UNITED NATIONS DEVELOPMENT PROGRAMME

PROJECT DOCUMENT
***The Global Programme for Strengthening the Rule of Law, Human Rights, Justice and
Security for Sustainable Peace and Development, Phase IV***

Project Title: The Global Programme for Strengthening the Rule of Law, Human Rights,
Justice and Security for Sustainable Peace and Development, Phase IV
Project Number:
Implementing Partner: UNDP
Start Date: 1 January 2022   End Date: 31 December 2025
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Brief Description
As the international community struggles to address the immediate and longer-term effects of challenges such as the COVID-19 pandemic, the climate crisis, protracted conflicts and increasing levels of political violence, the importance of strengthening the rule of law and respect for human rights and ensuring justice and security for all has never been more apparent. UNDP's commitment to promoting and strengthening the rule of law and the protection and promotion of human rights was crystalized in 2008 through the development of the first phase of the *Global Programme on Strengthening the Rule of Law in Conflict and Post Conflict Settings.* During the initial three phases of the programme (2008-2011; 2012-2015; and 2016-2021) the breadth and depth of UNDP's contribution to fostering the rule of law, justice, security and human rights in crisis contexts, through programming, global knowledge and policy support, expanded considerably. Phase III leaves a track record which includes delivery of tailored assistance to over 48 contexts affected by crisis, conflicts and fragility. Today UNDP is seen as a global policy leader, a partner of choice, and the main implementor of comprehensive, multi-disciplinary and integrated rule of law, justice, security and human rights programmes in the UN system.
UNDP's renamed *Global Programme for Strengthening the Rule of Law, Human Rights, Justice and Security for Sustainable Peace and Development, Phase IV (2022-2025)* is global in scope, including with a specific focus on prevention, fragility and responding to crisis and conflict. It reaffirms UNDP's commitment to the Global Focal Point (GFP) and to joining other UN system actors to increase rule of law, justice, security and respect for human rights. It postulates that through evidence-based, high-quality programming, complemented by coherent regional and global-level policy and agenda setting, positive outcomes can be achieved in transforming rule of law, justice, security and human rights systems, services and institutions to be more inclusive, people-centred and better capacitated to respond to the justice, security and human rights needs of all people. By making these systems more trusted and accessible, justice and redress are expanded to more people, community security is increased, human rights are better promoted and protected, and armed violence is reduced. Together, these factors are critical enablers for the achievement of SDG16 and the Agenda 2030 and for realising the international commitment to ensure that no one is left behind.
The programme logic is expressed in two interconnected and mutually reinforcing programme outcomes and six related outputs, summarised as follows:
Programme Outcome 1: Inclusive, people-centred systems that provide quality justice and security services and uphold and protect human rights are trusted and accessible, especially in contexts affected by crisis, conflict or fragility.
Output 1: People experience greater equality and are more empowered to access justice and exercise their rights
Output 2: Duty bearers and power holders are more accountable and responsible for upholding rule of law and realising human rights
Output 3: Justice and security systems, services and institutions are more people-centred and effective
Output 4: Communities experience greater safety, security and resilience through people-centred approaches
Programme Outcome 2: Regional and global level policy on rule of law, justice, security and human rights is evidence-based, affirms a development perspective, and informs high-quality programming.
Output 5: Rule of law and human rights programming is evidence and learning-informed
Output 6: Evidence-informed international policy enables stronger commitments to rule of law and human rights.

Contributing SP Outcome: 1 (primary) 2 (secondary) Contributing SP Output(s): 2.2, 2.3 (primary) Indicative Output(s) with gender marker[2]: The project is a GEN 2 project.	Total resources required:	$125,749,635.84
	Total resources allocated:	Hard Pipeline: Netherlands - $30 million United States INL - $50 million Soft Pipeline: Government of Japan - $2.5 million Switzerland - $1.5 million Sweden - $6 million Norway - $1.7 million
	UNDP TRAC:	
	Donor:	
	Government:	
	In-Kind:	
	Unfunded:	approx. $33 m USD

Agreed by:

UNDP
Asako Okai Asako Okai
Date: 26-Nov-2021

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I.   DEVELOPMENT CHALLENGE

1.1 Situation Analysis

Phase IV of the Global Programme was designed during a time of global uncertainty, insecurity and disruption. Even before the COVID-19 pandemic, progress towards the Sustainable Development Goals (SDGs) was not occurring fast enough for achievement by 2030, and was even stalled or moving backward in some areas.[1] As the international community struggles to address the immediate and longer-term effects of challenges such as the COVID-19 pandemic, the climate crisis, protracted conflicts and increasing levels of political violence, the importance of strengthening the rule of law and respect for human rights and ensuring justice and security for all has never been more apparent. Yet the overall rule of law performance globally is in decline, particularly in the areas of fundamental rights, constraints on government powers, and absence of corruption-all key elements that undergird accountable governance, and relatedly, people's trust in their leaders.[2] As trust in government and the rule of law declined, there has been an upward trend in global social mobilisation with protest numbers peaking in 2019. Increasingly women and youth have been at the forefront of these movements as people worldwide demand their rights, equality and inclusion, and greater accountability of those holding power.[3]

The COVID-19 pandemic further tested the rule of law and human rights, yet government responses to the pandemic appear to have only exacerbated these downward trends. 'Autocratisation' (the inverse of democratisation) deepened, and the fragility of several new or transitioning democracies were revealed.[4] According to V-Dem, for the first time since 2001, autocracies are now in the majority (92 countries) and 54 per cent of the world's population live under autocratic regimes.[5] Over 60% of countries regressed on basic human rights in 2020 as a result of measures to tackle the pandemic.[6] A significant number of countries, including some established democracies, implemented emergency measures that limited rights in a way that did not meet legal standards namely where they were disproportionate, illegal, indefinite or unnecessary. Without due regard to safeguards, there is a concern that these approaches will be the 'new normal.'[7]

Excessive police brutality, curtailing of press freedom and violations of privacy were just some examples of rights violations committed by governments during the pandemic. Some governments seized the opportunity to silence political opponents and critics, weaken key rule

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[1] United Nations, *The Sustainable Development Goals Report 2021* at
https://unstats.un.org/sdgs/report/2021/The-Sustainable-Development-Goals-Report-2021.pdf.
[2] See https://worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2020; The Ibrahim Index of African Governance 2020 saw the average score for Overall Governance fall, triggered by worsening performance in three categories: Participation, Rights & Inclusion; Security & Rule of Law; and Human Development, see https://mo.ibrahim.foundation/iiag/downloads.
[3] CIVICUS Report 2021, https://civicus.org/state-of-civil-society-report-2021/.
[4] International IDEA, *Taking Stock of Global Democratic Trends Before and During the COVID-19 Pandemic*. GSoD in Focus Special Brief (9 December 2020) at
https://www.idea.int/publications/catalogue/global-democratic-trends-before-and-during-covid19?lang=en.
[5] Varieties of Democracy (V-Dem), 'Autocratization Surges – Resistance Grows – Democracy Report 2020'.
[6] International IDEA, Taking Stock of Global Democratic Trends Before and During the COVID-19 Pandemic.
[7] High-Level Political Segment of 46th United Nations Human Rights Council | United Nations Development Programme (undp.org); OHCHR Annual Appeal 2021.

of law institutions such as the judiciary, and/or undermine other accountability systems. The day-to-day functioning of legislative bodies and judiciaries was restricted by the pandemic, resulting in a weakening of important checks on the use of executive powers. Protests against government actions or inaction during the pandemic have been subject to brutal repression in many countries, particularly in Africa and the Americas.[8] Authorities punished those who criticized government actions on COVID-19, exposed violations in response to it or questioned the official narrative around it, particularly in Asia and the Middle East and North Africa.[9] Hundreds of human rights defenders were arrested, detained or killed in 2020 in a continuing and concerning upward trend of reprisals against human rights defenders globally.[10] In some countries the public health crisis was conflated with national security concerns enabling the rushed passage of national security legislation or bolstering, or threatening to bolster, surveillance capabilities.

The pandemic also brought into stark relief the pre-existing and deep-rooted inequalities and injustices that are pervasive within today's societies and which are fuelling grievances and destabilising communities. The groups hit hardest by the pandemic are the same groups that have long-experienced systematic and systemic discrimination and the denial of political power. Women, for example, have been disproportionately affected by the pandemic across areas of formal and informal employment and unpaid care work, education, access to health services, migration and more. All types of violence against women and girls, particularly domestic violence, intensified. Femicide rates have soared. Yet as women's justice needs continue to increase, their ability to access meaningful and fair justice services has only declined.[11] Globally, women have been at the frontlines of the COVID-19 response, making up 70 percent of health care workers. But they have been systemically excluded from the decision-making processes regarding the pandemic response.[12] The climate crisis is only worsening these inequalities. Environmental harms and natural disasters, as with human-made disasters, disproportionately affect marginalised populations including indigenous and minority communities, the poor and women.[13] If left unaddressed, these inequalities can heighten grievances, destabilise societies, and contribute to conflict and violence.

Within this complex context, several inter-related factors and trends are particularly relevant for informing Phase IV of the Global Programme.

Trust and the social contract

Trust in government and its institutions is in decline. In Africa in 2019, for example, levels of public perception and satisfaction with security and rule of law, and participation, rights and inclusion were at their lowest in a decade.[14] The pandemic has further eroded public trust as policymakers struggled to respond to its many challenges.[15] Failure to provide justice and security for all, ensure the protection of human rights, and enable fairer distribution of wealth

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[8] CIVICUS Report, 12.
[9] Amnesty International World Report 2020-2021, 17.
[10] Front Line Defenders, Global Analysis, 2020.
https://www.frontlinedefenders.org/sites/default/files/fld_global_analysis_2020.pdf; In 2020, the UN tracked 331 killings of human rights defenders (an 18% increase from 2019) in 32 countries, https://sdgs.un.org/goals/goal16.
[11] https://www.unwomen.org/en/news/in-focus/in-focus-gender-equality-in-covid-19-response/violence-against-women-during-covid-19.
[12] See UNDP/UN Women COVID-19 Global Gender Response Tracker.
[13] UNDP, Human Development Report 2021.
[14] Mo Ibrahim Foundation, Ibrahim Index of African Governance 2020.
[15] Edelman Trust Barometer 2021.

and resources has resulted in a decline of public trust, especially among youth.[16] There is an overwhelming agreement among Latin Americans that their countries are governed in the interests of a few powerful groups and not for the greater good of all.[17] In Africa, where the median age was 19.7 years in 2020, young people are increasingly disillusioned with government, believing they do not care about their immediate and future needs.[18] Across major economies, women trust government less than men.[19] At the same time, women's representation and participation in politics globally is substantially lower than men's, which appears to be a contributing factor to this distrust and the weakness of policy responses to gender inequality. The UNDP-UN Women's Global Policy Tracker, for example, shows the link between low representation of women in the National Committees and the low percentage of policies addressing key gender equality issues such as unpaid care work and gender-based violence.[20] The willingness and ability of governments to address people's justice and security needs, to protect their human rights and allow them to live with dignity and with opportunities for prosperity is vital for a strong social contract and for the achievement of the Agenda 2030 vision.

Inequality, discrimination and exclusion

Inequality in and exclusion from political, civil, social and economic spheres continue to drive fragility, disrupt social cohesion and exacerbate poverty. Factors contributing to vulnerability to exclusion, inequality and injustice are multidimensional and often intersectional (for example, gender, age, disability, geography, displacement and digital access). The pandemic has exacerbated inequalities that, when perceived to be unfair and unjust, can be powerful sources of social tensions and violence. It has also further entrenched existing patterns of stigma and discrimination, including sexism, racism, xenophobia, Islamophobia, intolerance, and hate speech. These tensions have taken many forms of expression – from global movements for social change (such as the Black Lives Matter and Me Too movements); to an increase in localised instances of mob violence against specific individuals or groups, such as minorities or health workers.[21] Existing inequalities left women, marginalized communities, refugees, older people, and health workers disproportionately negatively affected by the pandemic.[22] Gender inequality remains the "greatest single challenge to human rights around the world".[23] Women, girls, minorities, and LGBTQI people confront chronic discrimination and violence perpetuated by systemic barriers to accessing justice, discriminatory laws, and entrenched social norms and power imbalances that are often passed on from one generation to another.

Human rights, human agency and participation

Disregard for human rights is widespread. Egregious and systematic human rights violations, including rampant impunity, rising hate speech, misogyny, exclusion, discrimination and unequal access to resources and opportunity, remain commonplace. People are being left

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[16] World Bank Worldwide Governance Index; Global Barometer Surveys.

[17] UNDP, *Regional Human Development Report 2021: Trapped: High Inequality and Low Growth in Latin America and the Caribbean*, Overview, 7.

[18] Camilla Rocca and Ines Schilttes. Africa's Youth: Action Needed to Support the Continent's Greatest Asset. (Mo Ibrahim Foundation).

[19] Edelman Trust Barometer: Women and Trust Report (2019) at https://www.edelman.com/sites/g/files/aatuss191/files/2019-05/2019_Edelman_Trust_Barometer_Women_and_Trust_Report.pdf.

[20] https://data.undp.org/gendertracker/.

[21] https://acleddata.com/2020/08/04/a-great-and-sudden-change-the-global-political-violence-landscape-before-and-after-the-covid-19-pandemic/.

[22] Justice for Women Amidst COVID-19; Amnesty International Report 2020/21.

[23] https://sdg.iisd.org/news/un-secretary-general-presents-10-priorities-for-2021/.

behind and the human rights agenda is being instrumentalised for political purposes.[24] In the past decade, overall, conditions for civil society have worsened. Only 13% of the world's population live in countries with open civic space.[25] Increasing numbers of governments have adopted laws and practices that constrain civic space and curtail civic freedoms, including the freedom of expression and the freedom of association and assembly. Governments employ a range of digital and non-digital tactics to do this, including the increasing use of online attacks, internet shutdowns, censorship, surveillance and targeted persecution of online users, or the application of anti-terrorism laws, for example. [26]

Increasing intimidation and reprisals, including attacks against human rights defenders, national human rights institutions and other rights-based civil society actors reduces their ability to act as a check on government misuse of power. It also undermines their ability to articulate the needs and demands of the most vulnerable and excluded and to be able to engage policy makers in processes to address those needs. Women and youth are systematically excluded from patriarchal and gerontocratic political decision-making arrangements. Women remain underrepresented in political, justice and security institutions.[27] These exclusionary arrangements erode the willingness of people to trust and cooperate with the state, with detrimental effects on security and justice—and the social contract. Women and youth, minorities and other marginalized groups, are often grossly underrepresented in elite-dominated peace-making and constitution-making processes despite the recognised importance of inclusive processes as a means of addressing exclusion-related drivers of conflict and fragility and supporting peacebuilding.[28]

The justice gap

Access to justice is a core state function. Yet at any one time, there are 1.5 billion people who cannot resolve their criminal, civil or administrative justice problems.[29] The COVID-19 pandemic profoundly impacted the functioning of justice systems across the world. Prolonged judicial and administrative proceedings and increased case backlogs are just some of the COVID-19 legacies that justice systems will face for months, if not years, to come. As the economic and social ramifications of the pandemic unfold, the number of 'everyday justice' problems–employment disputes, debt, evictions, land disputes, family disputes and disputes between businesses and consumers–will continue to rise, and with it the demand for accessible, fair and effective justice services.[30] Unresolved justice problems affect economic growth, exacerbate inequality and can fuel violent conflict. They impact negatively on the health, income and productivity of individuals and communities.[31] Unresolved cases of gender-based violence can even result in death (femicide). Recent court cases are expanding

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[24] UN Secretary-General, *The Highest Aspiration: A Call for Action for Human Rights* (2020), 1.

[25] CIVICUS reports that 87 per cent of the global population are now living in nations where civic space is deemed closed, repressed or obstructed.

[26] See CIVICUS, 11; https://www.usip.org/publications/2021/07/digital-technologys-evolving-role-politics-protest-and-repression.

[27] On average, women make up just 35% of staff within justice and public security institutions. UNDP-University of Pittsburgh, *Gender Equality in Public Administration* (2021) at https://www.undp.org/publications/global-report-gender-equality-public-administration#modal-publication-download.

[28] Berghof Foundation and the United Nations Department of Political and Peacebuilding Affairs. *Constitutions and Peace Processes: A Primer*. Berlin: Berghof Foundation, 2020.

[29] Task Force on Justice, *Justice for All – Final Report*. (New York: Center on International Cooperation, 2019) at https://www.justice.sdg16.plus/, 35.

[30] UNDP, *Beyond the Pandemic – The Justice Emergency* (2021).

[31] The 2019 Hague Declaration on Equal Access to Justice for All by 2030, https://namati.org/resources/the-hague-declaration/.

recognition of those affected by environmental injustices to both future generations and the natural environment itself.[32] Legal empowerment initiatives are achieving remedies for indigenous and marginalized communities experiencing environmental harm, but these actions need to be more intentionally linked with other legal, political and social efforts to affect systemic change.[33] The 2019 report of the High-Level Task Force emphasised the need for strengthened investment and support to justice, reiterating the importance of Sustainable Development Goal (SDG) 16 for advancing all SDGs. The Justice Leaders Summit, held in April 2021, reiterated the need for flexible financing mechanisms to enable scaling up and innovations within justice delivery.[34] But investment in justice both in national and development assistance budgets has declined. Donor support for justice has been limited and poorly targeted, limiting opportunities for scaling up access to justice.[35] ODI's Principled Aid Index 2020 identified a decline in donor principled aid scores that started even before the pandemic.[36]

Conflict and violence

According to the Global Peace Index, global peacefulness declined for the ninth year in a row.[37] In 2020, conflict levels slightly decreased from 2019, however, most conflicts continued unabated and political violence steadily rose in both developing and developed states.[38] Conflict has become more complex and protracted, increasingly driven by non-traditional security threats like economic stagnation, irregular migration and displacement, environmental degradation, competition for natural resources or rapid growth in cities.[39] Women and girls are at increased risk of conflict-related sexual violence. The pandemic amplified gender-based inequality across the globe, which is a root cause and driver of sexual violence in times of conflict and peace. It also gave rise to new, gender-specific protection concerns.[40] For example, women and girls in congested refugee and displacement settings were among the hardest hit by the intersecting crises of conflict, forced displacement and COVID-19, facing elevated risks of sexual violence, exploitation and trafficking.[41]

The last decade saw the highest number ever of people displaced by conflict and violence. There are an estimated 51 million new and existing IDPs and over 24 million refugees worldwide.[42] Human rights violations related to migration have increased in recent years.[43] Over 80 percent of global lethal violence occurs outside of conflict zones, much of it in specific cities and neighbourhoods. Latin America and the Caribbean is the most violent region in the world, where youth, women, and human rights defenders are at particular risk. Many of the

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[32] For example, in in Colombia, the Supreme Court held that deforestation of the Amazon threatened the constitutional rights of future generations to a healthy environment and declared the Amazon to have legal personhood. Corte Suprema de Justicia [C.S.J] [Supreme Court], Sala. Civil abril 5, 2018, M.P: Luis Armando Tolosa Villabona, STC4360-2018, Expediente 11001-22-03-000-2018-00319-01.

[33] UNDP, *Beyond the Pandemic – The Justice Emergency* (2021), 11.

[34] Justice Leaders Summit, 29 April 2021; Communique. https://justiceleaders.org/.

[35] https://odi.org/en/publications/people-centred-justice-for-all/.

[36] https://odi.org/en/insights/multimedia/principled-aid-index-2020/.

[37] https://www.visionofhumanity.org/maps/#/.

[38] https://acleddata.com/blog/2021/03/18/acled-2020-the-year-in-review/.

[39] UNDP Strategic Plan 2022-2025.

[40] UN Secretary-General's policy brief: The impact of COVID-19 on women (9 April 2020), https://www.unwomen.org/en/digital-library/publications/2020/04/policy-brief-the-impact-of-covid-19-on-women.

[41] UN Security Council. *Conflict-related sexual violence, Report of the Secretary-General* (30 March 2021), S/2021/312 at https://undocs.org/S/2021/312.

[42] https://www.unhcr.org/figures-at-a-glance.html.

[43] OSCE, https://www.osce.org/parliamentary-assembly/479071.

root causes of this violence are linked to inequalities, injustices and exclusion.[44] The circulation of approximately one billion small arms and light weapons (SALW) worldwide represents a challenge that cuts across peace and security, human rights, gender, sustainable development and beyond. Violence caused by SALW has a disproportionate impact on women and children.[45] Violent conflicts are increasingly linked to global challenges such as climate change, irregular migration and transnational crime.[46] Environment-related challenges, including access to natural resources and extractive industries, can drive and exacerbate conflict and security risks, especially for indigenous people and local communities, and women.[47] Private and public investments in fragile and conflict-affected settings can both contribute to trust and stability but also sustain, exacerbate or even cause conflict.[48] High levels of political instability and violence, corruption, poor regulatory frameworks, porous borders and a weak rule of law continue to create vacuums that terrorist and violent extremist groups, criminal networks, and other non-state armed actors have been able to successfully exploit.[49] Complex and protracted crises, such as in the Lake Chad Basin and the Sahel, require both immediate life-saving interventions and development-based solutions that address the drivers of conflict and insecurity.

