



JCSC NEWS

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UNITED NATIONS DEPARTMENT OF PEACEKEEPING OPERATIONS
OFFICE OF RULE OF LAW AND SECURITY INSTITUTIONS
CRIMINAL LAW AND JUDICIAL ADVISORY SERVICE
JUSTICE AND CORRECTIONS STANDING CAPACITY

WHO WE ARE

As per the report of the United Nations Secretary-General A/64/698 of March 2010, the United Nations General Assembly established the Justice and Corrections Standing Capacity (JCSC) within the Criminal Law and Judicial Advisory Service (CLJAS) of the Office of Rule of Law and Security Institutions (OROLSI) in the Department of Peacekeeping Operations (DPKO). The Capacity, which is multi-lingual and geographically diverse, is composed of five professional staff (the Team Leader, two Corrections Officers and two

Judicial Affairs Officers) and one Administrative Assistant. The JCSC has been fully staffed and operational since June 2011, and is based at the United Nations Global Service Centre in Brindisi, Italy.

The Capacity has three core functions: 1) starting-up justice and corrections components in peacekeeping operations and special political missions; 2) reinforcing existing United Nations field operations in the areas of justice and corrections by providing time-limited and tar-

geted support; and 3) when appropriate, conducting needs assessments or reviews of justice and corrections components. It may also be requested to provide expertise to other United Nations partners, agencies, funds and programmes under the auspices of the Global Focal Point for the Police, Justice and Corrections Areas in the Rule of Law in Post-conflict and other Crisis Situations (GFP), as established by Secretary-General Decision No. 2012/13 of 11 September 2012.

The Special Committee on Peacekeeping Operations (C34) in its 69th Session in February and March 2015 recognized the importance of “holistic and integrated rule of law assistance to host countries from the very outset of the establishment of new peacekeeping missions”, and particularly took note of the contribution made by the JCSC in this regard.

OVERVIEW OF DEPLOYMENTS IN 2015

In 2015, the JCSC provided targeted support to justice and corrections components in existing United Nations peace operations as per the Policy “Functions and Organization of the United Nations Justice and Corrections Standing Capacity”, signed by the Under Secretary-Generals for Peacekeeping Operations and Field Support in December 2013.

NATIONAL CAPACITIES TO INVESTIGATE, PROSECUTE AND TRY SERIOUS CRIMES

In June 2015, a milestone in the fight against impunity was achieved with the adoption of the law on the establishment of a Special Criminal Court in the Central African Republic. **The JCSC**, with its expertise in the investigation and prosecution of international crimes, **deployed a JCSC Judicial Affairs Officer to the United Nations Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA) between June and August 2015**. He significantly contributed to the preparation of terms of reference for all personnel needed to staff the Court as well as for personnel needed by the Mission to support it. Furthermore, with the aim of speeding up the operationalization of the Special Criminal Court, he conducted a needs assessment of the documents required to set up the Court (rules on procedure and evidence; rules on the protection of victims and witnesses; rules on the participation of civil parties; rules on the management and recording

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of evidence and filings, etc.).

In March and April 2015, a JCSC Judicial Affairs Officer participated in a CLJAS lessons learned mission to assess the performance of the Prosecution Support Cells (PSCs) established by the United Nations Organization Stabilization Mission in the Democratic Republic of Congo (MONUSCO).

MONUSCO set up the PSCs to improve the capacity of the military judicial authorities to investigate and prosecute the commission of war crimes, crimes against humanity and acts of sexual violence perpetrated in the eastern provinces of the country. The assessment focused, in particular, on the quality of

the technical advice provided; the coordination of the different PSCs; the skills required to provide effective support; and the monitoring and reporting procedures in place. The study concluded that other peace operations, both current and future – subject to receiving appropriate mandates from the Security Council and the required cooperation

from their host governments – could benefit from undertaking similar initiatives, taking into account the lessons learned from this programme.

