



**UNITED NATIONS
DEVELOPMENT GROUP**

UNITED NATIONS



NATIONS UNIES

**OFFICE OF THE SPECIAL ENVOY OF THE
SECRETARY-GENERAL FOR THE
GREAT LAKES REGION**

Concept note for the Great Lakes Regional Strategic Framework

Pillar 6

Justice and conflict prevention

Under the lead of OHCHR, UNDP and UNREC

Table of content

1) Type of regional intervention.....	1
2) Introduction and background	1
3) Intervention rationale.....	1
4) Beneficiaries	2
5) Proposed response	2
6) Why the United Nations	5
7) Partnerships	5

1) Type of regional intervention

The project would involve a combination of regional and cross border interventions involving the interaction of two or more country teams.

2) Introduction and background

Whilst operationalisation of the UN Great Lakes Regional Strategic Framework (UN GLRSF) is progressing the region displays signs of unravelling with peace and security gains at risk of reversal. There are signs of instability in Burundi and the Democratic Republic of Congo (DRC) whereas elections in the region may contribute to instability. The region is subject to repeated cycles of violence and conflict, but early warning information on the local drivers of such conflicts are often lacking; this lack of information prevents regional and local actors and institutions from engaging in a timely – ideally, preventive - manner before threats to regional peace and stability can escalate. Civic activism also holds a potential to address local level conflicts which can quickly take on national and even regional dimensions

On a more positive note, since the endorsement of the UN Great Lakes Regional Strategic Framework, member states of the International Conference on the Great Lakes Region (ICGLR) have demonstrated their commitment to addressing impunity (and better ensuring the success of this project) through approving for the first time the establishment of a Great Lakes Judicial Cooperation Network. The network demonstrates the readiness and willingness of the Great Lakes region to work together through a Network that will foster cooperation among judicial institutions. Impunity continues to fuel the cycles of violence that have plagued the region for over 25 years, and the myriad of crimes being committed in many parts of the Great Lakes region continue to have significant regional implications. The creation of the Network underlines that crimes committed in individual countries are a threat to the entire region.

3) Intervention rationale

Rising political tensions and forthcoming elections across the Great Lakes region risk igniting inter-communitarian violence and further unravelling peace, security and development gains made. The UN GLRSF, launched in March 2016, structures UN Country Teams' (UNCTs) multipronged strategy to address root causes of conflict in the region, and seeks to better align the work of the UN in Burundi, the DRC, Rwanda, Tanzania, and Uganda in support of the Peace, Security and Coordination Framework for the DRC and the region (PSC Framework) –signed by thirteen countries of the region and witnessed by the African Union (AU), the ICGLR, the Southern African Development Community and the UN through the Office of the Special Envoy of the Secretary-General for the Great Lakes region (O/SESG-GL) – and in alignment with the Roadmap of the O/SESG-GL.

This concept note outlines a strategy for addressing pillar six of the UN GLRSF on justice and conflict prevention, focusing on cross-border interventions and region-wide initiatives, as well as strategic policy- and action-oriented research, including addressing conflict-, political economy-, and socio-economic analyses. Pillar 6 outlines three key outcome areas: strengthening formal and informal institutions mechanism and capacities for conflict prevention management, resolution and peacebuilding; regional judicial cooperation to facilitate the administration of justice, including the fight against war crimes, crimes against humanity and genocide, amongst others; and, strengthened regional efforts to control the illicit trade and trafficking of small arms and light weapons (SALW).

The project will focus its engagements in the eastern DRC, Burundi, Rwanda, Uganda, and Tanzania; it seeks to ensure sustained and coordinate national, regional and international efforts to create a more permissible environment for the successful implementation of the PSC Framework, and to prevent further relapses into conflict.

4) Beneficiaries

Governments and national/sub national institutions, local communities and authorities, civil society and community based organisations, traditional, religious, youth and women's associations in border areas in eastern DRC, Burundi, Rwanda, Uganda and Tanzania; justice officials – including law enforcement officials, prosecutors, judges, legal professionals and border agencies. Citizens seeking justice and reconciliation across the region.

5) Proposed response

Output 1: Strengthened formal and informal institutions, mechanisms and capacities for conflict prevention management and resolution and peace building. This intervention is designed to enhance conflict prevention/ resolution capacities while simultaneously increasing levels of trust and cooperation between border communities, local authorities and police.

(i) Improved understanding of conflict drivers and early-warning/early action capabilities at the regional level

Capacities for enhanced regional analysis and early-warning will allow UNCTs' to react quickly to defuse and put in place timely responses to potential conflicts will be strengthened at the country-level and anchored regionally to allow for regional analysis of conflict and vulnerability building on existing work conducted by UNDP and others including the Harvard Humanitarian Institute, Pole Institute etc. providing a better understanding of populations' perceptions and expectations regarding issues of peace, justice and security.