Technology, digitalisation and big data

The COVID-19 pandemic has revealed the remarkable benefits and conveniences of technology, while simultaneously highlighting the risks that exist when technology is developed and used in the absence of adequate governance and accountability measures.[50] The rush to deliver services online during the pandemic fast-tracked many decisions about new technologies without adequate scrutiny or controls. The information (and misinformation) space is growing faster than governance systems can be developed. Social media platforms and communication apps have been used to spread hate speech and disinformation in unprecedented ways.[51] However large portions of the world's population still remain excluded from the digital world. Factors such as lack of access, affordability, education and skills and discriminatory norms and practices, have contributed to a gender digital divide generally, and specifically in certain regions such as Africa and the Arab States.[52] As services increasingly move online, those without internet access and/or lacking digital infrastructure and literacy, for example, risk being left further behind.

The growth of big tech companies and decreased pluralisation of global platforms means a few companies have gained outsized influence and power over how people produce, share and access information. The spread of the digital economy has fed the exponential growth in

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[44] UNDP Regional Human Development Report 2021: Trapped: High Inequality and Low Growth in Latin America and the Caribbean, Overview, 13.

[45] https://www.un.org/press/en/2020/sc14098.doc.htm.

[46] UN and World Bank, 2018; https://ecdpm.org/great-insights/complex-link-climate-change-conflict/climate-change-conflict-crisis-lake-chad/.

[47] UNDP Policy Brief, Climate Security, October 2020.

[48] See for example, https://www.bbc.com/news/world-asia-57837072. Also, IFC. Generating Private Investment in Fragile and Conflict-Affected Areas (International Finance Corporation, Washington D.C.: 2019).

[49] Reinier Bergema, Tanya Mehra & Meryl Demuynck. The Use of Small Arms and Light Weapons by Terrorist Organisations as a Source of Finance, ICCT Report (September 2020).

[50] The UN Secretary-General's Roadmap for Digital Cooperation at https://www.un.org/en/content/digital-cooperation-roadmap/.

[51] For example, the use of Facebook to incite violence in Myanmar, see for example, https://www.nytimes.com/2018/11/06/technology/myanmar-facebook.html.

[52] See for example, OECD, Bridging the Digital Gender Divide, https://www.oecd.org/digital/bridging-the-digital-gender-divide.pdf.

wealth accumulation and the level of its disparities.[53] Digitalisation poses privacy, accountability and equality challenges at a massive scale. While artificial intelligence (AI) has the potential to contribute to evidence-driven and effective decision-making in various sectors, including health care, science, education, and employment, its misapplication can also threaten fundamental freedoms. AI and digital technologies rely on big data, often skipping the request of peoples' consent and undermining the right to privacy.[54] Big data can be used in ways that lead to biased identification, profiling, and further amplification of existing bias and discrimination against marginalized and vulnerable communities.

Laws and regulations are often inadequate for reducing the risks of private sector control over and access to people's personal data in sectors such as health care, education and the courts. Algorithmic discrimination risks are pervasive and multi-faceted, reproducing structural inequalities, including gender inequalities due to unconscious bias within relevant datasets. International human rights frameworks are yet to be adequately applied to the digital space although recent UN resolutions reaffirm that the rights people have offline must also be protected online.[55] The European Union has been at the forefront of data protection regulation, including current efforts to adopt Digital Service and Digital Markets Acts that aim to ensure that the rights of digital users are protected in line with EU human rights standards and to limit the monopolies of Big Tech.

Technology can be used to enable greater access to justice, increase the efficiency, transparency and accountability of justice systems, defend human rights and counter impunity. But it can also be used in ways that exacerbate injustices and inequalities, violate rights and freedoms, fuel violence, and enable criminality. Technology and social media platforms have created new opportunities for, and forms of, civil society action and mobilization, including in conflict settings. But they have also been used by some authorities, political and anti-rights groups to attack rights-promoting civil society. Technology is being used to silence dissenters, shore up power and advance autocratic agendas.

The role of business

Globalisation and privatisation have facilitated businesses into dominant power positions in present-day society. Transnational corporations, for example, wield enormous power, wealth and influence with governments, as well as their enormous direct positive and negative influence over people (for example through their ownership and control over social media). In some cases, governments that are aligned with or own powerful companies, including state-owned enterprises, have enabled unregulated corporate activity, environmental harms and abuses of human rights, and even the financing and sustaining of armed conflict. In other situations, governments are outsourcing public functions (such as education or health) to private companies without adequate accountability safeguards. Through these positions, and in the absence of adequate safeguards, the private sector too often ends up undermining human rights and the rule of law, and exacerbating injustice and insecurity. Unregulated supply chains, for example, can pose major obstacles to human rights compliance. Social justice issues relevant to businesses have become more clearly defined, with particularly high-risk areas including bribery and corruption, labour rights, modern slavery, indigenous peoples'

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[53] See Oxfam, *The Inequality Virus: Bringing together a world torn apart by coronavirus through a fair, just and sustainable economy* (January 2021), 23.

[54] Big data refers to large data sets that are produced by people using the internet, including structured, numeric data in traditional databases to unstructured text documents, emails, videos, audios, stock ticker data and financial transactions, and that can only be stored, understood, and used with the help of special tools and methods.

[55] See UN General Assembly Resolution on the Promotion, Protection and Enjoyment of Human Rights on the Internet (A/HRC/47/L.22) 7 July 2021.

rights and the human rights consequences of environmental degradation and climate change. The role of tech companies in reinforcing inequalities, enabling state oppression, or spreading hate speech that can result in violence, is a rising area of concern in both autocratic and democratic countries. These areas have become subject to intense scrutiny from shareholders, investors, NGOs and the general public. Businesses (whether they be micro- small- and medium or multinational enterprises) can, however, also be agents of positive change. For example, some businesses have committed to tackling social justice issues, such as racial injustice and LGBTQ rights, both within their operations and in advocating for wider policy and regulation changes. The 2020 Edelman Trust Barometer found in 18 out of 27 developing and developed countries, businesses are more trusted than government.[56] Almost three quarters of respondents agreed a company can simultaneously increase its profits and also improve conditions in communities where it operates. Roughly the same number identified CEOs as important advocates for issues such as diversity, climate change and income inequality.

The global discourse on the importance of Responsible Business practices has been rapidly growing in the last five years due to investor interest, consumer pressure and regulatory demands, as expressed by the UK's Modern Slavery Acts, the Dutch Child Labour Due Diligence Law (2019), the German Supply Chain Law (2021) and the proposed EU Directive on mandatory Environmental and Human Rights Due Diligence to be introduced in 2021, among others. More and more businesses have been adopting human rights policies and engaging in Human Rights Due Diligence, a concept defined in the UN Guiding Principles on Business and Human Rights (UNGP).[57] July 2021 marked the tenth anniversary of the UNGP. The UN Working Group on Business and Human Rights launched a new project to further drive and scale up implementation of the UNGP more widely over the next 10 years, including through building awareness and capacities of the full range of companies (from multinational to small and medium enterprises).[58]

1.2 Global Development Priorities

Against this global backdrop, the UN system has responded with a persistent emphasis on the importance of support for the rule of law, justice, security and human rights; and for strengthened linkages between, and more coherent and coordinated efforts in, the humanitarian, peace and development spheres. During Phase III of the Global Programme (2016-2020) the following international developments were particularly notable and are directly relevant for the Global Programme's Phase IV work:

Agenda 2030 and SDG16+

The Global Programme is anchored in the Agenda 2030. Agenda 2030 represents a shared commitment of the international community and a framework for collective action to end extreme poverty, fight inequality and injustice, and protect the planet. The importance of rule of law, security, justice and human rights as enablers for the achievement of all the 17 SDGs and for leaving no one behind was emphasised by the emergence of the SDG16+ concept. [59] The SDG16+ framework, launched in September 2017, highlights the linkages between goals and targets beyond SDG16 that embody commitments to peace, justice and inclusion across

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[56] Edelman Barometer at https://www.edelman.com/trust/2020-trust-barometer.
[57] For example, Facebook's release of a corporate human rights policy publicly articulated its commitment to upholding human rights, https://about.fb.com/news/2021/03/our-commitment-to-human-rights/.
[58]https://www.business-humanrights.org/en/big-issues/un-guiding-principles-on-business-human-rights/un-guiding-principles-the-next-decade/.
[59] See https://www.sdg16.plus/.

all the SDGs which are grounded on the Universal Declaration of Human Rights and international human rights treaties.[60] The recently approved "people-centred" indicator, SDG16.3.3, recognises the importance of addressing everyday civil justice problems, occurring within and outside of formal justice institutions, for the realization of the broader sustainable development agenda.[61]

Sustaining Peace Agenda

In 2016, the UN Security Council and General Assembly expressed a unified commitment to the concept of "sustaining peace" based on a common understanding that conflict prevention should be undertaken by all pillars of the UN and should address the root causes of conflict.[62] This includes repeated commitments to the Women, Peace and Security Agenda, which guides the promotion of gender equality and the strengthening women's participation, protection and rights across the conflict cycle, from conflict prevention through post-conflict reconstruction.[63] The sustaining peace agenda continues to be a priority area of focus for the UN Secretary-General and the UN system, as articulated in the recent Peacebuilding and Sustaining Peace: Report of the Secretary-General.[64]

The UN's rule of law, security, justice and human rights work is recognised as being crucial for conflict prevention: some of the greatest risks of violence and conflict stem from exclusion and injustice, rooted in inequalities across groups.[65] UNDP's work in prevention is focused on three objectives: stabilizing and protecting development gains; mitigating risks of relapse or recurrence; and strengthening and building institutional and community resilience to sustain peaceful development pathways. Central to achieving these objectives are strong partnerships capable of delivering agile, integrated solutions at scale, which ensure sustainable impact, such as the partnership with DPPA for the programme on Building National Capacities for Conflict Prevention and engagement which reinforces the work of the Peace and Development cadre.[66]

Call to Action for Human Rights

The 2020 UN Secretary Generals' Call to Action for Human Rights is a transformative vision for human rights that recognises human rights are essential to addressing the broad causes and impacts of all complex crises and building sustainable, safe, and peaceful societies.[67] It reaffirms the centrality of human rights in the UN system and within the Agenda 2030, including for empowering people and creating avenues for civil society participation driven by a commitment to leave no one behind. A year into implementation, UNDP is participating in joint UN action across the priorities of the Call to Action and co-leading on UN-system wide implementation of two of the seven domains, namely rights at the core of sustainable

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[60] UN General Assembly Resolution, *Transforming our world: the 2030 Agenda for Sustainable Development,* A/70/1, [10].

[61] https://www1.undp.org/content/oslo-governance-centre/en/home/our-focus/sdg-16/undp-support-to-reporting-on-the-global-sdg-16-indicators.html.

[62] UN Resolutions S/2282 (2016); A/70/262 (2016).

[63] The UN Security Council has adopted ten resolutions on "Women, Peace and Security". These resolutions are: 1325 (2000); 1820 (2009); 1888 (2009); 1889 (2010); 1960 (2011); 2106 (2013); 2122 (2013); 2242 (2015), 2467 (2019), and 2493 (2019). These resolutions make up the Women, Peace and Security Agenda.

[64] A/74/976–S/2020/773 (July 2020).

[65] UN-World Bank, Pathways for Peace: Inclusive Approaches for Preventing Violent Conflict, https://www.pathwaysforpeace.org/.

[66] https://dppa.un.org/en/peace-and-development-advisors-joint-undp-dppa-programme-building-national-capacities-conflict.

[67] See https://www.un.org/en/content/action-for-human-rights/index.shtml.

development and rights of future generations, including the human rights implications of climate change and the right to a healthy environment.[68]

Enhanced coordination, coherence and integration

i) The Common Agenda

During the U.N. General Assembly meetings in September 2020 that marked the organization's 75th anniversary, Member States adopted a political declaration committing to mobilising resources, strengthening efforts and show unprecedented political will and leadership for securing a world where everyone can thrive in peace, dignity and equality on a healthy planet. They requested the UN Secretary-General to put forward "recommendations to advance our common agenda" by September 2021, and better enable a multilateral system that is inclusive, networked and effective. The "common agenda" features 12 broad themes, several of which emphasise the importance of rule of law, justice, security and human rights, specifically: Leave no one behind; promote peace and prevent conflict; abide by international law and ensure justice; build trust (between countries and between people and institutions of governance); and place women and girls at the centre.[69]

ii) The Global Focal Point for the Rule of Law

The United Nations Global Focal Point for the Rule of Law (GFP) was established in 2012 to enhance predictability, coherence, accountability and effectiveness in the UN's delivery of rule of law assistance and to ensure that such delivery is fully grounded in international law. The GFP is co-chaired by DPO and UNDP and is a field-focused arrangement that enables United Nations entities, including UNODC, UNHCR, OHCHR, EOSG, UN Women and others, to jointly pursue shared objectives in accordance with their mandates and capacities. All joint rule of law initiatives among GFP partners reflect the integrated "One UN approach". A review in 2018 found that the GFP contributes to joint arrangements through its focus on joint program development and analysis, and noted that where joint programs have been established, they have contributed to cross-entity learning and joint thinking and have fostered integration and coherence.[70]

The GFP arrangement also achieves impact by providing seed-funding to joint rule of law projects and programmes, responding effectively to field requests for the deployment of expertise, conducting joint assessment missions, and developing knowledge products and facilitating consultations on policy and guidance documents. (See Section 3.2: Partnerships and Box 2: Lessons from the GFP in Phase III).

iii) The Triple Nexus

There is a clear international consensus that as crises become more protracted and complex, there is a need for longer-term development responses in crisis contexts, and more joined-up approaches to strengthen effectiveness. At the World Humanitarian Summit in 2016, the UN and World Bank committed to a "new way of working" to transcend the humanitarian-development divide. Most recently, the OECD Development Assistance Committee (DAC) published its recommendation on the 'humanitarian-development-peace nexus'.[71] The DAC recommendation aims to provide a comprehensive framework that can incentivise and

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[68] *Joint Statement of UN entities on the right to a healthy environment*, at the 46th session of the UN Human Rights Council. See www.unep.org/news-and-stories/statements/joint-statement-united-nations-entities-right-healthy-environment.
[69] See https://www.un.org/en/un75.
[70] Center on International Cooperation, Folke Bernadotte Academy, and the Norwegian Institute of International Affairs. *Review of the Global Focal Point for Police, Justice and Corrections*, August 2018.
[71] OECD, *DAC Recommendation on the Humanitarian-Development-Peace Nexus*, (OECD/LEGAL/5019), https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-5019.

implement more collaborative and complementary humanitarian, development and peace actions, particularly in fragile and conflict-affected situations. It recognises that greater coherence between development, crisis and peace agendas is needed to enable progress towards the common goal to leave no one behind.

II. STRATEGY

2.1 Overview

The Global Programme is a multi-disciplinary umbrella programme that uniquely combines rule of law, justice, security and human rights within one framework, recognising that all four are equally important and necessary for enabling peaceful, just and inclusive societies. The programme is global in scope, including with a specific focus on prevention, fragility and responding to crisis and conflict. It is grounded in the belief that securing the rule of law and human rights is key to achieving transformational change - based on principles of trust, non-discrimination, accountability and justice.

Ensuring rule of law, improving access to justice and redress, reducing armed violence and increasing community security, and protecting and promoting human rights are essential for both addressing people's immediate needs and for building the resilience of communities and states against future shocks and crises. They are critical enablers for the achievement of SDG16 and the Agenda 2030 and for realising the international commitment to ensure that no one is left behind. Rights, accountability, rule of law, voice and participation are all core components of UNDPs holistic approach to building effective, inclusive and accountable governance and are at the heart of the programme moving into Phase IV.[72]

The COVID-19 pandemic and the climate crisis have only accelerated forces that impede peace, development, human rights and the rule of law.[73] There is an urgent need for a strong commitment and action by international, regional and national actors to stem this backsliding and reassert global principles of justice and rule of law and respect for human rights obligations.[74] At the same time, these crises offer up an opportunity to seize on commitments to 'build back better' in a way that emphasises a rights-based approach to structural transformation and tackling the root causes of inequality and instability.[75] UNDP and its Global Programme have a key role to play in this endeavour.

The strategy presented here reflects the Global Programme's commitment to intentionality - being intentional and strategic in what is done, how it is done, and how the programme can better **influence** and **accelerate** positive change in response to today's complex challenges. It prioritises being **agile,** both in the use of its resources, partnerships and tools, and in its constant horizon-scanning and alertness to context changes and emerging opportunities for **impact**. It is **evidence-focussed** to ensure institutions and people are better able to access data and analysis to inform decision-making. It is committed to ensuring that '**learning** from doing' is systematically informing both policy and programming at the national, regional and global levels, by leveraging regional and global knowledge networks, south-south cooperation, and other relationships within UNDP, the UN system and beyond. Further, it focusses on ensuring **integrated**, multi-disciplinary and **innovative** approaches and solutions are better

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[72] UNDP Strategic Plan, 9.

[73] High Commissioner for Human Rights Foreword to the Annual Appeal 2021.

[74] The Common Agenda, https://www.un.org/en/un75.

[75] https://www.un.org/en/coronavirus/building-back-better-requires-transforming-development-model-latin-america-and-caribbean.

harnessed and able to influence public policy and ensure delivery of quality people-centred public services.

2.2 Lessons Learned from Phase III

During Phase III, the Global Programme enabled UNDP to affirm its leading role in the fields of rule of law and human rights and facilitated sustained donor attention to the sector.[76] The Global Programme is widely recognized for its ability to mobilize funds, provide technical and strategic expertise, and collaborate and coordinate across UN entities to enable more holistic, coherent and comprehensive responses to rule of law, justice, security and human rights challenges.[77]

Drawing from the recommendations of the May 2021 mid-term evaluation (MTE), the series of ISSAT-led country level evaluations[78], and other relevant UNDP evaluations and studies,[79] the Global Programme has identified several global-level lessons learned and areas for strengthening the programme's overall impact. A summary of the MTE recommendations and the Global Programme's intended responses during Phase IV is provided in Table 1.

The Global Programme was able to adapt and respond quickly to changing international and local dynamics, opportunities and challenges during Phase III, developing a more **geographically and thematically diverse** portfolio and supporting an increasing number of country contexts and regional programmes where demand for rule of law and human rights support was high. The recent evaluation of UNDPs support to conflict-affected countries specifically noted the value of the Global Programme's ability to tailor and deliver a preventive response across all development settings.[80]

In Phase IV, the Global Programme will continue to provide assistance in its core areas of expertise, including rule of law promotion, constitutions, anti-discrimination, people-centred justice and security, transitional justice, DDR and armed violence reduction, accountability and oversight, enhanced civic space and promotion and protection of human rights including support to human rights defenders and national human rights systems. It will focus on strengthening and expanding its work in more nascent areas, such as Business and Human Rights, climate justice and the human rights implications of climate change, e-justice and rights-based digitalisation, integration of human rights and SDG systems, and strengthening civic space. These areas of work commenced to varying degrees during Phase III in response to changing country-level and global dynamics, reflecting the agility and responsiveness of the Global Programme and the critical role it plays in ensuring a rule of law and human rights lens is constantly and rigorously given to issues impacting current and future generations.[81]

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[76] The third phase of the Global Programme was a five-year commitment which commenced in 2016 and was later extended to December 2021 (to align to the UNDP Strategic Plan cycle).

[77] UNDP Global Programme on Strengthening the Rule of Law and Human Rights for Sustaining Peace and Fostering Development (Phase III), *Report on Interim Evaluation* (May 2021) (the MTE).

[78] Evaluations were conducted in Central African Republic, Colombia, Jordan, Guinea Bissau, Palestine, and the Democratic Republic of Congo.

[79] For example, the UNU Study on rule of law support to conflict prevention and sustaining peace, lessons from the field, see https://unu.edu/projects/rule-of-law-support-to-conflict-prevention-and-sustaining-peace-lessons-from-the-field.html#outline.

[80] IEO/UNDP, Evaluation of UNDP Support to Conflict Affected Countries (December 2020) at http://web.undp.org/evaluation/evaluations/thematic/conflict.shtml (the IEO/UNDP Evaluation).