Prosecution Support Cells
Security Council resolution 1925 (2010) mandated MONUSCO to “Support national and international efforts to bring perpetrators to justice, including by establishing Prosecution Support Cells to assist the FARDC military justice authorities in prosecuting persons arrested by the FARDC”.



From left: Col Ridha Rezgui (PSC Goma), Jules Rhuhunemungu (Head of North Kivu Office), Julien Cigolo (Avocats Sans Frontières), Ignacio Tredici (JCSC), Col Sone Ajang Sone (PSC Coordinator)

SUPPORT TO PRISONS

From November 2014 to March 2015, a JCSC Corrections Officer supported MONUSCO. She strengthened the capacity of MONUSCO’s Corrections Unit and took on the responsibilities of the corrections regional coordinator for North and South Kivu, managing the respective corrections teams, including the recruitment of corrections personnel and the preparation of the Mission budget. In addition, a tracking tool for measuring the impact of the corrections mentoring programme - which was developed during a previous JCSC deployment - was further enhanced. In order to reduce overcrowding in prisons in South and North Kivu, she also supported the establishment and implementation of a sustainable recording system, providing MONUSCO with a detailed overview of prolonged and illegal detention, enabling the Justice and Corrections Section to better monitor the situation and advise the actors of the criminal justice chain accordingly. Lastly, with respect to maximizing the impact of the Mission’s ‘Islands of Stability’, she organized the re-distribution of rule of law staff to the islands, and, through quick impact projects, supported the establishment of a penitentiary farm for prisons in North Kivu Province; the improvement of prison cells in Rutshuru; and the operationalization of the prisons in Walikale and Masisi through infrastructure and security upgrades and provision of adequate equipment.

From May to November 2015 and from December 2015 onward, a JCSC Corrections Officer deployed to the United Nations Mission in the Republic of South Sudan (UNMISS) to provide support with respect to the oversight and management of holding facilities located within the Mission’s Protection of Civilians (POC) sites. As part of her work she produced policy papers and guidelines on the operational management of those facilities. Moreover, she helped to establish and played a key role in supporting a working group to manage cases of continuous detention at POC sites, which resulted in a significant reduction of such detentions. In October, the JCSC Corrections Officer helped to arrange a pilot handover of detainees to the Government of South Sudan, and in December, she produced a rotation plan and a reporting template for the 57 Government Provided Personnel working in the holding facilities.



From left: Dean Gillespie (UNMISS Detention Focal Point), Rune Engevik (UNPOL), Anna Sif Olafsson (JCSC), Mykhailo Krugliak (UNPOL). Credits: Leiv Skaug (UNMISS Military Officer from Norway)

TRANSITIONS

Between March and July, and between October and December 2015, the JCSC Team Leader deployed to the African Union/United Nations Hybrid operation in Darfur (UNAMID). In March, he was the designated OROLSI representative on a joint Government of Sudan/United Nations/African Union working group tasked to develop recommendations for a gradual exit of the peace operation from Darfur. Subsequently, he contributed to the establishment of a functioning United Nations-wide rule of law coordination mechanism to oversee the drafting and implementation of a Joint United Nations Rule of Law Programme, in which the transfer of tasks from the Mission to the United Nations Country Team (UNCT) - as mandated by Security Council resolution 2228 (2015) - will occur. In this context, he provided a draft Rule of Law Transition Plan for the Mission which will further inform the Joint Programme and the handover of mandated tasks. The Transition Plan identifies mandated tasks in the rule of law area for the current and upcoming two budget cycles (including mandate projections), ex-

plains which actor has comparative advantages to fulfill them and identifies resource requirements. The Plan also analyses the sustainability of rule of law support for Darfur, and, based on this, identifies which mandated tasks should be curtailed upon the anticipated departure of the Mission's Rule of Law Section.