Political economy analyses – particularly of the security sector – will also be deepened as will use of new technologies, building on successful regional models, including use of data and technology (mobile phone, social media and WIFI technologies) and allowing for real-time data to be transmitted and information to be quickly uploaded onto databases and maps; this will provide a platform for quick analysis and rapid response.

(ii) Increased conflict prevention and management capacity of targeted institutions and actors in cross-border areas (on the basis of Activity Results 1)

Empowering and strengthening capacities for peace to address local level cross-border conflicts through capacity-building on conflict prevention management, mediation and dispute resolution as well as peacebuilding and reconciliation initiatives, with particular emphasis on the strengthening of existing and/or the establishment of local infrastructures for peace; strengthening dialogue and trust among cross-border communities.

(iii) Enhanced levels of cross-border cohesion, trust and cooperation in targeted 'hot spot' areas (link to output two)

Pilot projects will be established in selected hot-spot areas in support of authorities' capacities to strengthen borders, whilst building trust with communities (in line with the 'AU Strategy for Enhancing Border Management'). Given that a large percentage of trade and movement is not through formal crossing points, key for this activity result will be: facilitating trust and cooperation between border communities and border agencies; initiatives to support community policing and improving community/law enforcement relations; periodic joint meetings comprising cross-border communities (including local authorities, border agencies and communities); and, mechanisms that promote dialogue and cooperation between cross-border communities.

Trends and incident reporting will also be put in place to guide priority interventions in these areas. This activity will be undertaken in close collaboration with the World Bank, given its existing programmes on facilitating cross-border trade and with Pillar 3 interventions (which focus on protection and migration), and Pillar 2 (given the linkages to cross-border trade, including supporting prevention of illicit cross-border trade).

Output Two: Enhanced judicial cooperation at the regional level – including between law enforcement, border officials, prosecution services, judicial bodies and the legal profession. This output is designed to enhance judicial cooperation between ICGLR Member States, principally DRC, Burundi, Rwanda, Uganda and Tanzania, but all ICGLR Member States will be involved. Activities will include:

(i) Domestication of the ICGLR Protocol on Judicial Cooperation:

Under the ICGLR's leadership, model legislation is being developed to aid states in domestication and interpretation. Technical advice from UNCTs and other partners will be provided to support efforts to enhance national and regional policies and legislation on enhancing judicial cooperation bilaterally and multilaterally, followed by capacity development of selected officials at the national level. ICGLR will also develop regional strategies and action plans to improve judicial cooperation in areas of priority including Sexual and Gender-Based Violence, anti-corruption and illegal exploitation of natural resources ICGLR with support from UNCTs and other partners.

This activity result will include the monitoring of compliance on judicial cooperation, conducting baselines and thereafter establishing reporting templates to provide for Member States to report annually on compliance against a number of agreed upon benchmarks to ensure up to date analysis and data on the status of regional cooperation. All these activities will be supported by a Great Lakes Judicial Cooperation Network, which has been established in November 2016.

(ii) Increased capacity of Member States to conduct joint investigation and prosecution in selected cases falling under priority areas identified in the PSC Framework, ICGLR Protocols and O/SESG-GL priorities

Regional cooperation will be enhanced including on: extradition; mutual legal assistance; and, transfer agreements. This will include the simplification and harmonisation of these procedures to increase international cooperation including facilitating communication channels between law enforcement and justice agencies to promote cooperation in investigations and prosecutions

(iii) Increased capacity of select judicial officials in priority Member States:

Strengthening national capacities, knowledge and expertise of dealing with regional challenges is a first step to ensure investigations are properly conducted and can eventually result in successful judicial cooperation at regional level. UNCT's will enhance capacities of national rule of law institutions, including law enforcement, prosecutors, courts and national human rights institutions to investigate, prosecute and adjudicate grave human rights violations.

Output Three: Strengthened region-wide efforts to increase controls of the supply-side of Small Arms and Light Weapons. This activity result will focus on strengthening the supply-side of SALW, namely: Physical Security and Stockpile Management (PSSM); arms marking and record keeping; collection and destruction of illicit unwanted weapons and surplus of weapons; legislative assistance based on International Small Arms Control Standards (ISACS); arms tracing; and, development of procedures in compliance with the International Ammunition Technical guidelines (IATGs).