[81] For example, support has been provided to advance e-justice initiatives in Brazil and Moldova, among many others. The Business and Human Rights portfolio has commenced assessments in Africa and the Arab States in support of the planned expansion of this work beyond Asia. A pilot with

Measuring and reporting impact remained a key area for improvement and is a recognised organisational priority for UNDP in the 2022-2025 Strategic Plan.[82] Change is neither linear nor rapid and the impact of rule of law and human rights interventions can be challenging to measure. Further, the pathway to achieving the ultimate goals of strengthened rule of law, human rights and more people-centred justice and security will look different in every specific context. In Phase IV, the Global Programme will invest in human resources and systems to build the capacity of the Global Programme and UNDP country offices to better collect meaningful data, analyse and report on results in a more systematic way.

This process aims to ensure that the day-to-day knowledge and experience gained at the country-level is better captured and mined for learning to inform **quality programming, policy engagement**, and for testing the Global Programme's high-level theory of change (see below). A dedicated Monitoring, Evaluation and Learning (MEL) & Innovation Unit, housed within the Global Programme, will support strengthened results-based management and the development and piloting of MEL tools and templates (see Section III, Output 5; and Section VI). This focus on ensuring a more systematised and targeted approach to data collection and analysis will also directly contribute to the Global Programme's role as a thought leader and influencer within the regional and global policy space (see Section III, Output 6). In Phase III, the Global Programme consistently and effectively engaged in policy and agenda setting at the highest levels, bringing a unique development perspective, grounded in extensive experience and work at the country level, to policy dialogues.[83] In Phase IV, the Global Programme will continue to strengthen its policy efforts and existing strategic partnerships to champion the rule of law and human rights at the regional and global levels.

Globally, as the quality of democracy, rule of law and protection of human rights declined, the demand for rule of law and human rights support in contexts across the development spectrum has only increased. During Phase III, the Global Programme responded to **demand-based and context-specific** requests for technical and financial support from many UNDP country offices, including requests for pipeline funding from more than 48 country contexts.[84] The Global Programme also supported the TriPartite Partnership between UNDP, the UN Office of the High Commissioner for Human Rights (OHCHR) and the Global Alliance for National Human Rights Institutions (GANHRI) (see Section III, 3.2 Partnerships) to provide coherent support to 15 National Human Rights Institutions (NHRIs) in 2020 and a joint pilot project with OHCHR to enable closer human rights and SDG systems integration in 7 countries. Many of

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OHCHR to enable closer human rights and SDG systems integration in 7 countries commenced in 2020 and will be expanded based on learning.

[82] Interim evaluation; ISSAT evaluations for Colombia, Jordan, Guinea-Bissau; UNDP Conflict Country Evaluation (December 2020); UNDP Strategic Plan 2022-2025. MOPAN 2020 Assessment Cycle, Draft Institutional Assessment: UNDP, Version 16 July 2021 also noted that UNDP's results management approach (institution-wide) "remains the weakest link, as previous MOPAN assessments and the evaluation of the Strategic Plan 2018-21 demonstrate."

[83] For example, the Global Programme actively participated in and supported the agreement of the new people-centred SDG indicator 16.3.3; it's work is regularly commented on in UN General Assembly and Human Rights Council resolutions; the Global Programme also participated in and directly contributed to the Taskforce on Justice meeting in 2019 and the resulting ministerial declaration on equal access to justice for all by 2030 (see https://www.justice.sdg16.plus/thehague).

[84] For example, through the TriPartite partnership and the SDG Accelerator pilot initiative the Global Programme supported a number of non-priority countries, including Mozambique, to undertake an in-depth capacity assessment to identify the NHRI's capacity needs and strategies to address them; in Togo, to design a strategic plan and support the development of a model law on human rights defenders; in Botswana, to integrate human rights and SDG systems; and in Uruguay by aligning human rights monitoring systems with the SDGs and informing public policy through citizen participation surveys.

these contexts were not in the pre-defined Phase III list of "priority countries." In Phase IV, the Global Programme will continue to provide tailored support to countries across the development spectrum, which includes not only financial support but also technical and strategic advice and expertise (see sub-section 2.5 Theory of Action, Mechanisms for Change). Settings affected by fragility, conflict and crisis will continue to receive priority financial support.

However, support will also be given to initiatives that aim to anticipate and prevent instability and conflict, build resilience, strengthen protection and promotion of human rights, and, in doing so, accelerate the achievement of Agenda 2030.[85] Attention will also be given to supporting experimental and innovative interventions that will expand the programme's knowledge and evidence-base regarding 'what works and what does not,' and advance its learning agenda and thought leadership role (see Section IV, 4.2 for additional details).

Addressing challenges of weak rule of law, lack of respect for human rights, injustice and insecurity requires political, distributive, behavioural and institutional change. The interconnection of rule of law, human rights, justice and security necessitates an approach that recognises the complexity of the systems that underpin them and the need for an integrated, problem-driven response.

In Phase III the Global Programme began to explore **innovative and experimental approaches** to support its work, such as harnessing behavioural science for advancing gender justice. There remains room for strengthening the use of these and other tools and approaches, such as, political economy and conflict analysis, gender mainstreaming, the human rights-based approach and emphasis on leaving no one behind, systems thinking and change management, to better inform programme design and implementation.[86] In Phase IV, the Global Programme will promote integrated and multi-disciplinary interventions through an agile and adaptive-focused team structure (see Section IV, 4.2), and the provision of integrated country-level support that harnesses the array of perspectives, expertise and experience across the Global Programme (i.e. its own multidisciplinary rule of law, justice, security and human rights expertise), the Global Policy Network (GPN) and the wider UNDP.

Table 1: Summary of MTE Recommendations and Global Programme Phase IV Responses

MTE Recommendation	Relevant sections of the project document
Programme design	
- Elaborate a theory of change	Section 2.4 Theory of Change Statement
- Continue providing flexible support to ROLJSHR teams globally, including seed funding, technical advice	Section 2.5 Theory of Action: How the Global Programme Enables Change
- Consider focusing on emerging subject areas, e.g., digitalisation and human rights, climate justice; business and human rights, cyber-crime and hate speech.	Section 3.1 Results and Partnerships *NB: Cyber-crime will not be addressed directly in Phase IV as it falls within the scope of work of UNODC.*
Programme governance and staffing	
- Review governance structure and project board composition	Section VIII. Governance and Management Arrangements

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[85] This focus aligns to the UNDP organizational commitment to focus on anticipatory and preventive measures to address emerging complexities. See the UNDP Strategic Plan 2022-2025.
[86] IEO/UNDP, Evaluation of UNDP Support to Conflict Affected Countries (December 2020) at http://web.undp.org/evaluation/evaluations/thematic/conflict.shtml; UNDP, *Beyond the Pandemic – The Justice Emergency* (2021).

- Review staffing structure - Revisit role, mandate and weight of regional advisors and hubs	Section 4.2 Project Management Figure 2: An intentionally integrated and agile team
Country support priorities and methods - Review priority country approach and pipeline funding criteria - Ensure transparency and strategic approach to pipeline funding	Section 4.2 Project Management, *Programme focus countries, territories, and regions*
- Invest in results-based management (RBM) - Develop meaningful monitoring and measurement approaches and tools - Increase knowledge management and thought leadership	Section 2.5 Theory of Action, Operational Enabler: Robust systems for Monitoring, Evaluation and Learning (MEL) & Output 5: Rule of law and human rights programming is evidence and learning-informed Output 6: Evidence-informed international policy enables stronger commitments to rule of law and human rights
Coherence and collaboration - Enhance GP/GFP design for improved coherence, effectiveness and reach	Section 3.2 Partnerships, a) UN partnerships, The Global Focal Point Box 2: Lessons from the Global Focal Point (GFP) in Phase III
Other - Increase programmatic focus on non-state justice and security mechanisms	Output 3: Justice and security systems, services and institutions are more people-centred and effective *NB: 'systems' are understood as including state and non-state actors and mechanisms*

2.3 The Global Programme's Comparative Advantages

The Global Programme has developed a solid reputation and experience as the primary implementer of comprehensive, sector-wide rule of law and human rights programmes within UNDP and the wider UN system. Specific areas of comparative advantage include:

- Cross-disciplinary scope and specialised mandate for promoting rule of law, security, justice and human rights in development.
- Long-standing and proven expertise and thought leadership in promoting rule of law, security, justice and human rights, especially in complex, fragile and transitional contexts.
- Ability to include the gender perspective in all initiatives and show the impact on gender equality and women's empowerment through reviews and evaluations.
- Ability to participate and contribute to global policy discussions and developments through strong headquarters presence in New York and Geneva.
- Strong Global Programme presence in all UNDP regions enabling agile, targeted and contextualised responses to specific country needs.
- Ability to mobilise funds and provide flexible and rapid catalytic funding to country offices.
- Being a trusted partner of choice for donor partners, and a recognised and respected partner and integrator within the UN system for promoting coherence, coordination and ensuring that the development perspective infuses rule of law and human rights interventions.

- Recognised and valued ability to convene stakeholders and change agents at global, regional and national levels, within both the UN system and the broader international community, and across government, the development community, civil society and non-governmental organisations, academia and the private sector and other global thought leaders.
- Ability to leverage UNDPs privileged relationship with governments and institutions to promote a people-centred approach to rule of law, justice, security and human rights.

2.4 The Theory of Change

a) Overview

UNDP is driven by a <u>vision</u> in which *all people have expanded choices for a fairer, sustainable and peaceful future in a world envisioned by Agenda 2030, with people and planet in balance* (UNDP Strategic Plan 2022-2025, Development Impact).

The Global Programme contributes to this vision by working with countries to address not only people's immediate justice, security and human rights needs, but to support transformation of the systems and structures necessary for more peaceful, just and inclusive societies and human development.[87]

Therefore, the Global Programme primarily contributes to the UNDP Strategic Plan *Development Outcome 1: Structural Transformation accelerated, particularly green, inclusive and digital transitions,* while also supporting the achievement of Development Outcomes 2 and 3.

The Global Programme's theory of change postulates that through evidence-based, high-quality programming, complemented by coherent regional and global-level policy and agenda setting, positive outcomes can be achieved in **transforming** rule of law, justice, security and human rights **systems,** services and institutions to be more **inclusive**, **people-centred** and better **capacitated** to respond to all people's justice, security and human rights needs. This in turn makes them more **trusted** and **accessible**, ensuring more people have access to justice and redress, community security is increased and armed violence reduced, and human rights are better promoted and protected. This logic is expressed in two interconnected key programme outcomes[88] and six interlinked **programme outputs** that reflect the importance of a multi-disciplinary and holistic approach to enabling transformative change to rule of law and human rights. The outcomes and outputs are detailed in Sections III and V, and are presented here in abbreviated form as follows:

*Programme Outcome 1***: Inclusive, people-centred systems that provide quality justice and security services and uphold and protect human rights are trusted and accessible, especially in contexts affected by crisis, conflict or fragility.**

Output 1: People experience greater **equality** and are more **empowered** to **access justice** and **exercise their rights**

Output 2: Duty bearers and power holders are more **accountable** and **responsible** for **upholding rule of law** and **realising human rights**

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[87] UNDP Strategic Plan 2022-2025, 7.

[88] The two outcomes are integrally linked and mutually-supporting. Outcome 2 is conceptualised as contributing to creating an enabling environment for the achievement of Outcome 1 and is therefore visually represented as 'encircling' Outcome 1, see Figure 1 of this document.

Output 3: Justice and security systems, services and institutions are more **people-centred** and **effective**

Output 4: Communities experience greater **safety**, **security** and **resilience** through people-centred approaches

*Programme Outcome 2***: Regional and global level policy on rule of law, justice, security and human rights is evidence-based, affirms a development perspective, and informs high-quality programming.**

Output 5: Rule of law and human rights programming is **evidence** *and* **learning** *informed*

Output 6: Evidence-informed international policy enables stronger **commitments** to rule of law and human rights

b) The Theory of Change Statement

The Global Programme's theory of change is a high-level and long-term statement that guides the design and implementation of the programme's interventions in Phase IV.[89] The specific programme outcomes, outputs and related activities that will contribute to the theory of change during the Phase IV period are detailed in Section III. The Phase IV strategic approach focuses on the programme's ability to influence and help enable change at the national, regional and global levels. The components of the strategy described in this section are visually represented in Figure 1.

The programme's theory of change is designed on the basis of a core assumption, affirmed in Agenda 2030 and SDG 16, that *rule of law, justice, security and human rights are interlinked and mutually reinforcing concepts that, when strengthened together, enable more peaceful, just and inclusive societies.*

The Global Programme promotes a development approach in the space where the complex concepts of rule of law, human rights, justice and security intersect. It recognises that the rule of law 'ideal,' as articulated in the UN definition for rule of law, embodies both substantive elements of equality, justice and fairness, and procedural elements related to clear and prospective laws, procedures and independent institutions.[90] The rule of law and human rights both aim to constrain the arbitrary exercise of power and enable people to hold duty bearers and power holders to account. The quality and enjoyment of each builds on the strength of the other and both are necessary for justice, equality and inclusion. Both also require the functioning of accountable, effective and inclusive justice and security systems (including both formal and informal actors and institutions). This interconnected state means that all four concepts (i.e. rule of law, human rights, justice and security) are needed in order to achieve and sustain peaceful, just and inclusive societies.[91]

The rule of law and human rights are fundamental to establishing and maintaining the social contract and ensuring a society in which people are equal and can live in dignity and with

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[89] The internal Clingendael theory of change report noted that country-level experience is not systematically fed into strategic and programme development processes, resulting in missed opportunities for the interrogation of key assumptions that may have relevance beyond the specific country context. In Phase IV, the Global Programme seeks to address these weaknesses and develop a Theory of Change-led approach that will better ensure the articulation and interrogation of assumptions at the country level, to better inform local and global policy and practice (see also the ISSAT draft Final Report, 2021). This will be led by the MEL and Innovation Unit and is reflected explicitly in Output 5 of the results framework.

[90] Brian Tamahana, *On the Rule of Law: History, Politics, Theory* (2004); Report of the Secretary-General: The rule of law and transitional justice in conflict and post-conflict societies (S/2004/616).

[91] The linkages between the rule of law, human rights, peace and security and development have been further elaborated in the addendum to the 2014 Report of the Secretary-General on Strengthening and coordinating United Nations rule of law activities (A/68/213/Add.1).

prosperity. Building the social contract is a whole of society endeavour – it requires building an understanding of, trust in, and commitment to the rule of law and human rights by the government and its institutions, the public, and all sectors of society, including the business sector. The Global Programme recognises the powerful potential of women and youth to advance social and institutional change today and for future generations. Across its work, the Global Programme supports efforts to amplify the voices of women and youth and ensure their meaningful participation and influence in decision-making and empower them as changemakers and leaders.

In seeking to advance the rule of law, human rights, justice and security, the Global Programme assumes that *structural inequality and its various manifestations (for example, intersectional discrimination, socio-economic exclusion, and gender inequality), contribute to and perpetuate violence by: 1) creating and stoking grievances that are denied recourse to political expression or redress; 2) fracturing communities and eroding social cohesion; and 3) reducing awareness of, respect for, and protection of human rights.*

The Global Programme therefore provides *high-quality support* to UNDP country offices and regional hubs to strengthen rule of law institutions (including justice and security institutions), and human rights systems, and dedicates efforts to building both popular and political awareness of, respect for, and protection of human rights.

However, the Global Programme has learnt that unaccountable and/or corrupt institutions can entrench the marginalization and exclusion of certain sections of society. Unresponsive, unaccountable, uncoordinated and highly politicised security and justice institutions, and weak human rights systems, negatively impact people's trust in the state and its ability to uphold rule of law and human rights, which in turn can fuel insecurity and undermine development.[92] Rebuilding trust requires more than just narrowly conceived technical support to institutions. Building the technical and financial capacity of state institutions is important but insufficient for affecting 'transformative change.'[93] Attention must also be given to understanding the underlying causes of weak rule of law and human rights protection and the structural causes of injustice. This requires holistic and integrated programming that recognises and responds to political, power and conflict dynamics, and adopts a transformative, people-centred approach.[94] This approach also involves a wide array of state and non-state actors, (including civil society, youth, women, government, the judiciary and parliament, and the business sector, for example), the harnessing of a range of tools and approaches across disciplines that enable problem-driven solutions, and flexibility within programming to quickly respond to changing context dynamics, seize windows of opportunity for change, and adapt to programmatic learning.[95] Therefore, the Global Programme adopts a multi-disciplinary 'systems' approach

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[92] Ibrahim Index of African Governance 2020; Task Force on Justice, *Justice for All – Final Report*. (New York: Center on International Cooperation, 2019), available at https://www.justice.sdg16.plus/, 63.

[93] According to Thomas Carothers, rule of Law promotion "…is a transformative process that changes how power is both exercised and distributed in a society … [and] also involves basic changes in how citizens relate to state authority and also to one another." T. Carothers, Rule of Law Temptations. Foreign Affairs, 33(1), pp. 59, 60.

[94] IEO/UNDP evaluation, [54]. See also https://www.brookings.edu/blog/order-from-chaos/2020/03/17/the-rule-of-law-is-under-duress-everywhere/; Rachel Kleinfeld, *Advancing the rule of law abroad: Next generation reform* (Washington D.C.: Carnegie Endowment for International Peace).

[95] See ISSAT evaluations from Jordan, Colombia and DRC, for example, for good practices. In Colombia, a politically informed approach was found to increase trust and cooperation between state and local CSOs to better protect human rights defenders. In Palestine, ISSAT noted that greater consideration should be given to mobilising coalitions for change that go beyond 'the usual suspects'

to addressing structural inequality and discrimination, to complement strengthening institutional rule of law and human rights capacity. This approach places people at the centre of all efforts and is grounded in the following **theory of change statement**:

If all people in their diversity, and especially the excluded, marginalized and those furthest behind, are empowered to have **agency** to articulate and advocate for their security, justice, and **human rights needs**, access remedies and redress, and effectively participate in decision-making processes;[96]

and if human rights defenders[97] can effectively challenge and address exclusion and **discrimination** to influence laws, policies and practices with and on behalf of the excluded, marginalized and those furthest behind;

and if duty-bearers and power-holders develop the political will, resources and capacities to **respond** to the human rights, justice and security needs and demands of all people, and especially the excluded, marginalized and those furthest behind, and are held accountable for their actions,

and if human rights, justice and security systems are **inclusive and responsive** to people's needs and work to inspire people's trust and confidence;

and if international and regional actors support these national and sub-national processes by advocating for human rights and people-centred justice and security, safeguarding civic space, and ensuring accountability, based on respect for human rights and the rule of law;

then power relations between people, and especially the excluded, marginalized and those furthest behind, on the one hand and duty-bearers and power-holders on the other are likelier to be fairer, more inclusive, sustainable and legitimate—supporting a strengthened, inclusive, and **rights-based** social contract,

which will contribute to sustainable development, stability and security in the long-term,

because the ability of people, and especially the excluded, marginalized and those furthest behind, to claim their human rights and access basic security and justice within a context of inclusive governance, open civic space and respect for human rights and the rule of law, increases a sense of stability and security within communities, increases trust between the state and its people, and reduces the potential for violence.

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to support improvements in the treatment of both children and gender by the justice system. The 2021 MTE noted the benefits of the seed funding model, for example in CAR where seed funding addressed a critical funding gap in a way that was both timely and responsive to national and local needs and priorities.

[96] People can be excluded, marginalised or left behind due to multiple, sometimes intersecting, factors such as sexual orientation, gender, geography, ethnicity, religion, displacement, conflict or disability. Individuals or groups may include, but not be limited to, women, youth, racial or ethnic minorities, migrants, refugees and the displaced, disabled persons, the poor, LGBTQI persons.

[97] Human rights defenders is used here to mean "any person or group of persons working to promote human rights." Defenders can be of any gender, of varying ages, from any part of the world and from all sorts of professional or other backgrounds. Human rights defenders might, in some instances, be government officials, civil servants or members of the private sector. See https://www.ohchr.org/en/issues/srhrdefenders/pages/defender.aspx.

Key *assumptions* within the Theory of Change include:[98]

- Regional organizations, national institutions, state capacities and communities themselves provide an essential avenue for addressing structural inequality and increasing awareness of and respect for human rights within countries, in borderlands and across regions.
- A reduction in discriminative practices by state actors and increased promotion of human rights and protection for excluded, marginalised and vulnerable persons, will lead to a reduction in discrimination between members of society themselves, leading to a reduction in violence.
- The delivery of accountable, transparent and people-centred justice and security services will engender greater confidence and trust in the state and contributes to public perceptions of state legitimacy.
- If the Global Programme produces data, analysis and evidence, and informs regional and international policy discussions and development, then regional and international actors are better capacitated to formulate and shape policies in support of rule of law and human rights.

