to the system on rule of law issues; facilitating expert deployments through the Standing Police Capacity or Justice and Corrections Standing Capacity or from a roster; bringing meaningful thematic expertise to bear on gender equality and human rights; modeling joint work; supporting staff in the field to develop joint analysis, coordination arrangements, resource mobilization strategies, and to trouble shoot blockages; etc.

By refining its added value (or “value proposition”), the GFP will also be in a better position to renew its relationships with current partners and attract new ones. In order to realize this kind of value proposition, the GFP will need to be strengthened, as discussed in Recommendation 7 below. Elements we suggest leadership to consider include:

- Aiming initially to become a resource for practice on rule of law or security and justice institution-building (through development of a community of practice and documentation of operational innovation in the field); over time, aiming to become a center of excellence, including research and evidence-generation
- Drawing together strategic approaches to rule of law, security, and justice, and specialized expertise and the ability to unblock operational bottlenecks
- Being a single point of entry for external partners on global rule of law issues

Managerial actions

5. ENGAGE SENIOR LEADERSHIP.

The original Policy Committee decision envisaged high-level leadership involvement, from the ASGs of the entities making up the GFP right up to the DSG, as chair of the Rule of Law Coordination Group. This has fallen off in recent years, and top UN leadership are little involved in substantively setting direction, ensuring coherence, and mobilizing new partnerships for PJC or rule of law.

The review suggests the need for senior leadership engagement at three levels, in order for the UN system to see the kind of meaningful results on rule of law assistance necessary to sustaining peace and prevention in these complex and fast-changing post-conflict and crisis contexts. The first is to strengthen the participation of the ASGs in UNDP and DPKO responsible for the GFP. The second is for the GFP to provide more field-focused support to senior leadership in the field on strategic and coordination issues (instead of or alongside project support at the working level). The third is to re-establish and deepen the link between the GFP and the EOSG and decision-making bodies, including the Deputies Committee and the Executive Committee.

The review recommends that the ASGs for OROLSI and BPPS agree that they will chair a meeting with counterparts at the same level in the field for all country situations where there are significant challenges or new opportunities, ahead of investing scarce resources in field missions and joint program development. We recommend that a rotating chair from other partners involved in the GFP (e.g. OHCHR, UNODC, UN Women, UNHCR, EOSG) be added depending on the issues of most concern in each country. We also recommend that the DSG chairs an annual meeting of USGs on rule of law, supported by the GFP through the EOSG rule of law adviser, potentially focusing on the Secretary-General's reports on country situations of concern or on rule of law.

By strengthening engagement with senior leadership at all three levels, the GFP will be

better positioned to fulfill its mandate to bring together the UN system at HQ and to support coherent approaches in the field.

6. TAKE ADVANTAGE OF CURRENT REFORMS TO CO-LOCATE STAFF.

As noted above, staff interviewed felt strongly that co-location was important to building shared thinking and action. There is currently a new opportunity to do this because of the office movements that will result from implementation of the Secretary-General's peace and security reforms. The main recommendation is that the HQ staff involved from DPKO and UNDP, along with other staff whose entities are prepared to co-locate them based on the renewed value proposition, be moved into mixed teams when the larger reorganization is performed. A subsidiary recommendation is that this team be located next to the PBSO to foster the significant links that exist between strengthening security and justice institutions and broader peacebuilding. If co-location is adopted, a senior leadership figure such as the Chef de Cabinet or USG for the Department of Management could be tasked with ensuring that internal failure to solve interoperability and other practical problems does not again contribute to derailing the decision, as was the case after the Policy Committee decision of 2012.

7. DEDICATE ADDITIONAL FINANCIAL AND ADMINISTRATIVE RESOURCES TO THE GFP.

Staff and managers still report that the GFP is run in addition to their day jobs, which are based primarily on delivering within their home entity, not collectively across entities. It has become clear that the current structure and capacities of the core team—the 2–3 support staff shared by UNDP and DPKO, based mainly on secondments and temporary contracts—do not serve the GFP adequately, and that business processes need to be developed and/or strengthened, to clarify roles, responsibilities,

and working methods with GFP partners, with the Standing Capacities, and others.

The review saw three possible solutions to these challenges. The first is a major reform to draw together the relevant functions and staff into one office, as was done with UN Women, with associated formal resource requests. This was not seen as viable at this point, when the General Assembly and EOSG already have three complex reforms in front of them and have little space to take on another. The team considered two other options for strengthening the GFP. While similar, one option places weight on a strengthened core team with dedicated, sustained resources from UNDP and OROLSI's budget, while another places weight on co-location working mainly through proximity and informal networks, relying on voluntary contributions and secondments to support the core team. The recommendation here combines the two, namely: in addition to co-location, there should be dedicated new resources from DPKO assessed and UNDP budgets to support existing and additional core team staff.

In relation to the field, drawing on the experience in MINUSTAH, it is also recommended that DPKO encourage use of assessed peacekeeping funds for a dedicated post whose terms of reference would include rule of law

coordination. This post would be charged with helping the DSRSRSG convene the UN system and providing direct support to both operational and strategic coherence.

GFP 2.0 should also be envisaged with a view to better integration of GFP partners and the field, as well as to and more clarity around staff roles and responsibilities (through terms of reference) and decision-making processes. It should also explore options for increasing resource mobilization for joint rule of law initiatives, including the transformation of the Global Program into a multi-partner trust fund that could then support programs outside of UNDP; in this scenario, becoming a window in an existing trust fund may have benefits that should be explored.