(i) Strengthened regional efforts on enhancing controls and supply of SALW using evidence-based approaches

Existing national controls on SALW will be compared with international standards using a region-wide evidence-based approach combined with the International Small Arms Control Standards (IASCS) Assessment tool; this will enable the identification of the main control gaps and prioritise actions to fill them. Gaps in SALW control regimes will be identified and prioritised per IASCS guidance. Periodic regional workshops will also be held to undertake comparative analysis and thereafter agree on regional actions to fill gaps identified.

(ii) Progress made in the areas of stockpile management, marking, recordkeeping, tracing, collection, destruction, and border controls and law enforcement cooperation).

This activity result will involve providing support to national, bilateral and regional action to fill gaps identified in IASCS self-assessments in the above-mentioned areas, as appropriate. This will include technical assistance to prevent illegal acquisition and diversion of SALW, and inter-institutional capacity building on SALW.

(iii) Greater integration of human-rights based approaches into SALW and non-proliferation programmes, including the national plans developed for the implementation of regional instruments on SALW control.

6) Why the United Nations

This project will be led by UNDP with the support of: the United Nations Regional Centre for Peace and Disarmament in Africa (UNREC), United Nations Human Rights Office of the High Commissioner (OHCHR), O/SESG-GL, United Nations Office on Drugs and Crime (UNODC); it will be undertaken in partnership with regional and sub-regional organisations and economic communities, civil society organisations, businesses and academia. The below list outlines the major reasons the UN is well-placed to lead the design and implementation of this project:

- The **impartiality** of the UN in an extremely delicate and political sensitive area makes it a unique actor in the GLR; impartiality provides convening power, visibility and legitimacy, which can foster much-needed momentum - vital in a region where swift and coordinated action is required more now than ever;
- The UN also brings decades of **established networks and strong partnerships** with civil society, the AU, RECS and host governments that it can draw upon to create synergistic partnerships tailored to deal with the issue at hand;
- The UN is already established and undertaking projects in all the countries in the GLR; the work of the **UNCTs will complement the strategy outlined in this document**. The extensive field presence of the UN will also allow for the rapid scaling-up of cross-border work envisioned in this document;
- As the lead development agency in the UN System, UNDP has **presence in all countries in the GLR** and regional presence in Addis Ababa, Ethiopia, and Nairobi, Kenya and at the regional level has technical expertise in conflict prevention and rule of law;
- As the principal UN office mandated to promote and protect human rights for all, OCHCR **has established field presences across the Great Lakes region**, including in the DRC, Uganda, Burundi, Rwanda and Tanzania and extensive experience working on judicial reform and rule of law;
- UNREC has **extensive experience** providing support to African States and civil society in their implementation of international and regional instrument on SALW control, in compliance with the mandate given by the Resolution 40/151 G of December 1985;
- UNODC is the **guardian of the UNTOC Convention** and has expertise and experience in providing technical assistance on matters of serious and organised crime. They have had **extensive experience in working on judicial cooperation in the region** including the Sahel and West Africa and have developed a number of tools including on MLA, extradition and transfer;
- Lastly, all work in the region is **coordinated by the Special Envoy's Office for the Great Lakes**, established by the Secretary-General to ensure that regional political and security issues are addressed in close cooperation with MONUSCO and the UNCTs of the region. The O/SESG-GL key tasks include undertaking good offices to strengthen the relations between the signatories of the framework, revitalizing existing accords and coordinating the international engagement. In so doing. The O/SESG-GL closely coordinates with UN entities including the UN, AU and ICGLR. By working in this manner, the PSC Framework, the Roadmap and the UN GLRSF will work on concertation, respectively addressing the challenges and helping to create an environment in which peace and justice can flourish.

7) Partnerships

Realising the objectives of Pillar Six will require extensive partnerships at multiple levels; these partnerships will vary in nature from: strategic, policy; advisory and operational. Those partnerships will take place at the international, regional and national/local levels.

- **At the international level**, key UN partners include: O/SESG-GL; UNREC; OHCHR; UNODC; Peacebuilding Support Office and the Peacebuilding Fund; key non-UN partners include the International Centre for Transitional Justice (ICTJ), and international development partners;
- **At the regional level**, key partners include: the AU, the ICGLR, RECs, Regional Justice Associations including the Pan-African Lawyers Association, Chief Justices Forum, Regional Police Chiefs Association, Africa Prosecutors Association and Network of African National Human Rights Institutions, and the Regional Centre on Small Arms (RECSA);
- **At the national/local level**, key partners include: Governments and national/sub national institutions, local communities and authorities, civil society and community based organisations, traditional, religious, youth and women’s associations in border areas in eastern DRC, Burundi, Rwanda, Uganda and Tanzania; justice officials – including law enforcement officials, prosecutors, judges, legal professionals and border agencies. Citizens seeking justice and reconciliation across the region.