The theory of change and strategy presented here represents the first stage in the development of a comprehensive and dynamic monitoring, evaluation and learning (MEL) framework, including a learning strategy. This process will be led by the programme's new MEL and Innovation Unit, in coordination with the UNDP BPPS Strategic Innovations Unit and others, as appropriate (see also Section III, Output 5).

2.5 Theory of Action: How the Global Programme Enables Change

The Global Programme is a **strategic influencer** and enabler of change that is committed to advancing peace and sustainable development through the promotion of rule of law, people-centred justice and security, and human rights. Through its global network of rule of law, justice, security and human rights specialists, the Global Programme supports UNDP country offices and regional hubs to develop and deliver impactful rule of law and human rights interventions aimed at empowering people to have voice and agency in achieving more fair, just, inclusive and safe societies; enabling governments, their institutions and the people within them, to better respond to demands for rights, justice and security; and promoting the accountability and responsibility of duty bearers and power holders to uphold and respect the rule of law and human rights. It galvanizes partnerships across the UN system and beyond to enable more coherent, collaborative and integrated rule of law and human rights efforts in line with UNDP's designated 'integrator' role in the UN system; and it adopts an intentional approach to learning and knowledge exchange to support day to day programming and inform regional and global policy developments.

a) Five Guiding Principles

The Global Programme operates within a complex development setting that requires highly context-specific, integrated and adaptive approaches. Its work is guided by a set of principles that have been informed by its years-long experience and that reflect broader developments and learning across the rule of law promotion and development fields.

1. People-centred

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[98] In 2017, the Global Programme commissioned the Clingendael Institute to develop a programme-level theory of change. The final internal report summarised some fundamental concepts and working realities that underpinned the Global Programme, including several core assumptions based on case studies conducted in Palestine, Tunisia and Guatemala, and through consultations with headquarters staff. Additional information has also been drawn from the ISSAT evaluations.

The Global Programme puts people, their justice and security needs and their human rights at the centre of its work. It focuses on identifying and addressing the root causes of inequality and exclusion that drive injustice and insecurity, empowering and promoting human agency, participation, and is driven by a commitment to ensuring that no one is left behind. Specific attention is paid to understanding and responding to the needs of the most excluded, marginalised and furthest behind, including women and girls, persons with disabilities, youth, refugees and migrants and people living in conflict and insecurity. It aims to ensure people are empowered to know and realise their rights, use and shape the law, and participate in decision-making that affects them. It promotes locally-led, demand-driven and evidence-based interventions that support strengthening and transforming justice and security systems, services and institutions to better understand and respond to people's problems and needs, and enable greater access and inclusion.[99]

2. Politically-informed & conflict-sensitive

As an endeavour, the promotion of rule of law and human rights is an inherently political exercise that touches on the fundamental interests and concerns of political and economic elites and power holders. The Global Programme seeks to better understand and tackle unequal power structures within societies that enable and perpetuate exclusion, marginalisation and discrimination and violence. Through the application of approaches and tools, such as Thinking and Working Politically (TWP),[100] do no harm[101] and conflict sensitivity,[102] coupled with its direct access to and involvement in country-level and regional level-political analysis, the Global Programme ensures that its interventions are underpinned by a strong understanding and analysis of cultural, political, social and conflict dynamics and trends.[103] When coupled with a systems and learning approach, this practice facilitates more risk-informed programming,[104] which is of particular importance in fragile and conflict-affected contexts where the entry points and sustainability of interventions depend on initial and robust political and conflict analysis.[105]

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[99] The Global Programme is aligned to and supports the five core principles articulated in the Hague Declaration on Equal Access to Justice for All by 2030 (2019), namely:1) put people and their legal needs at the center of justice systems; 2) solve justice problems; 3) improve the quality of justice journeys; 4) use justice for prevention; and 5) provide people with means to access services and opportunities. See https://www.justice.sdg16.plus/ministerial.

[100] FBA Brief 06/2016, Responsive and Responsible: Making Politics Part of UNDPs Rule of Law Agenda, at https://fba.se/contentassets/3372e3e2368643f9a37e5bdb9a7c6514/responsive-and-responsible.pdf.

[101] The principle of 'do no harm' is embedded within UNDP's mandatory Social and Environmental Standards (SES) which specifically aim to avoid adverse impacts to people and the environment; and minimize, mitigate, and manage adverse impacts where avoidance is not possible. The SES are an integral component of UNDP's quality assurance and risk management approach to programming. See Annex 2.

[102] Conflict sensitivity refers to the unintended and indirect potential impacts of interventions upon conflict dynamics. It is applicable in all contexts (not only conflict-affected settings) and does not require all interventions to directly address drivers or causes of conflict. A conflict-sensitive approach results in the identification of risk and opportunities to ensure intervention strategies do not worsen existing tensions or exacerbate conflict dynamics, but rather help strengthen social cohesion, if possible. See for example, https://peaceinfrastructures.org/SitePages/Thematic.aspx?IdThematic=11.

[103] For example, by leveraging the country-level PDA network that is jointly run by UNDP-DPPA; or the Global Programme's involvement in Issue Based Coalitions at the regional level, among others.

[104] The need to better understand and manage risk is a specific lesson learned articulated in the UNDP Strategic Plan 2022-2025.

[105] The IEO/UNDP Evaluation noted the need for political-economy analysis to be better utilised in the

3. Gender equality

The Global Programme is committed to better understanding and tackling the persistent, structural obstacles to gender equality, and to advancing the empowerment of women. It recognizes that gender dynamics are complex and experiences of discrimination can be intersectional and rooted in discriminatory social norms and power imbalances that are perpetuated and passed on from one generation to another, and further reinforced through patriarchal institutions. It promotes gender equality in a significant and consistent way, including ensuring gender is integrated as a cross-cutting issue in the programme's rationale, activities, indicators and budget. It actively seeks to ensure that Global Programme interventions, including pipeline funding, apply a gender approach and diversity lens in the analysis, design and implementation.[106] Ensuring women's full enjoyment of their rights and their meaningful participation in all aspects of society, including in leadership, decision-making and peace-making roles, are necessary components of building social and political trust and enabling safe and resilient societies.

4. Human rights

The Global Programme's work is underpinned by a commitment to ensuring that dignity and respect are afforded to all people through the enjoyment of their human rights and protected by the rule of law.[107] It promotes human rights both as a goal and as a principle and upholds the mandatory application of a human-rights based approach across UNDP programming. It also aims to ensure that there is a greater consciousness and explicit articulation of the potential and actual human rights implications for and consequences of all our work.[108] A just, inclusive and peaceful society requires the careful and intentional rebuilding of trust between states and society based on the commitment to human rights and inclusion, grounded in non-discrimination and equality, meaningful participation and accountability and the rule of law.

5. Transformative

The Global Programme specifically functions in contexts where there is a need not merely to reform institutions, but to fundamentally transform the structures and systems that enable and perpetuate injustice, insecurity and inequality.[109] Transformative change takes time and the path to transformation is not linear. It shifts power relations and will be resisted by those who benefit from the status quo. Transformation therefore requires viewing these complex systems from a multi-disciplinary perspective, identifying leverage points, and building coalitions for change. The Global Programme will harness innovative tools and approaches, such as systems thinking and advances in digitalisation, to further efforts for transformation.

b) Six Operational Enablers

The Global Programme works with and supports UNDP country offices and regional hubs, UN and non-UN partners to design and implement rule of law and human rights d interventions that enable positive change and advance achievement of the SDGs. In Phase IV, the Global Programme will strengthen its capacity to influence and accelerate this change by explicitly

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design phase of rule of law programming.

[106] The Global Programme has a GEN2 marker, in line with the internal UNDP Gender Marker Guidance Note (2016). See also Section IV, 4.2 pipeline funding criteria that includes: Projects must promote gender equality in a significant way (Gender Marker 2 or 3) and assign a minimum of 15% of their funding to activities related to gender equality and women's empowerment.

[107] Universal Declaration of Human Rights (1948), preamble.

[108] MOPAN 2020 Assessment Cycle, Draft Institutional Assessment: UNDP, Version 16 July 2021 notes much of UNDPs work has an implicit human rights focus.

[109] UNDP Strategic Plan 2022-2025.

focusing on and investing in the following six operational areas. These operational enablers align with the organizational enablers of the UNDP Strategic Plan 2022-2025.

1. Robust systems for Monitoring, Evaluation and Learning (MEL)

The establishment of a MEL and Innovation unit will support the Global Programme, UNDP country offices, regional hubs and partners to develop and apply the tools, knowledge and capacities needed for a systematic approach to evidence-based learning and knowledge creation and exchange. This approach informs project management and decision-making, increases efficiency, supports risk mitigation, enhances accountability for the use of resources and enables innovation. It will leverage existing and new mechanisms, such as UNDPs Communities of Practice, to ensure learning and knowledge is captured, regularly shared and purposefully informs programming, broader institutional learning, and global policy discussions and developments. Learning-focused innovations will be explicitly prioritised through the funding pipeline (see Section IV, 4.2).

2. Strategic innovation

The Global Programme understands innovation as the creation and testing of new technologies, processes and approaches to better respond to the complex challenges of inequality, injustice and insecurity. The scope for innovation exists at multiple stages of programming–from the design and implementation of interventions, through to strengthening their transformative effect. Innovation is about embracing new ways of thinking. Behavioural science and systems thinking, for example, offers opportunities for multi-disciplinary collaboration in designing and implementing responses to complex challenges and yet have thus far been under-utilised in the rule of law and human rights fields. New technology has the potential to be a powerful tool for enabling greater access to justice. New tools and approaches can better enable data gathering and analysis to inform institutional transformation. The Global Programme will support the development, testing and learning from these potentially transformative approaches to inform current and future interventions, including by leveraging the expertise across UNDP (such as the Accelerator Labs Network and Integration Facility)[110] and strengthening its MEL capacities to ensure innovations and their results are better captured and shared.[111]

3. A strategic approach to partnerships

The Global Programme galvanises and maintains a wide range of strategic relationships and substantive and financial partnerships to support the promotion of rule of law and human rights in policy and programming. These include with UN and non-UN entities and organisations, donor and national governments, civil society, the private sector/businesses, research institutions and think tanks (see Section III, 3.2 for more details). It contributes to UNDPs integrator role, including by hosting and/or participating in UN system-wide partnerships and through its commitment to ensuring greater coherence and complementarity through the One UN approach and the Triple Nexus. The Global Programme will strengthen existing partnerships and build new coherent synergistic partnerships and coalitions at all levels in complement of its efforts to advance programme goals and work in emerging areas, for example, on youth and justice, the human rights implications of climate change, and e-

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[110] See https://sdgintegration.undp.org/global-initiatives.

[111] ISSAT noted in the draft Final Report that, "significant innovation is occurring in country projects and programmes. This innovation is poorly captured at both country and the Global Programme levels, missing an opportunity to highlight some of the innovative and good work that is being achieved".

justice.[112] The Global Programme will bring its convening power and thought leadership to its collaborations with and support to international efforts, such as those led by the Pathfinders for Peaceful, Just and Inclusive Societies (the Pathfinders)[113] and the Justice Leaders[114], to advocate for stronger political commitments to the achievement of SDG16+ and increased development funding for rule of law, justice, security and human rights.

4. Integrated responses to complex challenges

Addressing the root causes and the effects of inequality, injustice and insecurity are complex challenges that cannot be solved with technical fixes alone. The Global Programme promotes a problem-driven, participatory approach to addressing these complex and context-specific challenges. Being intentionally integrated as a team means harnessing the multi-disciplinary skills and knowledge across the entire Global Programme to unpack identified challenges and co-create solutions that may involve leveraging linkages across a range of programme areas, such as gender justice and digitalization, Business and Human Rights and gender, or justice and climate security. It also requires harnessing the array of perspectives, expertise and experience across UNDP itself. The GPN is a key platform for enabling more deliberate integrated efforts. For example, bringing together rule of law and human rights, conflict prevention, climate security, social cohesion and peacebuilding perspectives, to advance prevention, recovery and stabilisation goals.

5. An enhanced and responsible development financing environment

UNDP is working with governments and the private sector to better help countries adopt a coherent strategy to mobilise and align public and private capital flows responsibly in support of their development priorities.[115] The Global Programme contributes to this corporate effort by ensuring that standards of financing frameworks adhere to human rights norms. Its engagement with governments, businesses and other partners, including through the application of the UN Guiding Principles on Business and Human Rights, recognises that the rule of law and human rights are central to enabling countries to effectively, efficiently and transparently mobilize and use resources, for investors to commit private capital securely, and are key to creating an enabling environment for financing sustainable development.[116] Addressing the justice gap and advancing achievement of SDG16+ requires significant investment, not only from governments but also the private sector. The Global Programme supports international efforts, including those by organisations such as HiiL, the Taskforce for Justice, the World Bank and OECD and others, to advance the 'business case' for justice by leveraging its policy influence, convening role and reputation as a thought leader.[117] The Global Programme recognises there are often tensions between the development agenda and security/stabilisation objectives of Overseas Development Aid. Through its partnerships, thought leadership and policy work, the Global Programme is committed to supporting greater coherence and more strategic convergence across these objectives and ensuring a more

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[112] MOPAN 2020 Assessment Cycle, Draft Institutional Assessment: UNDP, Version 16 July 2021, where it noted that UNDP partnerships should focus not only on how UNDP can add value to others, but how others can complement its own gaps.

[113] See https://www.sdg16.plus/.

[114] See https://justiceleaders.org/.

[115] UNDP Strategic Plan 2022-2025.

[116] The Global Programme has advocated the incorporation of the UN Guiding Principles on Business and Human Rights in the SDG indicators framework and will continue to be an internal watchdog to promote adherence to those standards.

[117] https://www.hiil.org/news/building-the-business-case-for-financing-justice/.

holistic approach to advancing rule of law, justice, security and human rights, especially in fragile and conflict-affected settings.[118]

6. Inclusive, rights-based and sustainable digitalisation

Digitalisation can be a powerful tool for advancing development, including rule of law, justice, security and human rights, when it is used in response to clearly identified problems, tailored to the context, used within a broader strategic approach to address root causes of weaknesses of rule of law, and adheres to human rights standards and safeguards. The experience of UNDP[119] and others, reveals that small technological innovations can have large impacts in systems with limited capacities and resources.[120] During COVID, resistance to technological change dropped as decision makers, public officials and system users realized the convenience and necessity of new ways of meeting people's needs. At the same time, safeguards and due diligence is required to ensure digitalisation and the use of technology does not reinforce inequalities and injustices, violate rights and freedoms, enable harmful and discriminatory practices or deepen the digital divide. Governance and accountability gaps must be addressed. The Global Programme supports rights-based digitalisation as a tool for addressing immediate development needs and advancing structural transformation.

c) Mechanisms for Change: The Global Programme's Toolkit

The five principles and six enablers form the foundation upon which the Global Programme mobilises its 'tools' to influence change. The Global Programme operates in all five UNDP regions, where contexts are dynamic and complex. While many contexts share the same general challenges, from barriers to access to justice or weak rule of law institutions, to community insecurity and violence, or lack of respect for human rights, for example, the specific responses needed will vary greatly depending on the specific contexts.

The Global Programme, through its thematic experts and regional advisors in each of the five UNDP regions, provides bespoke, tailored support to the full range of development contexts, with a strong focus on fragile, conflict and crisis-affected contexts. It responds to specific requests for assistance from UNDP country offices and regional hubs by drawing from its 'toolkit' of services and support, which includes:

- Technical (thematic and contextual) expertise across the programme's portfolio
- Strategic support, including regional/country/situation analysis; project design; strategic planning
- Funding
  - o Mobilising non-pipeline funding
  - o Providing catalytic funding (pipeline funding)
- Strategic, financial (donor) and substantive partnerships, such as with UN Women, the UN Human Rights Office, the TPP, the GFP, the Pathfinders, Folke Bernadette Academy, Inter-Agency Working Group on Disarmament, Demobilization and Reintegration (IAWG-DDR), the Inter-Agency Security Sector Reform Task Force (IASSRTF), UNPRPD (Partnership of the Rights of Persons with Disabilities), etc.
- Policy support and development at national, regional and global levels
- Knowledge and thought leadership within UNDP and globally
- Agile capacities, including the rapid mobilisation of financial and human resources to support crisis response, risk management and prevention efforts.

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[118] OECD DAC, *Security, Justice and Rule of Law Survey*, October 2016.
[119] For example, in Brazil, UNDP partnered with the National Council of Justice in developing an AI solution to analyze courts' data and identify causes of gaps in the judicial process, thus contributing to improving efficiency and resource allocation within the country's justice system.
[120] See for example, https://innovatingjusticeforum.hiil.org/.

Further, the programme's regional and thematic advisors ensure that the Global Programme is well-attuned to ever-changing regional political and conflict dynamics. They are alert to and able to mobilise expertise and resources across the programme to respond to new and potential opportunities for change, and to ensure exchanges of knowledge and information happen not only between country offices within a region but also across regions. A sample of some of the critical region-specific focus areas for the Global Programme in 2021, and which will continue into the new Phase IV, are presented in Table 2.

Select examples of how the Global Programme's toolkit can be mobilised to influence change are provided in Box 1. Concrete strategies for change are articulated in detail in Section III under each of the six outputs.

Table 2: Select focus areas for the Global Programme by region.

Asia and the Pacific (RBAP)	Latin America and the Caribbean (RBLAC)	Arab States (RBAS)	Europe and Central Asia (RBEC)	Africa (RBA)
e-Justice Gender Justice Business and Human Rights Access to justice and NHRIs People-centred security & justice	Rule of law & COVID response Climate justice and security Migration Constitution-making People-centred security & justice e-Justice Business and Human Rights Gender justice	Responsive programming in contexts of fragility and protracted conflict Gender justice People-centred security & justice Business and Human Rights Digitization in justice sectors	Digital technology and human rights Business and Human Rights Rule of law and COVID response NHRIs and human rights defenders People-centred security & justice	Climate justice and security People-centred security & justice Youth as agents of change Access to justice and Judicial accountability mechanisms Business and Human Rights Gender justice

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Box 1: The toolkit in action - a snapshot of how the Global Programme can influence change

The Global Programme supports UNDP country offices across the development spectrum, with a strong focus on contexts affected by fragility, conflict and crisis. Immediate support may include the rapid mobilisation of funds and/or technical expertise in a moment of crisis. For example, during the onset of the COVID-19 crisis the Global Programme rapidly re-allocated $1.8 million to 16 contexts, including the Central African Republic, Somalia and Mali. It facilitated exchanges of information among Global Programme partners on COVID-19 responses, and provided technical assistance in developing emergency strategic plans to respond to the pandemic.

Pipeline funding is complemented by the provision of technical advice and strategic support in the design and delivery of interventions. Global Programme regional and technical advisers regularly support the design of country office projects and programmes, including drawing on experiences and lessons from other contexts. For example, contexts such as Palestine, Fiji and The Gambia, provide key lessons regarding digital innovations for people-centred justice.

The Global Programme facilitates knowledge sharing and exchanges between UNDP country offices, within and across regions and globally. The Annual Meeting on Rule of Law and Human Rights is a significant event that promotes an exchange between Member States, practitioners, UNDP and UN experts, Ministerial-level national counterparts, as well as representatives from think tanks, academia, and civil society, on the current development context in relation to the rule of law, justice, security, and human rights. In 2020, over 1200 people participated in this virtual event. The Global Programme ensures that lessons from programming, such as in the areas of transitional justice and reintegration, are directly fed into global level policy documents and guidance.

Technical and regional advisers work together to identify and respond to changing context dynamics and emerging opportunities for advancing rule of law and human rights. Advisers guide, lead, and/or participate in country-level assessments, ranging from NHRI capacity assessments; Human Rights Due Diligence capacities assessments of companies (in Nepal); or supporting UNDP Bosnia and Herzegovina to conduct a rapid assessment of the pandemic impact on the rule of law, security, and justice systems in the country.

The Global Programme is committed to ensuring interventions are grounded in strong situational and political analysis and are conflict sensitive. For example, in Bolivia support for judicial system reform was informed by a comprehensive stakeholder analysis and based on a do no harm approach.

Country offices regularly seek out the specialist technical support available within the Global Programme. In Chile, for example, the provision of in-house constitutional expertise by the Global Programme enabled the country office to assist national authorities to adjust voting procedures in light of the COVID-19 pandemic in order to facilitate a safe and participatory constitutional plebiscite in October 2020.

The Global Programme provides strategic support, virtually and in-person, to ensure country office interventions integrate a human rights-based approach across their programming. Support can include direct technical advice through to the development of global policy and guidance tools. For example, the Global Programme co-developed a *Checklist for a Human Rights-Based Approach to Socio-Economic Country Responses to COVID-19*, that was widely rolled out to UN country teams. The Global Programme continuously supports country offices through technical, financial and policy support to promote women's legal protection, gender-sensitive justice and security sector reforms, development of legal aid services, and women's meaningful inclusion in transitional justice mechanisms and constitutional reforms.