8. HOLD A NEW EXECUTIVE COMMITTEE DISCUSSION AND DECISION ON THE GFP.

Last, we also suggest that the Executive Committee have a new discussion and decision on the GFP, to give the highest possible level of endorsement to the recommendations in this report that are sponsored by UN management.

ENDNOTES

- 1 Quoted in the letter from the group's chair, Jean-Marie Guéhenno: UN General Assembly, Security Council, "Civilian Capacity in the Aftermath of Conflict: Independent Report of the Senior Advisory Group" (A/65/747-S/2011/85). See also the Secretary-General's response: UN General Assembly, Security Council, "Civilian Capacity in the Aftermath of Conflict: Report of the Secretary-General" (A/67/312-S/2012/645). The CIVCAP review was preceded by another report worth noting: UN General Assembly, "Peacebuilding in the Immediate Aftermath of Conflict: Report of the Secretary-General" (A/63/881-S/2009/304).
- 2 For a detailed overview of the context for the establishment of the GFP, as well as the full set of citations of relevant reports, see William J. Durch, Luc van de Goor, et al., "Independent Progress Review on the UN Global Focal Point for Police, Justice and Corrections" (Clingendael/ Stimson/Folke Bernadotte Academy, 2014), pp. 12– 20. Hereafter: Durch and van der Goor, et al., "GFP Independent Progress Review."
- 3 Durch and van der Goor, et al., "GFP Independent Progress Review," p. 16.
- 4 Ibid., p. 21.
- 5 A description of current structures and processes for the GFP can be found in the "Modalities and Initial Workplan" document, dated November 15, 2012. While this document is only partially operational currently—as it set up a number of ambitious plans that were never implemented— it is the only document available that sheds light on how the GFP is structured.
- 6 Durch and van der Goor, et al., "GFP Independent Progress Review," p. 9.
- 7 We have complete information for only 23 of these missions; the numbers above are based on these 23 missions.
- 8 This information is based on February 2015 to present, as we do not have data prior to February 2015. Note that there is some ambiguity concerning what constitutes a "mission" versus a "deployment," as well as what constitutes "GFP" or "non-GFP" instances of each. We have based the data on internal tracking, project documents, and information from the SPC.
- 9 Information is based on data provided by UNDP's Global Program for 2015 to present. The figures include contributions to technical capacity in country.
- 10 It is difficult to know, however, whether the GFP's work has resulted in more or in higher quality joint programs since joint programs on rule of law have both pre-existed the GFP and also are created outside of GFP interventions.
- 11 The 2017 training included 61 rule of law and human rights practitioners from DPA, DPKO, OHCHR, UNDP, UNHCR, UNICEF, UNODC and UNOPS, as well as from the African Union. Representatives from 11 country contexts—Afghanistan, CAR, Democratic Republic of the Congo, Guinea-Bissau, Haiti, Iraq, Liberia, Mali, Somalia, South Sudan and Sudan (Darfur and Abyei)—attended.
- 12 We also conducted a small number of interviews relating to program implementation in Kosovo and Liberia.

- 13 Camino Kavanagh and Bruce Jones, “Shaky Foundations: An Assessment of the UN’s Rule of Law Support Agenda (New York: Center on International Cooperation, 2011), p. 9.
- 14 See Isabeau Vilandré et al., “Évaluation mi-parcours du projet conjoint d’appui à la lutte contre les violations des droits de l’Homme et à la relance de la justice en Centrafrique (PJSC)” (December 2017), on file with author; and Francesca Del Mese, “Joint Rule of Law Program Evaluation: UNDP Somalia” (November 2017), on file with author.
- 15 We should be humble in our expectations for outcomes in rule of law work, especially over short time periods. As *World Development Report 2011* noted, the pace of institutional change is slow, taking a generation or more to strengthen state capacity on issues like civilian control of the military or corruption; one reason is that such strengthening must be accompanied by increased citizen confidence and trust, which takes time and successive positive initiatives to generate. Outcomes reported here will therefore be modest. *World Development Report 2011* (Washington, DC: IBRD/WB, 2011), pp. 108–09.
- 16 See <http://mptf.undp.org/document/download/17920> and https://police.un.org/sites/default/files/spc-news_jan17.pdf.
- 17 For 2017 and 2018; previous work plans had different categories that overlap with the current ones. The work plans describe activities, outputs, targets, and relevant indicators.
- 18 “Procedures on the Management and Administration of GFP funds,” April 8, 2014. There is no role for partners, except to apply for use of funds.
- 19 Pathfinders for Peaceful, Just and Inclusive Societies, *The Roadmap for Peaceful, Just and Inclusive Societies – A Call to Action to Change our World* (New York: Center on International Cooperation, 2017); available at <http://www.cic.nyu.edu/pathfinders>.
- 20 UN-World Bank, *Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict* (Washington, DC: World Bank, 2018).
- 21 Secretary-General, “Civilian Capacities in the Aftermath of Conflict,” A/66/311, 2011, para. 39; United Nations, “Uniting our Strengths for Peace: Politics, Partnerships and People, Report of the High-Level Independent Panel on United Nations Peace Operations,” A/70/95-S/2015/446 (2015), para. 145.