From left: Molana Shumsadeen Abdulgauom (Chief Prosecutor, West Darfur State), Façoise Simard (Chief of Rule of Law Section, UNAMID), Molana Badradeen (Deputy Chief Judge, West Darfur State), Abdulhalim Abou (Public Relations Officer, Judiciary, West Darfur State), Carsten Weber (Team Leader, JCSC), Tigani Abbas (Judicial Affairs Officer, UNAMID). Credits: UNAMID military

OTHER SUPPORT MISSIONS

The JCSC Team Leader led a visit of a GFP Support Mission to Guinea-Bissau, consisting of participants from CLJAS, the Police Division, UNDP and OHCHR, which took place between 10 and 18 August 2015. The Mission was requested to make recommendations as to how the United Nations in the country could further improve coordination and cooperation in order to better deliver on its rule of law - including police, justice and corrections - objectives, and provide a GFP Support Plan for the next two to three years. The GFP Support Mission recommend-

ed - following earlier joint programming approaches by the United Nations family in Guinea-Bissau - a joint United Nations Rule of Law Programme, the establishment of a Multi Partner Trust Fund (MPTF) to support the funding of the joint programme and the establishment of a GFP Programme and Co-ordination Team (PCT). An additional recommendation proposed the United Nations Integrated Peace-Building Office in Guinea-Bissau (UNIOGBIS) and the UNCT to consider the co-location of rule of law-relevant UNIOGBIS, UNDP and UNODC colleagues, representing the main parties within the PCT.

TRAINING

The Policy "Functions and Organization of the United Nations Justice and Corrections Standing Capacity" provides that the JCSC can only be effective if the skills and competencies of its officers are kept up-to-date and that henceforth its members should undergo relevant training. In this context, based on evolving needs of justice and corrections components in the field, training for the JCSC focused on:

'Transition Planning' (organized by DPKO, the Department of Field Support and UNDP in Addis Aba-

ba, February 2015);



Planning and Project Management Training in Brindisi

'Planning and Project Management' (organized by the Swedish Police and DPKO's Standing Police Capacity in

Brindisi, December 2015); and

'Resolving Land and Natural Resources Conflicts in Peacebuilding' (organized by IOM, UNEP, Swispace and the United Nations Department of Political Affairs in Geneva, November 2015).

Also, the JCSC contributed to the capacity building of rule of law field personnel through the provision of two trainers at the bi-annual DPKO Rule of Law Training Programme for Judicial Affairs Officers in Bamako in March 2015. Moreover, the JCSC Team Leader in October 2015 deliv-

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ered courses on 'Re-establishing the Rule of Law in Conflict and Post-conflict Countries: Lessons Learned in Peace Operations' and 'Developing a Strategic and Programmatic Rule of Law Intervention' at the bi-annual Specialization Course on the Rule of Law in Berlin, organized by the German Centre for International Peace Operations and the Swedish Folke Bernadotte Academy.

THE WAY FORWARD

The capacity to rapidly deploy justice and corrections experts remains of crucial importance for successful mandate delivery in the rule of law area. The important role of the JCSC was recognized by the Special Committee on Peacekeeping Operations (C34) in its 69th Session (2015), where the Committee noted "the continued demand for assistance by the Justice and Corrections Standing Capacity" and recognized "the need for strengthening its capacity".

Moreover, the Report of the High-level Independent Panel on Peace Operations (HIPPO) - A/70/95 (2015) - underlined the need for increased rapid response capacity and rapidly deployable personnel especially for new peace operations.

In this context, the JCSC will continue to deliver on its core functions and stands ready for future deployments to new peace missions. It will further strengthen its collaboration with the Standing Police Capacity through joint training, strategic planning and deployments. Lastly, the JCSC will increase its capacity to service justice and corrections components through offering training on mentoring and advising, and enhanced assistance on budgeting and planning processes.

The Report of the Secretary-General on the 'Implementation of the recommendations of the Special Committee on Peacekeeping Operations' of 10 December 2013 already stated in relation to the JCSC: "The demand for this rapidly deployable assistance continues to outpace availability of the team".

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