The Global Programme engages in strategic partnerships that advance its commitment to principles of gender equality and people-centred justice and security. The UN Women-UNDP partnership, for example, seeks to empower women to seek solutions and provide them with quality services throughout their justice journey using a people-centered approach.

Figure 1: Summary of the Global Programme's Strategic Approach (the Strategic Framework)
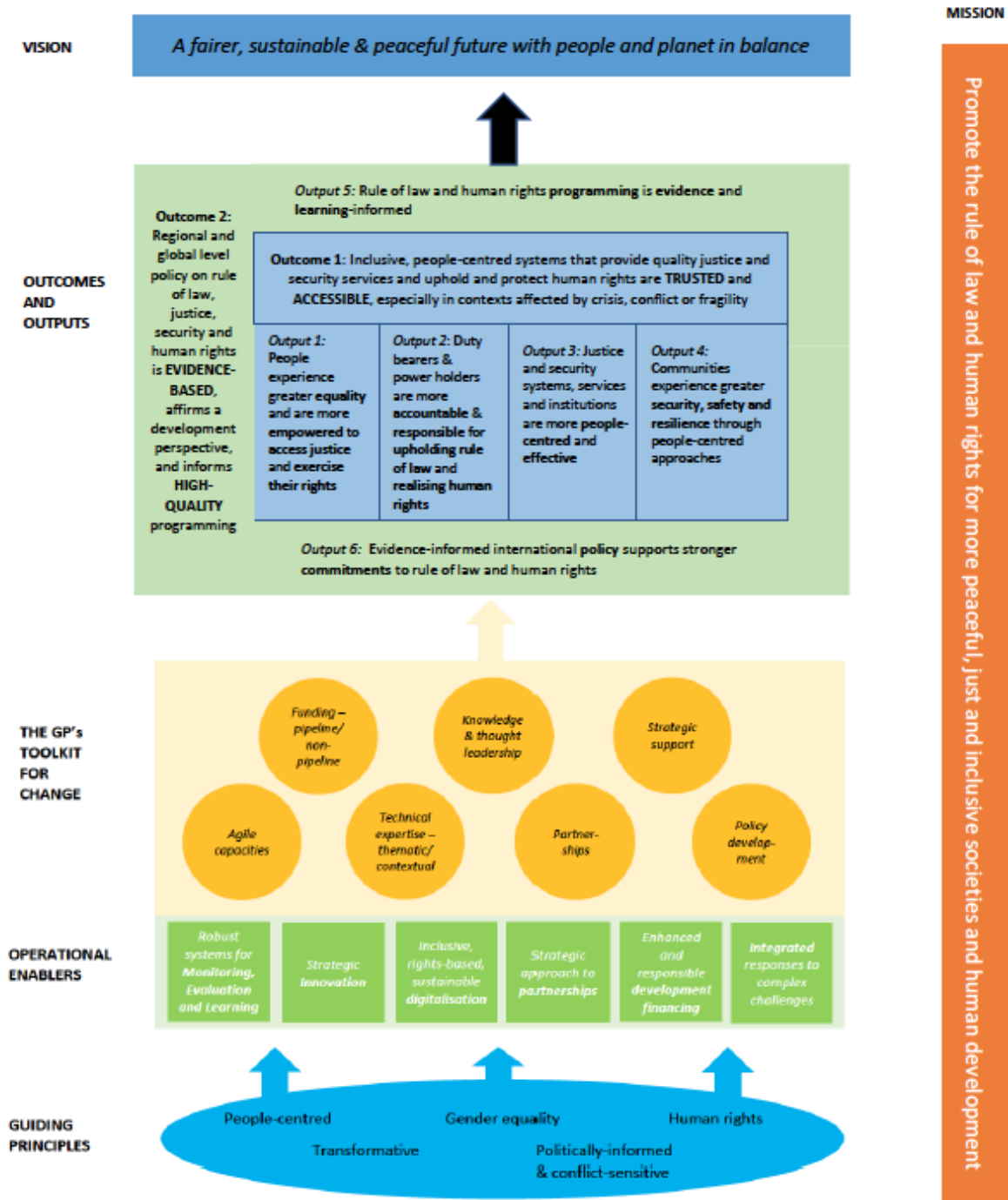
III. RESULTS AND PARTNERSHIPS

3.1 Expected Results

a) Introduction

The Global Programme will contribute to the high-level theory of change (articulated in Section II) by applying its principles, enablers and tools to achieve the strategic outcomes and outputs detailed in this section. These desired results reflect the integrated, multi-disciplinary nature of the Global Programme. They also intend to capture the full scope of the influencing capacity and impact of the Global Programme at the country, regional and global levels.[121]

The results build on the successes, experience and learning of the Global Programme during Phase III, the MTE, the series of ISSAT-led country level evaluations, the 2017 internal theory of change review carried out by Clingendael Institute, as well as other relevant UN and external evaluations and studies, and the internal and external consultations conducted during the Phase IV development phase.[122]

The Global Programme is committed to continuing its core assistance in key areas such as: strengthening the promotion and protection of human rights, strengthening justice and security institutions and systems, ensuring greater access to justice and more people-centred security, addressing the human rights, justice and security needs of excluded, marginalised and vulnerable persons and groups affected by conflict or in contexts of transition; promoting participatory and inclusive constitution processes; and rehabilitation and reintegration.

Since 2016, UNDP has been a key player in the burgeoning area of Business and Human Rights, with notable successes in Asia.[123] Scaling up its programming globally took off in 2020 and further expansion of this work will be a focus of the programme in Phase IV. The Global Programme will also continue to harness its multi-disciplinary technical expertise to support areas of emerging importance for UNDP and the global community, including climate justice and the human rights implications of climate change,[124] and e-justice and digitalisation.

Analysis is currently being undertaken within the Global Programme to identify trends, opportunities and entry points for impactful programming and policy contributions. At the time of drafting this document, a policy piece to articulate the Global Programme's position on climate justice, and a technical offer for catalysing and scaling up green justice and human rights initiatives at the country level were under development. A small number of country contexts are being supported to pilot climate justice-related interventions. The Global

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[121] Findings from the Global Programme's internal strategic thinking workshop to inform Phase IV development, held on 4 and 6 May 2021, showed that in Phase III reporting was weighted towards achievements at the country level only, without fully capturing the large investment of technical resources made in strengthening programming and policy regionally and internationally. Phase IV explicitly addresses this imbalance.

[122] Evaluations and studies included, for example, the UNU Study, MOPAN evaluation, the IEO/UNDP Evaluation.

[123] UNDP, 'Reaching all corners: The impact of UNDPs Business and Human Rights programme in Asia and around the world,' Briefing Note, 2021. For example, UNDP supported Thailand in becoming the first country in Asia to adopt a stand-alone National Action Plan (NAP) for Business and Human Rights (in 2019). UNDP is currently supporting India, Indonesia, Malaysia, Mongolia, Pakistan, Nepal and Viet Nam in developing NAPs; the UNDP-drafted "Human Rights Due Diligence and COVID-19: Rapid Self-Assessment for Business", a user-friendly toolkit for companies was downloaded 10,000 times, translated into 10 languages and adopted by international business associations including the International Organisation of Employers and amfori (the global business association).

[124] For example, in Latin America and the Caribbean, the *Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean* (the Escazú Agreement) which entered into force in April 2021 is a significant step forward for climate action in the region, see https://www.cepal.org/en/escazuagreement.

Programme was also concluding a consultative Human Rights Strategic Reflection process to develop an evidence-based, forward-looking set of recommendations for UNDP's human rights programming beyond 2021. The Global Programme is currently finalising a people-centred security strategy, with the support of the Folke Bernadotte Academy (FBA). These processes, and the final evaluation of Phase III that will be conducted in early 2022, will guide programme decision-making around specific thematic and regional strategies and interventions in Phase IV. These strategies, along with the Global Programme's annual workplans for the thematic and regional teams, as well as the criteria for pipeline funding (see Section IV, 4.2) will explicitly align with and contribute to the over-arching programme outcomes and outputs detailed below and summarised in the results framework at Section V.

Importantly, the strategy detailed in this document is guided by and aligned to the UNDP Strategic Plan 2022-2025. It specifically acknowledges and supports UNDP's three priority 'directions of change' that are aimed at **structural transformation** (responding to both immediate needs and supporting change in underlying systems and structures); **leaving no-one behind** (ensuring the protection and promotion of human rights, addressing inequality, empowering people and enabling human agency); and **building resilience** (strengthening countries and institutions to better mitigate and respond to diverse risks). The Global Programme directly contributes to the UNDP signature solutions of **Governance**, and **Resilience**, while also supporting organisation-wide efforts related to **Environment** and **Gender**. The Global Programme contributes to the measurement of several specific indicators related to the UNDP Strategic Plan 2022-2025, and which are included in the results framework at Section V. Finally, the Global Programme's Phase IV priorities are informed by and aim to strengthen specific focus areas for UNDP corporately, such as digitalisation, strategic innovation, knowledge and continuous learning, and impact measurement.[125]

b) Phase IV Programme Outcomes and Outputs

The Global Programme has two interconnected programme outcomes and six programme outputs reflecting the 'upstream' and 'downstream' nature and influence of the programme. They articulate the change the Global Programme seeks to achieve during the Phase IV, and are guided by, and will ultimately inform, the Theory of Change (see Section II). Gender is a cross-cutting issue that is mainstreamed across the programme, its outcomes and outputs. The programme outcomes and outputs contribute to all three UNDP Strategic Plan Development Outcomes, and in particular Outcome 1. The two outcomes are integrally linked and mutually-supporting - Outcome 2 is conceptualised as contributing to creating an enabling environment for the achievement of Outcome 1 (see Figure 1).

Programme Outcome 1: **Inclusive, people-centred systems that provide quality justice and security services and uphold and protect human rights are trusted and accessible, especially in contexts affected by crisis, conflict or fragility.**

This outcome reflects the 'downstream' focus of the programme and its ability to support UNDP country offices and regional hubs to better enable and ensure:

- people's agency and participation in efforts to strengthen rule of law, justice, security and human rights, including access to justice (see Output 1);

- duty bearers and power holders are accountable for their actions and uphold their obligations and responsibilities for protecting and promoting human rights and ensuring rule of law (see Output 2);

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[125] See UNDP Strategic Plan 2022-2025, Section V.

- systems, services and institutions have the resources and capacities to address people's everyday justice and security needs and protect their human rights as a key step towards becoming more trusted and transformed (see Output 3); and

- communities experience greater safety, security and resilience (see Output 4).

Programme Outcome 2: **Regional and global level policy on rule of law, justice, security and human rights is evidence-based, affirms a development perspective, and informs high-quality programming.**

This outcome reflects the Global Programme's upstream nature and influence and its ability to ensure:

- data and learning captured through robust MEL systems informs high quality rule of law, justice, security and human rights programming by UNDP and others (see Output 5); and

- evidence and learning-informed, and high-quality regional and international policy and agenda setting supports efforts to build political will for and advance rule of law and human rights priorities at the country level (see Output 6).

The six outputs that will support achievement of the two outcomes are described below. The outputs are inextricably linked, and areas of work may straddle one or more output – for example social accountability-focused interventions will likely address elements of both output 1 and 2. Interventions to increase accountability of justice and security actors may include elements of outputs 2, 3 and 4.

Each output description includes: an overview of the core assumptions and learning underpinning the output; the desired change to which output interventions aspire (these will inform the development of context specific measurement indicators and theories of change developed during Phase IV); an overview of how the foundation elements of the theory of action described in Section II can be mobilized to effect change; and a non-exhaustive summary of key of activities that will contribute to the realization of each output.

This output structure promotes a multi-disciplinary and integrated approach (the achievement of each output will require interventions across several or all the Global Programme's thematic areas). It also recognizes that specific interventions need to be problem driven and designed based on a solid understanding and analysis of the specific context.[126] The structure intends to support the development of bespoke hypotheses, measurement indicators and strategies for change, whether at the country and regional levels or within the thematic areas of the programme itself, that will contribute to the Global Programme's overall theory of change and analysis.[127] This theory of change-focused approach will be led by the Global Programme's MEL and Innovation Unit and is further elucidated under Output 5.

Output 1: Legal frameworks and underlying norms and practice are more inclusive and non-discriminatory and people have greater agency and opportunities to know and claim their rights, solve disputes, and seek redress for rights violations

This output focuses on strengthening human agency to challenge and overcome discrimination and exclusion and inequalities that seed injustices and insecurity. It focuses not only on conflict and crisis response, but also on anticipating and preventing conflict. The

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[126] The Clingendael theory of change report notes that, "assumptions can cover a wide range of issues, including politics, the way society functions, the local culture, history, and economics," 2. Further, "assumptions that projects are based on, especially in dynamic environments, need to be regularly tested in order for projects to remain current." 3.

[127] This approach was recommended by ISSAT and will be further developed by the MEL and Innovation Unit, in consultation with ISSAT and others. See ISSAT draft final report.

Global Programme seeks to curb inequalities and confront discrimination that remain severe obstacles to human development through its promotion of the rule of law and human rights. Pervasive and structural inequality and discrimination undermine the social contract and compound social exclusion and marginalisation, negatively impacting people's dignity and prosperity, fuelling social tensions and conflict, and contributing to displacement and migration. Ensuring that governments uphold the rule of law and respect human rights and deliver fair, inclusive legal frameworks, including constitutional frameworks and policy frameworks, is critical for rebuilding trust between governments and their constituencies and strengthening the social contract.[128]

The resilience of a society against internal and external stresses, including crisis, conflict, natural disasters, climate and social and economic shocks, is greatest when rule of law institutions are accountable and effective, where there is an informed, empowered and active citizenry aware of and able to claim their rights, and a protected and inclusive civic space.[129] The importance of inclusion and equality for a peaceful and just future is highlighted in the SDGs, including SDG16 and SDG10, and is fundamental to the commitment to leave no one behind. Persistent, structural obstacles to gender equality must be addressed, and women and youth voices must be amplified to ensure their active and meaningful participation and influence within societies for today and future generations.[130] Challenging and changing the systems and structures that enable and perpetuate inequality and exclusion is a complex and inherently political endeavour that requires changes not only to laws and policies, but to attitudes and behaviours.[131] UNDP's 2020 Gender Social Norms Index revealed that 91% of men and 86% of women showed some form of clear bias against gender equality in the areas of politics, economics, education and physical integrity.

Transformative change requires building alliances and coalitions for change, and supporting change agents within communities and institutions.[132] It requires that people know their rights, have opportunities, agency and capacities to claim those rights (enabled by legal and policy frameworks), and to participate in and influence decision-making processes that affect those rights (for example, constitution-making processes or national action plans related to human rights or the justice sector). Access to justice is instrumental in supporting inclusion and

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[128] A legal framework may include many subsystems, such as formal state laws, customary and traditional practice or laws, religious legal systems or international law a. It is understood here to include constitutional and other legislation, strategies and policy, rules and regulations. See WDR 2011; Pathways for Peace Report.

[129] V-Dem report.

[130] WPS Agenda.

[131] The ISSAT Jordan evaluation noted that the project was highly effective in providing legal aid to vulnerable communities, and a main achievement was overcoming the latent culture of shame that dissuades women from reporting SGBV and domestic abuses.

[132] Vivienne O'Connor. *A Guide to Change and Change Management for Rule of Law Practitioners.* (2015); See also lessons from the ISSAT Palestine evaluation that noted the challenges UNDP faced in advancing the rights of women and girls through legislative reforms, and the recommendation to engage a wider variety of stakeholders in coalitions for change. At the same time, UNDPs policy contributions to the development of SOPs for prosecuting violence against women cases notably enabled more coherence in both prosecutors approaches and court behaviour, leading to a 31% increase in convictions for these cases. The IEO/UNDP Evaluation noted that UNDPs sustained support to legal aid providers, law schools and law clinics had a tangible and sustainable impact on access to legal aid for vulnerable populations. Successive classes of graduating law students went on to populate public and private sector institutions, raising their capacity and creating a self-sustaining pull for further change.

combatting discriminatory practices, and in achieving access to basic services.[133] At the same time, decision-makers need the knowledge, capacities and will to facilitate participatory and inclusive processes and respond to these demands.[134] When the interests of excluded and marginalised people and groups are appropriately represented in policy- and decision-making processes, it is expected that resulting policies and decisions will be more aligned to their needs, thereby increasing the legitimacy of the institutions and government duty bearers and building trust and the social contract.[135]

Human rights defenders, including civil society and NHRIs promote human rights, through advocacy, awareness and human rights education, which can have a ripple effect within local communities. They also respond to and challenge state actions that violate rights. For human rights defenders to fulfil their critical role as agents of change, they require support both in building their capacity to promote and advocate for human rights, and also for preventing reprisals and enabling an expanded civic space.[136] Digital technologies provide new means to advocate for, defend and exercise rights, however they also can be used to violate rights, especially of people who are already vulnerable or being left behind. Overall approaches to address discrimination in access to digital solutions are required, along with constancy in considering the human rights specific risks in digital approaches which can further exclusion and discrimination.

The Global Programme's efforts within this output will contribute to the following aspirations:

- People, and especially the marginalised, excluded and furthest behind, have the knowledge and tools needed to engage with the laws and systems (including formal and informal justice actors, local government and public service providers) to claim their rights, solve disputes, and seek redress for violations of those rights.
- Governments have an evidence-based understanding of how laws and policies compound inequalities and have the commitment and political will to eliminate discriminatory laws, policies and practices.
- Human rights actors and systems, including civil society organisations, human rights defenders and national human rights institutions, have the necessary freedoms and capacities to act as catalysts of change for a culture of respect for equality and non-

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[133] For example, in 2020, in Kyrgyzstan, legal aid hotlines were set up to help marginalised persons in border areas; in Lebanon, the Bar Association delivered free legal aid services to survivors of gender-based violence and migrant workers. See ROLSHR Annual Report 2020.

[134] For example, the ISSAT Colombia evaluation noted that UNDPs influence was notable at the national level where support provided contributed to the adoption of key legislation to translate the Peace Agreements into a concrete normative reality.

[135] For example, in South Sudan, UNDP's technical and advisory constitutions support enabled the Ministry of Justice and Constitutional Affairs to secure a renewed political commitment on the part of the Council of Ministers to initiate the permanent constitution-making process, transitional justice and judicial reforms. The decision laid the foundation for nationally led progress in these developments through evidence-based approaches, inclusive decision-making and consensus of all affected stakeholders, including women and youth. In Colombia, UNDPs promotion of non-discrimination as a norm was observed through the overall increase in gender parity and representation of ethnic minorities in UNDP-supported projects (see ISSAT Colombia Evaluation).

[136] In the Ukraine, UNDP fostered partnerships with both civil society and the government to promote better coordination and to support CSOs to monitor human rights and access to justice at local and regional levels. Experience and knowledge from UNDP's human rights training delivered to a CSO network cascaded to smaller CSOs and local communities resulting in community representatives engaging in planning and implementing advocacy for adoption of human rights based sub-national policies, the inclusion of vulnerable groups in decision-making processes and raising public awareness. UNDP has jointly been working with OHCHR and the Global Alliance of National Human Rights Institutions (GANHRI) to support NHRIs facing reprisals.

discrimination and the elimination of harmful social norms and practices, and to hold governments accountable for their commitments to end discrimination and inequality.

- Empowered people, and especially youth, women and other marginalised groups, have the opportunities, agency and capacities to represent their interests in decision-making processes and policy-makers have the knowledge and capacities to respond to these societal demands.

A Strategy for Change:

The Global Programme will **support** UNDP country offices and regional hubs to apply a **people-centred approach** for addressing the justice needs and rights of the disadvantaged, excluded and marginalised, and those experiencing inequality and discrimination. Specific emphasis is given to people experiencing intersecting layers of discrimination, exclusion and inequality such as women and girls, people in conflict, youth and children, refugees and migrants, detainees, persons with disabilities and indigenous peoples. Support includes empowering people, groups and communities to better understand and be able to claim their rights (through formal and informal avenues) and to have access to remedies when rights are violated, through access to justice (including legal empowerment and legal aid) initiatives. Specific areas of focus may include land use, water, extractives, legal identity and access to public services.

Through promoting a **human rights-based approach** in digitization, the Global Programme will support UNDP country offices and regional hubs to realise the positive dimensions of digitalisation, including for human rights promotion and advocacy, and better manage risks of exclusion and marginalization within the digital sphere.

Applying a **transformative approach,** the Global Programme will provide technical expertise and tools to UNDP country offices and regional hubs for analysing the many dimensions of inequality, including intersectional frameworks and power analysis.[137] The Global Programme will support the country and regional-level exchange of knowledge, learning, tools and expertise related to **data management systems** for the generation of evidence to support public policy and decision-making.[138]

The Global Programme will facilitate, develop and strengthen **strategic relationships and partnerships** that enable innovative country and regional-level programming aimed at tackling the root causes of inequality and discrimination. Partnerships will include the continuation of a UNPRPD-funded partnership with UN Women responding to the growing intersectional inequalities faced by women and girls with disabilities; engaging UNDP's Accelerator Labs in Asia to explore the role of behavioural insights for affecting attitude and behaviour change; and expanding the existing successful partnerships with UN Women to advance gender justice,[139] and with UNHCR to improve the lives of the displaced and host communities.

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[137] Under the RBAS "Gender Justice and Equality Before the Law" Regional Project (implemented jointly with UN Women, UNFPA and ESCWA) researchers gathered data and analysed a range of laws and policies from almost all 20 countries in the Arab States region through a gender equality lens, including: representation in public bodies; GBV; inheritance; nationality; labour laws; and sexual and reproductive rights.

[138] See for example, good practices from UNDP Palestine (See the ISSAT Palestine Evaluation) and the UNDP INFOSEGURA regional project in the Latin America and Caribbean region.

[139] For example, the UNDP/UN Women Gender Justice Partnership supported the development of a national roadmap for legislative reform in Ethiopia to address laws that discriminate based on gender.

Addressing inequality and discrimination is firmly ground in fundamental **human rights** obligations.[140] The Global Programme will maintain and expand its **strategic partnerships**, such as the Tri-Partite Partnership,[141] to support regional and global NHRI networks, including through capacity assessments, and supporting NHRIs to engage governments and the judiciary on human rights related **policy development** and to **build coalitions for change**. The programme will continue the provision of **technical and strategic support** at the national, regional and global levels to promote and support civil society participation and protect human rights defenders from threats and attacks. The Global Programme will promote an enabling legal environment for their work at the national and international levels whilst also focusing on how to foster civic and human rights education and awareness. **Strategic partnerships**, such as the UNDP-OHCHR-UN Women Human Rights Defenders partnership in West Africa, will support regional-specific interventions focused on better enabling the work of human rights defenders, including women and youth (see Section III, 3.2).

Technical assistance will be provided to support Member States and national institutions in domesticating international treaty obligations into national frameworks or establishing oversight bodies mandated through international law such as National Preventive Mechanisms to monitor places of detention, mandated by the Optional Protocol to the Convention Against Torture, Degrading and Inhuman Treatment or Punishment.[142]

Activities may include:

- Reducing discrimination, exclusion and inequality by promoting cultural, economic, social, civil and political rights for those excluded, marginalised and vulnerable, for example, through legal empowerment and legal aid interventions for increasing access to justice and basic services. Specific attention will be paid to the justice needs of women.
- Supporting gender justice initiatives to tackle discriminatory social norms and systems, structures, policies and practices, including through the application of innovative tools and approaches.
- Strengthening the capacities of national human rights systems, including NHRIs, anti-discrimination bodies, civil society, community networks and others, to mobilise and engage decision-makers in advancing human rights promotion and protection, in particular on issues such as indigenous people's rights, women's rights, land and conflict issues, business and human rights and extractive industries.
- Supporting the development and implementation of participatory and inclusive constitution-making processes in order to strengthen social cohesion through the development of constitutional frameworks that promote good governance, reduce discrimination and inequality and protect marginalized and vulnerable groups.

Output 2: Mechanisms to hold duty bearers and power holders to account in order to ensure the rule of law and promotion and protection of human rights are in place and actively used

This output focuses on how to hold duty bearers and power holders accountable and ensure they uphold their obligations and responsibilities towards protecting and promoting human rights and ensuring rule of law. At their essence, the rule of law and human rights constrain

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[140] Universal Declaration of Human Rights (1948), Articles 1 and 2.
[141] The MTE noted that the partnership has enabled more coherent and coordinated UN system-wide support to NHRIs and has been recognised as an example of good practice by the UN Secretary General, the General Assembly and Human Rights Council.
[142] See the Digital Mapping: Justice and Deprivation of Liberty in Latin America and the Caribbean project to collect official data on the measures implemented by 31 countries in the region to respond to the COVID-19 pandemic in places of detention.

the arbitrary exercise of power and enable those in power to be held accountable for the way in which their power is wielded. But threats of arbitrariness are not a state monopoly. The Global Programme understands the necessity of taking account of the diversity and multiplicity of power distribution in today's world, and recognising the wide range of duty bearers and power holders, many of whom are outside of the state infrastructure, and who operate at different levels and spheres of influence.

These actors, including corporations, non-state organisations such as terrorist organisations, powerful economic and social elites, international financial institutions, and regional intergovernmental bodies, can act with impunity and exercise their power in ways that can contribute to inequality, rights violations, injustice and insecurity, and undermine the social contract. Ensuring their accountability requires a range of responses. For example, advancements in areas such as Business and Human Rights and environmental justice are positive recent trends for increasing the responsibility and accountability of the private sector and governments for human rights.[143] However, the significant power of business and potential for abuse of that power (for example labour rights violations, environmental damage, land grabbing, digital privacy) remains a pressing concern. Further, special attention needs to be given to the unique experience of women, including girls, who face multiple forms of discrimination and experience additional barriers in seeking access to effective remedies for business-related human rights abuses.[144]

In contexts of crisis, conflict, transition and fragility, the needs for accountability for grave rights violations, and responsibility for an enabling political environment for sustainable peace are even more acute. In the Western Balkans context, UNDPs interventions show that a holistic, people-centred approach to accountability for war crimes is a critical prerequisite for reconciliation and restoration of social cohesion and trust.[145] Lessons from transitional justice contexts, such as South Africa, Sierra Leone and Rwanda also emphasise that accountability needs to be understood in a broader sense than only criminal punishment, and from the perspective of those who have suffered harm. Access to socio-economic, legal and political justice should be prioritised alongside the delivery of justice for mass atrocities, if a society is to truly transform.[146] Where the economic, social and political injustices experienced by women, for example, are left unaddressed, there is a risk of perpetuating and reinforcing the very power imbalances and inequalities that may have contributed to conflict in the first place.[147]

Those who benefit the most from unjust and unequal systems and institutions are most likely to resist efforts to redistribute power and resources. A wide range of state and non-state actors, including businesses and civil society, and broad and inclusive alliances are needed to support the process of building and maintaining political will for a society based on a shared commitment to strengthening the rule of law and protecting, respecting and upholding the

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[143] For example, recently, a Dutch court ordered Shell's Nigerian subsidiary to compensate farmers for damage to their land caused by oil leaks- the first time a Western court ordered a multinational company to pay damages for environmental harm caused in a non-Western country.

[144] https://www.ohchr.org/EN/Issues/Business/Pages/GenderLens.aspx.

[145] https://www.eurasia.undp.org/content/rbec/en/home/governance-and-peacebuilding/Rule-of-law-justice-security-human-rights/Supporting-transitional-justice.html.

[146] In the report From justice for the past to peace and inclusion for the future: A development approach to transitional justice, UNDP showcases best practices, national cases, and good examples of alliances, making visible the work carried out in more than 15 contexts for more than ten years.

[147] Tendaiwo Peter Maregere, 'Justice in Transition and the Complexities of Access.' ACCORD, Conflict Trends 2017/2 available at https://www.accord.org.za/conflict-trends/justice-transition-complexities-access/.

rights of all people, both current and future generations.[148] For example, UNDPs work to foster implementation of the Human Rights Council's Universal Periodic Review (UPR) process and treaty body recommendations at the national level, has created important opportunities that have been leveraged to mobilise political will and support for human rights protections.[149] Yet these multi-layered stories of change and the lessons they generate are often not fully captured and articulated within programme results reporting or shared for learning and identification of good practices.[150] Accountability mechanisms can be vertical (such as elections),[151] horizontal (for example, an ombudsman, or judicial reviews of the constitutionality of executive decisions),[152] or social (for example, citizen-led monitoring mechanisms).[153] The types of accountability mechanisms are many, ranging from local or national mechanisms, to regional and global mechanisms. Where states are accountable under international human rights, for example, human rights mechanisms, including the UPR process, the human rights treaty bodies and the special procedures are important accountability mechanisms.[154] The recommendations and reviews from treaty bodies, the UPR and thematic recommendations from special procedures of the HRC, are an important road map for the UN system to engage with and provide support and foster technical cooperation towards the implementation of recommendations at country level.[155] This is also critical to achieve both the SDGs and the prevention and sustaining peace agendas.[156] However, the systems in place to support human rights and SDGs often operate in siloes at

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[148] For example, in Colombia, UNDPs support to building alliances between local civil society and local and national government allowed national institutions to access vulnerable groups that were historically disconnected from State services. Increased trust and cooperation between local CSOs and government helped increase the protection of human rights defenders. See DCAF-ISSAT, Evaluation of the UNDP Rule of Law Programme in Colombia, Final Report, 33.

[149] For example, the Global Programme was able to leverage opportunities raised by the UPR process for Thailand, to offer technical support to the government of Thailand to advance commitments to business and human Rights. In 2019, Thailand became the first country in Asia to adopt a stand-alone National Action Plan (NAP) for Business and Human Rights.

[150] See ISSAT draft final report.

[151] In Chile, for example, UNDP assisted the national legislative and electoral authorities to adjust voting procedures during the COVID-19 pandemic to facilitate a safe and participatory constitutional plebiscite in October 2020. UNDP unrolled a nationwide civic education campaign to inform citizens on the issues and procedures around the plebiscite, with a particular focus on women. As a result, electoral participation increased by more than half a million votes in comparison to the previous election.

[152] The ISSAT Colombia Evaluation noted that UNDPs support to the Ombudsman Institution increased and improved the articulation and coordination with state institutions responsible for the implementation of the Peace Agreements.

[153] The ISSAT Palestine Evaluation noted the programme's successful support to strengthening civil society accountability through the development and implementation of the court monitoring project. Nine CSOs monitored over 10,000 court hearings in 2019. However, it was unclear whether the monitoring data was able to be used to advocate for reform priorities, or identify systemic challenges regarding court adherence to official process and laws.

[154] Nearly all member states engage with the UPR process of the Human Rights Council.

[155] At the end of 2020, in its Quadrennial Comprehensive Policy Review of operational activities for development of the UN system, the UN General Assembly stipulated the importance of human rights for the work of the UN system including, for the first time, recognising the assistance to governments to respect and fulfil their human rights obligations as a development activity for the UN system.

[156] See *Maximizing the use of the Universal Periodic Review at country level: Practical Guidance*, Sept 2020, www.ohchr.org/Documents/HRBodies/UPR/UPR_Practical_Guidance.pdf. Over 90 percent of SDG goals and targets correspond with human rights obligations and commitments outlined in the human rights treaties.

the country level. Integrated approaches are not widespread and support is needed to address this technical cooperation gap.

The Global Programme's efforts within this output will contribute to the following aspirations:

- Duty bearers, including state justice and security actors, have the commitment and political will to be accountable and responsible for ensuring the rule of law and respect for human rights, and change policies and practices to prioritise accountability mechanisms, including transitional justice mechanisms.
- Power holders, including private sector actors such as businesses, understand and have the commitment and will to play a positive role in upholding the rule of law and respect and protection of human rights, and mechanisms are in place to ensure they are more transparent and accountable in their actions.
- Local, national and international accountability mechanisms and processes are complementary, and contribute to both preventing and responding to human rights violations and impunity.

A Strategy for Change:

The Global Programme will support UNDP country offices and regional hubs, including with technical advice, tools and knowledge, regarding the application of **political economy** and power analysis to better identify opportunities and inform the design of projects aimed at increasing accountability and responsiveness of state and non-state actors for rule of law and human rights.[157]

Technical advice and support will be provided for developing or reinforcing institutional accountability mechanisms such as internal and external oversight and accountability for justice and security institutions, strengthening legal frameworks, including constitutional frameworks,[158] and developing national monitoring **policies and frameworks**, such as support to statistics offices and follow up to human rights mechanism review processes such as the UPR and treaty bodies to help produce an integrated evidence base of policy and programmatic lessons that can spur progress, support advocacy and promote accountability.

The Global Programme will leverage its role as a **convener and integrator** – at the national, regional, and global levels – to create opportunities for diverse stakeholders to come together to build political will for accountability. For example, bringing businesses (including MSMEs and MNEs), civil society, and governments together to address the role of business in respecting and promoting human rights.

Strategic **partnerships** will be fostered and enhanced to strengthen the accountability and responsibility of judicial and security sector actors for ensuring rule of law and human rights. For example, the relationship with the Council of ASEAN Chief Justices in relation to strengthening Judicial Integrity. The Global Programme will promote **learning and knowledge exchange**, for example to ensure lessons from a development approach to transitional justice processes are shared across relevant country offices and used to inform cutting-edge programming. Such as through the report, From justice for the past to peace and inclusion for the future: A development approach to transitional justice.[159]

Policy development and programming support will be provided to increase the gender-responsiveness of transitional justice mechanisms, and to adequately respond to sexual and

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[157] The weakness in the use of Political Economy Analysis by COs to inform programme decisions was noted in ISSAT evaluations, the IEP/UNDP Evaluation and the Clingendael report.
[158] Such as the constitutional review supported by UNDP, with UNSMIL in Liberia.
[159] https://www.undp.org/publications/justice-past-peace-and-inclusion-future-development-approach-transitional-justice.

gender-based violence and other gendered impacts of violent conflict, building on country-level lessons and the ongoing Gender Justice partnership with UN Women.

The Global Programme will continue to prioritise **integrated** approaches to and synergistic **partnerships** for promoting respect and accountability for rule of law and human rights. Initiatives such as the annual Regional Forum on Business and Human Rights for Asia, organised by UNDP, ILO, UNWOMEN, IOM, UNICEF, UNEP. OHCHR and ESCAP have showcased the value of convening multiple perspectives, expertise and networks to advance common goals, and will be replicated in other regions.[160] It will foster **strategic partnerships** for Business and Human Rights work, including with CBi and CBi Member Networks, and with other UN bodies and the OECD to advance implementation of the UN Guiding Principles on Business and Human Rights and other guidelines.[161] UNDP will continue to work closely with OHCHR to support integrated human rights and SDG support at the country level, with a focus on integrating UPR and treaty body reporting and follow-up to be integrated into SDG planning; strengthening rights-based data platforms for SDGs at country level; and strengthening system coherence and integration at country level recognizing the different forms for both human rights and SDG follow up.[162]

Activities may include:

- Advancing the Business and Human Rights agenda though support to the development of National Action Plans on Business and Human Rights with an emphasis on preventing abuses of women and girls.
- Building capacities of businesses to develop human rights policies and conduct Human Rights Due Diligence processes; and strengthening accessibility and effectiveness of remedy mechanisms for human rights abuses by businesses.
- Foster integrated approaches to strengthening human rights and SDG progress and systems at country level and in international accountability processes such as treaty body and UPR reporting and Voluntary National Reviews reporting.
- Strengthening of systems and mechanisms for monitoring, accountability and oversight within the justice and security sectors, including for example, mechanisms that foster judicial independence, or civilian oversight of security institutions.
- Strengthening transitional justice mechanisms and processes to respond to victims' justice needs, and especially the needs of survivors of sexual and gender-based violence (SGBV), for example through responsive reparations programmes, legislative reforms and strengthened prosecutions for gross human rights abuses, including gender-related crimes.

Output 3: Justice and security systems are service-oriented and better able to protect human rights and respond to people's justice and security needs through high-quality performance

This output focuses on how systems can be strengthened to provide high-quality people centred justice and security services that, in turn, will contribute to increased trust in and perceived legitimacy of these systems and the state in the eyes of the public.[163] Efficient, transparent, inclusive and people-centred justice and security systems, that provide quality

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[160] https://www.rbhrforum.com/
[161] See section 3.2 of this document.
[162] In 2020, piloting in 7 countries commenced to specifically target closer integration between SDG and human rights systems to both enhance efficiency for member states to streamline obligations in reporting (including SDG Voluntary National Review processes) and treaty body and UPR reporting, and to take integrated action to follow up to human rights recommendations in SDG frameworks.
[163] High quality is understood to refer to the range of MEL criteria, including efficiency, effectiveness, relevance, coherence, sustainability and (early) impact.

justice and security services for all, support the strengthening and upholding of the rule of law, the protection of human rights, the delivery of essential services. They enable the state to address injustices and prevent insecurity, strengthen social cohesion, sustain peace and increase the resilience of societies to shocks and crises.

Justice and security are integrally connected – they are two sides of the same coin. Justice and security systems are complex and involve a multitude of state and non-state actors performing a range of intersecting and inter-reliant functions, such as the delivery of justice and security services, policy and law making, management and budgeting, oversight and accountability, and education and training. Informal justice systems, where they respect and uphold human rights and neither directly nor inadvertently reinforce existing societal or structural discrimination, can play an important role especially in contexts where the formal justice system does not have the capacity or geographical reach to meet all justice demands.[164] Women and girls often face significant challenges in navigating these informal systems, which favour male-dominated structures and can produce discriminatory and harmful outcomes. Despite these challenges and the often intensely political nature of the issue, opportunities exist for engagement that can raise community levels of understanding of, and ultimately commitments to, women's right and ensure greater access to justice.[165] The growth of legal needs surveys, for example, have shed light on the types of 'everyday' justice problems people experience, suggesting that people are around nine times more likely to have a civil or administrative justice problem than to need help from the criminal justice system. Such findings do not diminish the need for investment in the criminal justice system, but they highlight the multidimensional nature of injustice.[166]

Strengthening systems to be able to respond to all people's justice and security needs requires both institutions and the personnel within them to have capacity (for example the resources, systems, education and competencies) and integrity (including independence, transparency, human rights adherence, and a 'service' attitude).[167] Gender equality within justice and security systems has the potential for transformative change within society.[168] Yet globally, women remain seriously underrepresented in decision-making processes and roles.[169] Significant efforts are needed to enable more meaningful participation of women within political justice and security institutions. Various national, regional and global legal obligations are relevant to and/or oblige states to integrate a gender perspective in the justice and security

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[164] https://www.undp.org/publications/informal-justice-systems

[165] According to the MTE, Somalia is one example of promising innovative approaches to access to justice through informal justice mechanisms, combining features of customary "xeer" law with elements of gender and human rights mainstreaming. These have met with public acclaim and have strong potential for upscaling. The bottom-up, socio-culturally embedded approach is also highlighted as best practice in terms of sustainability. See also ISSAT evaluations for Guinea-Bissau and Palestine (re: political dynamics of informal justice).

[166] Task Force on Justice, *Justice for All – Final Report*. (New York: Center on International Cooperation, 2019), 37.

[167] ISSAT noted good practices in Guinea Bissau, where support to the judicial training institute allowed Guinea-Bissau to develop its own capacities to train legal and judicial staff in-country, further thematic trainings for magistrates included law enforcement personnel which promoted trust, and increased knowledge of each other's competences and limits, and led to improvement of coordination at an operational level. See ISSAT Guinea-Bissau Evaluation.

[168] DCAF, OSCE/ODIHR and UN-INSTRAW, *Gender and SSR Toolkit, Tool 1: SSR and Gender* at https://www.dcaf.ch/sites/default/files/publications/documents/tool_1.pdf.

[169] UNDP-University of Pittsburgh, *Gender Equality in Public Administration* (2021) at https://www.undp.org/publications/global-report-gender-equality-public-administration#modal-publication-download.

sectors.[170] Technology is a potentially powerful enabler of transformation towards more efficient, accessible, transparent and accountable justice and security systems.[171] The use of technology, including artificial intelligence, for example, can contribute to improved efficiency and resource allocation within court systems and can strengthen data disaggregation and analysis based on sex, age and other relevant measurements. The evidence produced about the types of legal problems, user experiences and justice outcomes can directly policy, regulatory and resource decisions, for example regarding strengthening access to justice for women.[172] The COVID pandemic pushed many traditional resistors to digital modernisation to embrace it out of necessity.[173] But digital innovations (for example e-justice, e-courts) must be ethical, rights-based and gender-responsive, and ensure that they do not add to the already existing justice gap.[174]

The Global Programme's efforts within this output will contribute the following aspirations:

- Governments have an evidence-based understanding of the justice and security needs of the public and have the commitment and political will to implement policies and practices that enhance the inclusiveness, transparency, accessibility and responsiveness of justice and security systems.
- Justice and security systems, and the personnel within them, have the resources, competencies and capacities needed to better serve the public, and work to inspire trust and confidence.

A Strategy for Change:

The Global Programme will support country offices and regional hubs to apply a **transformative approach** to strengthening justice and security institutions. Transforming institutions means also engaging the personnel within them, understanding their incentives and motivations for change, providing the resources they need, and strengthening their capacities to respond to people's needs and demands. The Global Programme, as a **thought leader,** will advance **innovative** approaches – such as thinking and working politically, systems thinking, behavioural science and change management – to better understand opportunities for and facilitate transformative change within institutions.

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[170] As the 2030 Agenda for Sustainable Development recognises, if the justice sector does not promote gender equality or integrate a gender perspective, the rule of law is undermined and this compromises peace, security and development.

[171] The Global Programme has supported the use of digital equipment and tools in justice and security institutions, including virtual courts and apps for violence survivors, migrants and other vulnerable groups, and online management systems, for example in The Gambia, Afghanistan and elsewhere (see the ROLSHR Annual Report 2020). The ISSAT Palestine Evaluation noted that the implementation of the Mizan II case management system enhanced the efficiency and effectiveness of the judiciary and the case backlog decreased by 14% in 2019 at least in part due to more efficient case management. Specific improvements in justice service delivery for women and children were also noted.

[172] in Brazil, UNDP partnered with the National Council of Justice in developing an AI solution to analyze courts' data and identify causes of gaps in the judicial process, thus contributing to improving efficiency and resource allocation within the country's justice system.

[173] https://www.asia-pacific.undp.org/content/rbap/en/home/blog/2020/a-_new-possible_-for-justice-after-covid19--towards-digital--ope.html

[174] https://www.eurasia.undp.org/content/rbec/en/home/blog/2020/global-pandemic-right-to-privacy.html . For example, UNDP also has been working with the Ukrainian government and private sector to ensure that the rapid digitalization being experienced also comes with personal data protection standards and has been raising public awareness on the issue.

Through financial, technical and knowledge support, and the facilitation of **robust MEL approaches** at the country and regional levels, the Global Programme will advance the implementation of a **people-centred approach** to justice and security. This includes supporting governments to: a) better understand people's justice and security needs and perceptions and expectations from the state (for example through legal needs and perceptions surveys, and analysis of data from justice and security institutions);[175] and b) transform institutions to be more responsive to those needs, including being more efficient in the use of their resources to improve the quality, breadth and accessibility of justice and security services.[176]

The Global Programme will support country offices and their government counterparts to develop **people-centred and inclusive policies,** reflecting emerging global research, knowledge and lessons, to ensure justice and security providers can better respond to immediate justice and security needs and to guide longer-term structural change. For example, in South Sudan, the development of Action Plans for the South Sudan National Police Service and South Sudan People's Defense Forces to respond to gender-based violence, contributed to strengthening their capacities to address conflict-related sexual violence (CRSV). The Global Programme will continue to develop **global guidance and knowledge products** to contribute to advanced **learning** and increased understanding about the overall process of digitalization of the judiciary, its potential risks, and benefits.

The Global Programme strengthens **partnerships and joint programmes,** for example through the GFP, to improve coordination and build up available rule of law, justice, security and human rights capacities especially in conflict and crisis affected settings. With UN Women, it will continue to provide support to promote **gender equality** within justice and security systems as well as advance policy work focused on the gender-responsiveness of rule of law joint programming work (through the GFP) and its contribution to the Women, Peace and Security Agenda.

Activities may include:

- Strengthening the justice sector to be more accessible, responsive and effective, including through open justice and e-justice.
- Informing and influencing policy discussions and debates at national levels around the actual or potential human rights implications for the development and use of digital technology, including, for example, the launch of a regional (Europe and Central Asia) platform to promote the rights-based application of digital tech and data.
- Support to informal justice and security mechanisms to provide quality services that are gender-sensitive, respect human rights, are transparent, inclusive and accountable.
- Supporting initiatives aimed at strengthening the capacity of state institutions to undertake data collection and analysis for enabling more people-centred justice policies and practices, with a specific focus on the needs of women.
- Supporting initiatives aimed at strengthening the capacity of justice and security institutions in measuring progress on rule of law, security and human rights especially

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[175] SDG16+ perception surveys on peace, justice and security have been supported by the Global Programme in CAR and Somalia, for example.

[176] In Ukraine, by applying a human-centred approach, UNDP helped the Ministry of Digital Transformation analyze the digital exclusion of the elder population and is currently testing new methods to close the digital divide. The Global Programme's support to UNDP Ukraine, for example, supported a community-based approach to enabling local communities and citizens' interest groups to identify their community security needs, and to design – jointly with the local authorities – appropriate measures or policies, and advocate for the allocation of resources. See
https://www.ua.undp.org/content/ukraine/en/home/recovery-and-peacebuilding/component-three.html

in terms of achieving relevant SDG indicators such as 16.7.1c on representation in the judiciary or 16.3.3 on access to civil justice.

- Support the development of effective, accountable and people-centred security services, including responsiveness to the needs of women.
- Increasing women's professional representation in the justice, security and human rights sectors and promoting gender-sensitive policies and practices within reformed institutions.

Output 4: Community security, safety, and resilience strengthened through people-centred strategies, processes and mechanisms

This output focuses on how communities and justice and security providers can better work together to mitigate and respond to local justice and security needs that, when unaddressed, can fuel or perpetuate insecurity and violence.[177] The ability to feel safe, secure and free from violence in one's community, is an important element of achieving a peaceful and just society. Where people cannot enjoy safety and security, then poverty and injustice are prevalent. However, notions of safety and security are not limited only to a freedom from physical violence and abuse.[178] A complex range of factors can contribute to making people feel insecure, including social exclusion, poverty, unemployment, crime, poor infrastructure or competition for resources. Exclusion and structural inequalities can be potent drivers of insecurity and conflict.

UNDP's multi-faceted approach to people-centred security recognizes the innate interconnectivity between security and sustainable development outcomes, and places an emphasis on the needs of marginalized, excluded and vulnerable groups. The meaningful involvement of women and youth in peace and security initiatives, for example, is recognised as being crucial for transforming conflict.[179] People-centred security seeks to address both immediate security needs and supports long-term objectives of increasing legitimacy of institutions, and building public confidence and improved state–society relations.[180] Secure communities with functioning, trusting relationships between their members and local justice and security actors are better equipped to address locally-identified justice and security needs, identify potential drivers of conflict, and manage and mitigate them to prevent conflict.[181]

Sustainable people-centred security is a result of multi-disciplinary strategies that incorporate measures to address the drivers of instability, conflict and violence, and are developed in an

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[177] This output builds on UNDPs successful citizen and community security work in Phase III and UNDPs expertise and experience in human security approaches.

[178] UNDPs concept of human security expanded the scope of notions of security, to include: economic security; food security; health security; environmental security; personal (physical) security; community security; and political security. See United Nations Development Programme (UNDP), *Human Development Report 1994* (New York: Oxford University Press, 1994).

[179] UN Women Global Study on the implementation of Security Council Resolution 1325. Security Council Resolution 2250 on Youth, Peace and Security marks the formal recognition of the positive role young women and men for the maintenance of international peace and security.

[180] The Clingendael report notes this as a common assumption in two case studies. See also the recent UNDP people-centred security briefing paper, 2.

[181] See ISSAT Evaluation, Colombia, where it was noted that initiatives such as joint action plans developed with the participation of justice providers and justice users, and complementary trainings for local police contributed to reinforcing the police capacities to advise right-holders and direct them to the most relevant authorities and improved communications between justice and police actors.

inclusive and participatory manner.[182] The focus of this multi-faceted approach is not only the reduction of crime and violence, but also to improve the quality of life, respect for human rights and generally create living conditions in which prevention of violence and crime is more likely to succeed. Reintegration support can help address some of the structural issues that create or fuel the risks of conflict escalation and recurrence, such as marginalization and inequalities. The reintegration of ex-combatants, ex-fighters and persons formerly associated with armed forces or groups contributes to the achievement of the SDGs: significantly reducing armed violence and death rates, reducing arms flows, freeing trafficked women and child soldiers from armed groups.[183]

In crisis and conflict settings, non-state actors can have an important role. Non-state security and justice providers often play significant and legitimate roles in filling justice and security service provision gaps.[184] Businesses can be engines of peace and development, but they can also be the root cause of and/or fuel conflict.[185] Women and girls are disproportionately affected by violence and conflict, including in sexual and gender-based violence. Addressing people's security and justice issues, including providing access to justice and redress for human rights violations, in these contexts is vital for restoring basic stability, eliminating threats of violence in a population, allowing for safe and peaceful coexistence, promoting and supporting a political process to reduce violence, and preparing foundations for longer-term stability and development.[186] In transition contexts, addressing impunity, responding to individual and group grievances and the needs of vulnerable groups including women, youth, indigenous population and LGBTQI persons, and addressing root causes of the conflict and forced displacement, are key for peace and stability to take hold.[187]

The Global Programme's efforts within this output will contribute to the following aspirations:

- Communities have the capacities to define, and access to justice and security mechanisms and participatory and inclusive processes within which to articulate and secure their safety and security needs and priorities.
- Local government, justice and security providers have the institutional capacities and willingness, and adopt policies and strategies, to respond holistically to community safety and security needs and grievances that can contribute to insecurity.

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[182] The high participation of women in local-level political participation training activities resulted in an increasing number of female elected officials in Colombia (see ISSAT Colombia Evaluation). In Guinea-Bissau, ISSAT evaluators recommended that UNDP should build on the existing knowledge about non-formal legal systems in Guinea-Bissau by supporting the alignment of traditional and religious mechanisms and norms with international human rights standards. Interventions should go beyond training leadership and justice actors, to add a missing element of working on local civilian oversight and local justice and security governance.

[183] UNDP has supported reintegration as part of broader prosecution, rehabilitation and reintegration strategies in the Lake Chad Basin countries, for example.

[184] https://www.stabilityjournal.org/article/10.5334/sta.727/

[185] https://www.undp.org/speeches/business-human-rights-and-conflict-affected-regions-towards-heightened-action

186 UNDP has been carrying out stabilization programmes in 12+ countries with Crisis Bureau technical support. Interventions aim to (re) install the social contract between the citizens and their government, bring back a sense of normalcy in the community and ensure basic needs are met in liberated areas of conflict zone.

187 For example, the Global Programme and the TriPartite Partnership with UNDP-OHCHR -GANHRI project in The Gambia, are providing joint support to strengthen the capacities of the National Human Rights Commission of The Gambia and to enhance their coordination with the Truth Commission in order to implement credible transitional justice and human rights mechanisms and processes that promote reconciliation and sustainable peace in the country. See also ROLSHR Annual Report, 78.

- Business actors understand and are able to evaluate their impact on peace and conflict and when operating in contexts of fragility are supported in their efforts to conduct heightened Human Rights Due Diligence
- International, regional and national actors are committed to and act to realise a coherent, integrated joint approach, including through joint projects and programmes, to the restoration of community security and social cohesion in conflict, transition and post-conflict settings, including to prevent, address and solve situations of forced displacement.

A Strategy for Change:

The Global Programme will continue to address insecurity from a broader development and **people-centred perspective**, with a focus on ensuring safety and security is understood and addressed in a holistic and **systemic** manner, tackling issues such as injustice and impunity, the proliferation of illegal firearms, and poor security service delivery. UNDP recognises that the drivers of violence and insecurity are multidimensional and must be addressed through a **multi-sectoral approach** that is underpinned by a strong **political economy**, **conflict** and **power** analysis and implemented in a conflict-sensitive manner. The Global Programme will promote people-centred security approaches that include, for example, community and citizen security interventions.

The Global Programme will provide **technical and strategic support** to country offices and regional hubs to ensure justice and security interventions for the prevention and response to conflict and strengthened community safety and security are informed by robust analysis and involve a range of actors including state and non-state security and justice providers, local government actors, business and others. This will include, for example, providing support to ensure the implementation of the UN Human Right Due Diligence Policy (HRDDP) and promoting a conflict-sensitive approach to programming.[188]

UNDP takes a consistent approach to applying the HRDDP for work with the non-UN security sector. The bespoke implementation framework tool enables UNDP to actively manage and monitor risks and exercise due diligence in relation to work within this sector. Through the Global Programme, UNDP will continue to refine this approach based on a cyclical feedback loop of **knowledge and practice** to inform further **policy** development.

The Global Programme supports **integrated** responses to conflict across the UNDP's Global Policy Network (GPN). Specifically, the programme supports and encourages linkages, complementarities and collaborations with the Governance, and Conflict Prevention, Peacebuilding and Responsive Institutions teams, and across UNDP more broadly (including gender, environment and youth teams). It galvanises **partnerships** with national partners (governments), and other UN entities and international actors, for example through the GFP, the CRSV Team of Experts, UNHCR, the Peacebuilding Fund (PBF) and UN Office of Disarmament Affairs, and SEESAC to enable more comprehensive, coordinated and coherent responses, in support of the One UN approach and Triple Nexus.

The Global Programme will harness key **enablers** of innovation, digitalization and development finance to further accelerate and scale results. The Global Programme will support global learning and **knowledge exchange** to ensure lessons from its people-centred security efforts inform policy and programming, and to contribute to new areas of research and practice, such as the intersections between climate change, conflict and justice.[189] It will

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[188] In October 2017, the Global Programme led the design of the UNDP Implementation Tool for the HRDDP, which was updated in 2020.

[189] For example, the Global Programme's ongoing contributions and support to the development of the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS)

support country offices and regional hubs to apply an **agile and adaptive approach** to programming in conflict and transition contexts. These are moments of serious political shift that require high levels of flexibility, experimentation (the testing of assumptions and actions) and learning to identify opportunities for moving from short-term stability to medium and long-term peace and development is possible.

Activities may include:

- Support national and sub-national justice and security institutions to work closely with local communities, especially women and youth, and vulnerable groups such as internally displaced persons and refugees, to better understand and respond to their safety and security needs.
- Enabling regional entities and national rule of law institutions and actors to develop and implement comprehensive approaches to reducing violence in accordance with global norms and standards, and strengthen UN-wide integration of approaches to SSR, AVR, DDR and small arms control.
- Support the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC) and small arms control programmes in Africa and other regions to strengthen the capacities of national and regional stakeholders to control and reduce the proliferation and misuse of small arms and light weapons.[190]
- Support national and local policy and programme development on combatting and responding to SGBV through the justice, security and human rights sectors, and including in transitional justice processes.
- Support companies in understanding their heightened responsibility when operating in fragile and conflict contexts and equip them with the knowledge and the tools necessary to apply a conflict sensitivity lens when conducting human rights due diligence.
- Support to the development of strategies, policies and programmes for rehabilitation and reintegration, with particular attention to meeting the specific needs of women, youth, children and persons with disability.
- Continued support to UNDP implementation of the UN Human Rights Due Diligence Policy to manage and address human rights risks when working with the non-UN security sector and in complex contexts.

Output 5: Strengthened Monitoring, Evaluation and Learning (MEL) supports project and programme design and implementation

The question of whether a society abides by the rule of law and respects and upholds human rights implicates considerations of state legitimacy, politics, policy, economics, social relations, as well as legal and judicial processes and practices. Improving the rule of law and protecting the rights of all people requires change to institutions, norms, practices, behaviours and attitudes, a non-linear process that can take generations.[191] It requires acknowledgement and engagement with the complexity of systems that seek to ensure human rights, justice and security for all.[192] Providing technical solutions in the absence of sound data and analysis of the system (applying a systems approach) and the incorporation of findings of the political

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[190] https://www.seesac.org/About/

[191] WDR 2011

[192] Philippe Leroux-Martin and Vivienne O'Connor. Systems thinking for Peacebuilding and Rule of Law (2017) at https://www.usip.org/publications/2017/10/systems-thinking-peacebuilding-and-rule-law.

economy, power dynamics, and motivations and incentives for change, can render these technical solutions ineffective.

The Global Programme is therefore committed to strengthening the quality, impact and reporting of rule of law and human rights programming through an investment in building systems and capacities for intentional monitoring, evaluation and learning (MEL). This focus complements UNDPs organisational commitment towards greater impact measurement and continuous learning and adaptation.[193] It also builds upon adaptive programming advancements in the development field in recent years, including UNDPs own contribution to the Thinking and Working Politically approach for rule of law programming.[194] It responds to findings and recommendations of internal evaluations and reviews conducted by ISSAT and Clingendael, for example, where positive examples of ad hoc learning approaches were noted, and opportunities for more systematic and strategic approaches to learning to inform effectiveness and innovation have been identified.[195]

Learning is understood as the process of gathering information, reflecting upon it, questioning the relevance of that new information for the interventions being undertaken, and adapting those interventions as needed. In this way learning enables a better understanding of not only what is or isn't working but why, it facilitates innovation, enables enhanced risk management, and strengthens accountability for the use of project resources.

In practice, most organisations' MEL tools and systems fail to adequately engage with the complexity of the rule of law and human rights endeavour. There is often a lack of explicit assumptions and clear metrics for measuring impact.[196] Data collection is often limited to quantitative indicators measuring activities rather than actual change (results). Data disaggregation, including for gender and/or age, is often absent or inadequate, limiting opportunities for analysis and informed responses to gender and age-specific perspectives and experiences.[197] Data is not systematically mined for learning, and the is an absence of regular feedback loops to ensure knowledge is fed back into programming and decision-making.[198] Robust systems for designing interventions (based on sound analysis), collecting and analysing meaningful data, reflecting, questioning and conducting continuous learning and adaptation of interventions based on evidence of what works, what does not, and why, are necessary for risk-informed programming and to better design, implement and scale up interventions for impact. The Global Programme's position as a sector leader, its access to

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[193] UNDP Strategic Plan 2022-2025.
[194] FBA Brief 06/2016, Responsive and Responsible: Making Politics Part of UNDPs Rule of Law Agenda, at https://fba.se/contentassets/3372e3e2368643f9a37e5bdb9a7c6514/responsive-and-responsible.pdf.
[195] See ISSAT Jordan evaluation, Clingendael report; ISSAT draft final report.
[196] Clingendael report.
[197] The UNDP 2018-21 Evaluation of the Strategic Plan, for example, points to challenges UNDP faces in systematically integrating the LNOB agenda, given that it does not routinely assess the systemic and underlying reasons for vulnerability. The evaluation recommends UNDP to focus more on data collection and analysis, and on enacting inclusive and integrated strategies and policies to accelerate achievement of the SDGs
[198] See MOPAN 2020 Assessment Cycle, Draft Institutional Assessment: UNDP, Version 16 July 2021, which noted: Knowledge management, which would be essential to underpin its thought leadership, programmatic and integrator roles, deserves a fresh look; there was limited evidence of vertical and horizontal development and systematic use of knowledge. In contrast, the approach applied by UNDP Palestine was applauded by the ISSAT evaluators who noted that the programmes central role in the donor community, and its consistent strength in developing an evidence base for justice needs and performance, has positioned it well to influence the overall direction of justice reform in Palestine.

multilateral funding, and its exceptionally unique and rich evidence base means it is well-positioned to take on this important task.[199] However, an intentional and systematic approach to MEL requires the sustained investment in human capacities, resources and time, and an organisational commitment to learning from 'failures' to enable more innovative, effective and accountable programming and thought leadership.

The Global Programme's efforts within this output will contribute to the following aspirations:

- Robust outcome-based monitoring, evaluation and learning (MEL) tools and processes enables the collection and analysis of quality data that better measures impact and generates learning, new knowledge and good practices that can concretely inform improved rule of law, justice and security and human rights programming and allow the Global Programme to test its high-level theory of change.
- UNDP country offices and regional hubs develop tailored, fit-for-purpose and co-designed MEL approaches that produce quality data and learning to inform their own and the Global Programme's evidence base and decision-making.[200]
- UNDP's organisation-wide learning culture is increased through the Global Programme's implementation of an interactive learning agenda to support to rule of law and human rights programming, involving a wide range of stakeholders and leveraging South-South and triangular cooperation.

A Strategy for Change:

In Phase IV, the Global Programme will establish an internal **MEL and Innovation Unit** that will guide the development and implementation of the programme's learning strategy, including the development and testing of tools, frameworks and processes. This will enable the Global Programme, UNDP country offices and regional hubs to better undertake meaningful data collection and analysis in order to design and deliver impactful quality rule of law and human rights interventions.

The Global Programme will provide **technical support,** including training and tools, to UNDP country offices and regional hubs to develop and integrate MEL tools and approaches into their rule of law and human rights programming to encourage deliberate and systematic learning and adaptation. This could include support to develop bespoke, country-level theories of change (and articulated assumptions), training on MEL approaches for rule of law and human rights programming, and the development of a set of customisable standard indicators aligned to and informing the Global Programme's high-level indicators and learning objectives (see also Section V).[201]

The Global Programme will promote innovations in learning approaches through a specific allocation of **catalytic pipeline funding** to enable country offices to pilot experimental tools and approaches that can inform the work of other country offices and the wider development community (see Section IV, 4.2). It will facilitate and engage in **partnerships** to further the

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[199] Clingendael report.

[200] As the ISSAT draft final report notes, "It is not enough simply to collect data and evidence regularly as part of an adaptive programme, there needs to be a culture regularly using evidence to make decisions."

[201] The ISSAT DRC Evaluation noted that a number of tools could measure change, such as perception studies, judicial monitoring, inspection visits, quality control systems for legal aid etc. These were apparently not used in DRC however because they did not directly inform the results frameworks. "A better linkage between the mass of (qualitative) data collected by UNDP in the course of its activities and the (essentially quantitative) results frameworks would avoid this dispersion and strengthen UNDP's learning capacity."

learning agenda, including for example, its ongoing partnership with ISSAT to capture lessons learned and evaluate the longer-term impact of country interventions.

The Global Programme acts as a **knowledge broker** ensuring that evidence-based good practices from programming interventions can be synthesised, shared, adapted and implemented across UNDP to enable more effective promotion of rule of law and human rights in different contexts. It will leverage existing mechanisms such as the GPN's online Communities of Practice (COPs), and develop new ones to encourage the exchange of experiences, knowledge and emerging MEL good practices horizontally (across country contexts) and vertically (at the country, regional and global levels). This could include, for example, sharing lessons from UNDP Somalia regarding SDG monitoring systems, and UNDP Palestine's approach to data collection, management and monitoring systems.[202]

Good practices and lessons will also be communicated to a wider UNDP and global audience through strengthened **communications strategies and regional and global level knowledge products** that ensure learning and stories of change are more accessible for policy makers and programmers (see also Section III, 3.6; Knowledge).[203] This will include harnessing **strategic relationships** with global communities of practice, international organisations and others, such as IDLO, HiiL, Pathfinders, and CIC, to enable exchanges of information and learning, and other collaborative efforts to advance shared strategic goals.

The Global Programme will harness existing and new organisational efforts across UNDP, for example by the UNDP Effectiveness Team and BPPS Strategic Innovation Unit, to strengthen its learning strategy and adaptive approach. It will also support participatory and **integrated** and **multi-disciplinary** approaches to addressing rule of law and human rights challenges drawing on expertise across the programme, the wider GPN and UNDP.

Activities may include:

- Develop a learning strategy and MEL system (including guidelines, tools, and templates) to guide the Global Programme and country offices and regional hubs, including for example, a template of standard indicators related to each of the Global Programme's outputs that can be customised at the country and regional levels.
- Capacitate country offices to be adaptive, innovative and impact-focussed through sharing of good practices and existing or new data collection tools related to rule of law, justice, security and human rights, including in support of gender and human rights mainstreaming and analysis of the specific impact on gender equality and women's empowerment.
- Build collaboration around MEL and develop systematic feedback loops that facilitate peer learning and sharing of knowledge and good practices, for example through new and existing mechanisms such as COPs and regional learning workshops.
- Targeted use of catalytic funding for specific experimentation/learning focused projects (see Section IV, 4.2: Project Management).
- Development of policy, analysis and guidance documents for MEL in rule of law, justice, security and human rights programming.
- Research and analysis of the rule of law and human rights implications of responses to global challenges (e.g. climate crisis, cyber threats, the health crisis, and migration).

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[202] See ISSAT Palestine evaluation. The MTE noted the Global Programme-funded SDG16 M&E project in Somalia was a promising pilot for improved monitoring.

[203] The development of several regional knowledge products in LAC during Phase III allowed UNDP's strategic positioning at the political and programmatic levels, including Analysis on innovation in citizen security and human rights in Latin America and the Caribbean; Caribbean Justice: a needs assessment of the judicial system in nine countries; and Innovation, Resilience and Urgent Transformations towards Inclusive Justice in Latin America and the Caribbean.

- Country-level and led research on topics related to gender equality including, for example, the link between proliferation/access of small arms and femicides, or obstacles for access to justice for women with disabilities, etc.

Output 6: Sustained high-quality, evidence-informed analytics and learning contribute to shaping global and regional level policy discourse on rule of law, justice, security and human rights

The Agenda 2030 is grounded specifically on human rights and emphasises the indispensability of the rule of law for successful societies. The Global Peace Index notes that peaceful and prosperous communities are generally built on a foundation of laws that hold all individuals equal and accountable, protect and promote rights and freedoms, are openly adopted and enforced, and, when violated, fairly adjudicated by independent courts.[204] Yet rule of law and human rights are under threat around the world. Advancing the rule of law and protection of human rights is an inherently difficult task in an increasingly hostile global environment for democratic governance. The COVID-19 pandemic has only accelerated forces that impede peace, development, human rights and the rule of law.[205] There is an urgent need for a strong commitment and action by international, regional and national actors to stem this backsliding and reassert global principles of justice and rule of law and respect for human rights obligations.

This commitment, most recently articulated in regard to the Common Agenda, is essential for the realisation of Agenda 2030. Other international policy documents, conventions and frameworks such as the Women, Peace and Security agenda, and the Voluntary Principles on Security and Human Rights reflect general commitments of members states to the importance of rule of law and human rights in sustainable development, conflict prevention and peacebuilding. However, these commitments must be constantly and thoughtfully nurtured. A strong and coherent narrative in support of rule of law and human rights at the national, regional and international levels is needed to create an enabling environment for positive change. Global analysis and data are also critical to inform evidence-based reframing of UN activities in the areas of rule of law and human rights. The Global Programme is committed to ensuring policy-making is evidence and learning-informed.

The Global Programme is well-positioned to effectively inform international policy development and agenda setting, and promote a culture of shared responsibility within the international community, including, for example, in the promotion of people-centred justice.[206] It is the long-standing lead on rule of law and human rights within UNDP, with a strong international reputation and sustained financial partnership support for its programming and policy and thought leadership. It has strong global networks in all its core thematic areas and is an active participant in a range of UN-wide joint initiatives and programming on rule of law and human rights, such as the GFP and TriPartite Partnership. The Global Programme seeks to advance global policy dialogues and promote new practices based on lessons from programming and research to help realise Agenda 2030 and SDG16.

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[204] Global Peace Index 2021, https://www.visionofhumanity.org/resources/
[205] High Commissioner for Human Rights Foreword to the Annual Appeal 2021
[206] During the pandemic, for example, the Global Programme contributed extensively to the development of UNDPs response, ensuring rule of law and human rights were clearly reflected as a core element of a development response to the crisis. See for example, https://www.undp.org/speeches/strengthening-rule-law-human-rights-sustaining-peace-and-fostering-development-2021-undp

The Phase IV focus on intentional learning (see Output 5), coupled with the programme's thematic and regional expertise and knowledge of global and regional developments and trends means the Global Programme is well-placed to strategically leverage the nexus of its global policy leadership with its provision of technical and strategic support to country and regional-level programming. The Global Programme aims to bridge the gap between global-level policies, agendas and strategies, and country-level programming and decision-making in order to strengthen the potential impact of rule of law and human rights interventions and advocacy at the country level.[207] This is premised on the idea that the greater the degree to which regional and international level policy can enable national investment and buy in for rule of law and human rights, the more impactful and sustainable country-level interventions can be.

The Global Programme's efforts within this output will contribute to the following aspirations:

- Evidence-based, high quality regional and global-level policy is informed by robust evidence and learning generated through improved MEL systems.
- Coherent international policy supports an enabling environment within which a wide range of actors, within and outside of the UN, can better promote respect for rule of law and protection of human rights at the national level.
- International policy (such as General Assembly resolutions) that support respect for the rule of law and protection of human rights strengthen the ability of member states to uphold international obligations and create soft law for the UN system as a direction for programming and policy

- UN system-wide policy on rule of law, justice, security and human rights includes a development approach. Conversely, a rule of law and human rights-based approach is consistently applied to and articulated within development policy.[208]

A Strategy for Change:

The Global Programme will support policy and advocacy efforts to promote **people-centred** justice and security at national, regional and global levels including through its research and analysis. It will continue to support UN efforts to promote rule of law globally and further the centrality of rule of law discussions among members states, such as through the GFP,[209] to strengthen and complement national level advocacy and interventions. The Global Programme will adopt **innovative** information sharing and communications approaches to increase the accessibility and usability of knowledge and policy products by a wider range of stakeholders.

The Global Programme will build and enhance **strategic partnerships** and coalitions with other global rule of law and justice advocates, for example, Pathfinders, the Peacebuilding Fund and the World Bank, to strengthen global political commitments to rule of law. It will leverage its **convening** capacity at the global and regional levels to create and support spaces for dialogue and debate around issues related to rule of law and human rights.

The Global Programme will strengthen and mobilize policy and research-oriented **partnerships** and strengthen networks with think tanks and academia to advance **thought leadership** in areas of specific focus such as gender justice, people-centred justice and security, safeguarding civic space, human rights-based digitalisation, climate justice and

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[207] This gap was identified in the MOPAN 2020 Assessment Cycle, Draft Institutional Assessment: UNDP, Version 16 July 2021.

[208] UNDP Strategic Plan 2018-2021 evaluation noted that "there remains space for UNDP to further leverage its thought leadership on human development approaches to help development partners be bold and think differently."

[209] For example, GFP partners meetings with member states and other UN actors to share learning and encourage continued contribution to the sustaining peace agenda.

business and human rights. This will include establishing an **expert advisory group,** consisting of representatives of key international organisations, think tanks, academia and civil society that are working on rule of law, justice, security and human rights (see Section VIII and Annex 4). The group will provide guidance and support to the Global Programme regarding trends, challenges and opportunities to influence change.

Drawing on its MEL data and learning, and technical expertise and contextual knowledge, the Global Programme will develop **policy and thought leadership products**. It will also support translating research and policy findings into practical actionable insights for UN entities, international NGOs and other international organisations that support national processes for strengthening rule of law, human rights justice and security.[210]

Activities may include:

- Systematically mine Global Programme MEL data to identify learning and good practices and feed these into responsive policies and foresight analytics in the area(s) of rule of law, justice, security and human rights.
- Develop and contribute to regional and global policy products on rule of law, justice, security and human rights, including policy products with a focus on people-centred justice, and discrimination due to race, gender, disability, etc.
- Promote norms, standards and good practices for rule of law, justice, security and human rights across UNDP programming.
- Disseminate lessons learned and regional and global policy documents through internal and external outreach and communications.
- Strengthen global policy discussions with evidence and learning based on UNDP's extensive frontline experience across development contexts.

3.2 Partnerships

Since the inception of the Global Programme in 2008, UNDP has readily acknowledged that its delivery of rule of law and human rights assistance is most impactful when supported by strong partnerships both within and outside of the UN system.

The Global Programme has galvanised and maintained a wide range of strategic relationships and substantive and financial partnerships to support the promotion of rule of law and human rights globally. In Phase IV, strengthening existing and developing new strategic partnerships at the policy and programming level is a priority operational enabler for the Global Programme (see Section II, 2.5). The Global Programme's key partnerships, including with other UN Agencies, regional and international organisations, and also with the private sector, are detailed below.

a) UN partnerships

The Global Focal Point (GFP)

UNDP will continue its role as co-lead, alongside DPO, of the **Global Focal Point** arrangement (see *Box 2: Lessons from the GFP in Phase III*). The GFP is an institutional arrangement that brings together all UN entities working on security and justice issues to deliver as 'One UN' where it matters most – in the field, in crisis, peace mission and fragile settings. The GFP is co-chaired by DPO and UNDP, and includes as partners UN Women, OHCHR, UNODC, PBSO, UNDP, DPKO, DPA, UNHCR, UNICEF, UNOPS, and the UN Team of Experts on Rule of Law/Sexual Violence in Conflict. Financially backed by the Global ROL

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[210] For example, the recent UNDP human rights consultations have offered up a range of important lessons and stories of change regarding the ability of UNDP to influence policy at all levels. These lessons will be synthesised and shared.

Programme, the GFP coordinates across stakeholders at all levels (country, regional and global) to deliver results on the ground.

At the request of in-country leadership, the GFP activates the UN system at the global level to jointly assess the context, evaluate the comparative strengths of each UN entity and chart a common programming framework that meets the needs in the field. This joint programmatic offer is complemented by catalytic seed funds from the Global ROL Programme, which help establish the necessary arrangements for the mobilization of larger funds - for instance from the PBF, bilateral donors, or other strands of multilateral investment. The joined-up approach of the GFP is especially impactful in mission transition settings, such as Haiti, Sudan (Darfur), DRC, Mali and Guinea-Bissau. The Global Programme serves the whole of the UN system, and is positioned as the funding vehicle that enables the GFP to deliver both at HQ and, critically, at the field level

In addition to convening UN rule of law assistance delivery actors through this arrangement at the headquarters level, UNDP works with UN System leadership and country presences to support implementation of comprehensive rule of law strategies and to resolve political obstacles to fostering the rule of law and human rights. The Global Focal Point is an entry point and mechanism for field level counterparts and Member States who seek technical, financial and strategic support regarding rule of law. UNDP and the Global Focal Point foster coherence and coordination amongst the humanitarian, peace, and development sectors. The GFP enabled UNDP to become more agile and effective in delivering rule of law assistance through country-led, context-specific strategies and programmes. In Phase III UNDP secured support from key partners and Member States for core GFP work to support greater alignment and coherence within the rule of law sector. In line with its commitment to MEL in Phase IV, UNDP will work with DPO and other GFP entities to review and address the Phase III MTE recommendations around the GFP governance structure, membership, and reporting modalities.

TriPartite Partnership to Support National Human Rights Institutions

In Phase IV UNDP will continue to support and strengthen the **TriPartite Partnership to Support National Human Rights Institutions** with the Global Alliance of National Human Rights Institutions (GANHRI) and the United Nations Office of the High Commissioner for Human Rights (OHCHR).[211] This partnership was formed in 2011 and has enabled the harnessing of the collective strengths and comparative advantages of each partner to provide high-quality and timely assistance to NHRIs that is jointly planned, delivered and evaluated through a rights-based approach to ensure maximum impact. The TPP is a unique platform to support NHRIs which aims, through the delivery of catalytic funding, technical assistance and partnership support, to invest in strategic initiatives to build the capacity of NHRIs to increase fulfilment of human rights for all people.

NHRIs work with governments, civil society, and global partners to address local challenges and foster just and inclusive societies by upholding human rights principles and standards.

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[211] In 2020, NHRIs in 15 contexts benefitted from TPP assistance. To reduce overcrowding in places of detention during the COVID-19 pandemic, the NHRI in Togo improved its effectiveness through the development of its first strategic plan and costed results framework, informed by a thorough review of past practices and stakeholder consultations. The Ministry of Law and Justice and stakeholders in Lesotho took key steps toward the promotion and operationalization of the NHRI, including by increasing awareness of its prospective role and mandate and aligning its legislation with the Paris Principles. The NHRI in Mozambique undertook an in-depth capacity assessment, based on the Global Principles for the Capacity Assessments of NHRIs, to identify the most vital capacity needs of the institution and strategies to address them.

NHRIs have proven to be essential for rights-based implementation of the SDGs, inclusive recovery from the COVID-19 pandemic,[212] and sustaining peace. The significant role of NHRIs has been increasingly recognized, including in the Secretary-General's Call to Action on Human Rights, the UN's framework for the immediate socio-economic response to COVID-19, as an indicator of sustainable development under SDG 16, and in the Handbook for Preparation of Voluntary National Reviews. Since 2018, the TPP has been operationalized through joint planning, conceptualization and programming of support to NHRIs which has created more coherence in UN approaches and furthered integrated human rights and development approaches.[213]

UNDP-DPO Partnerships on DDR and SSR

In the area of DDR and SSR, UNDP partners with DPO by co-chairing UN inter-agency working groups, which gather several UN entities to enhance effectiveness and efficiency in DDR and SSR processes, through the Inter-Agency Working Group on Disarmament, Demobilization and Reintegration (IAWG-DDR) and the Inter-Agency Security Sector Reform Task Force (IASSRTF), respectively. Both working groups have important policy functions consolidating UN practice in the Integrated Disarmament, Demobilization and Reintegration Standards (IDDRS) and Integrated Technical Guidance Notes on SSR. Both sets of guidance constitute living documents and are being reviewed to better equip practitioners at the country level to advise and support implementation of programmes in these areas.

The Saving Lives Entity (SALIENT) with UNODA

The Saving-Lives Entity (SALIENT) has its origins in the Secretary-General's 2018 Agenda for Disarmament[214] and is a United Nations funding facility[215] dedicated to supporting Member States in tackling armed violence and illicit small arms and light weapons as part of a comprehensive approach to sustainable security and development. Informed by decades of experience on small arms control and armed violence prevention by the United Nations Office for Disarmament Affairs (UNODA) and the United Nations Development Programme (UNDP), SALIENT offers the international community a new vehicle for sustained financing of small arms control measures in settings that have been most affected by these challenges.

By supporting catalytic activities to mainstream small arms control in both development and security efforts, SALIENT responds to the multi-faceted nature of the illicit proliferation of small arms and light weapons and addresses root causes of armed violence. SALIENT funded initiatives will put a special emphasize on gender transformative approaches and the generation of reliable data. SALIENT also builds on the multi-sectoral platforms and programmes developed by UNDP and ODA, as well as those of other UN entities, which have demonstrated the need for multisectoral approaches to armed violence and small arms/ammunitions control. SALIENT is implemented through the Global Programme in partnership with UNODA and is financially housed in the PBF.

SALIENT project proposals must be developed by at least two UN entities, in consultation with UNDP, and jointly with the national government, as well as in coordination with the Resident Coordinator. For example, the scoping mission in Jamaica included initial briefings with the UN Country Team lead by the RC.

The Peacebuilding Fund

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[212] See the Global Study on the Role of NHRIs in responding to COVID-19, UNDP, OHCHR and GANHRI, March 2021 at https://www.undp.org/publications/covid-19-and-national-human-rights-institutions.
[213] TPPFlyer2021.pdf (ganhri.org).
[214] https://www.un.org/disarmament/sg-agenda/en/ (see Action 20).
[215] Financially housed in the Secretary General's Peacebuilding Fund

The Global Programme maintains a strategic relationship with the PBF that involves working in close coordination at the country level, and through the UNDP corporate liaison (CPPRI team) to ensure funding is complementary and avoids duplication. For example, the jointly implemented UNDP, MINUSCA and UN Women Rule of Law and the Special Criminal Court (SCC) projects in the Central African Republic benefited from PBF support after initial investment from the Global Programme. In Burkina Faso, the funding provided through the Global Programme led to further investment of the PBF. UN System-wide cohesion has been one of the main guiding principles for designing the PBF projects, which were developed in close collaboration with DPA/UNOWAS, UNDP, the Office of Rule of Law and Security Institution (OROLSI) and the UN System in Ouagadougou. The Global Programme regularly provides technical inputs and reviews PBF proposals such as the concept note for a PBF cross-border regional project on Dialogue, Reconciliation and Transitional Justice in DRC/Rwanda/Burundi.

The Global Programme's MEL and Innovation Unit will review the PBF definition of 'catalytic' and relevant evaluations and assessments[216] to inform the development of a methodology for capturing, measuring and reporting of the catalytic effect of Global Programme support at the country level in Phase IV.

Gender Justice Partnership with UN Women

In April 2020, UNDP launched the Gender Justice Partnership (through the Global Programme) with funding from the Government of the Netherlands. This joint programme aims to increase access to justice for women and girls, and for vulnerable and marginalized groups by addressing their immediate needs, while also working on strengthening the institutional effectiveness and accountability of the judicial system and the legislative framework. It seeks to empower women to seek solutions and provide them with quality services throughout their justice journey using a people-centred approach. It focuses on contexts affected by conflict, crisis, and fragility.

UNDP and UN Women collaborate with multiple other partners, including civil society organizations, women leaders, national justice actors, governmental institutions, and other UN entities.[217] UNDP and UN Women will continue to take steps to broaden the partnership in order to galvanize the progress in implementing gender justice initiatives together and around the globe. In the Arab States region, UNDP, UN Women and UNFPA are entering Phase III of the Gender Justice and the Law, including the launch of a regional gender justice website and online repository of legislation.[218]

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[216] For example, see the Clingendael report, "Challenges and opportunities to peacebuilding: analysis of strategic issues identified by country specific PBF evaluations" found at https://www.clingendael.org/sites/default/files/pdfs/Challenges%20and%20opportunities%20to%20peacebuilding.pdf.

[217] In 2020, nine contexts benefitted from the joint activities aimed at ensuring gender equality and expanding access to justice for women and girls: Democratic Republic of Congo, Ethiopia, Lebanon, Mali, Nigeria, South Sudan, State of Palestine, Tunisia, Uganda.

[218] In December 2018, UNDP, UN Women, UNFPA and ESCWA launched The Gender Justice Initiative, which was based on a series of 18 country reports that assessed existing legal frameworks affecting gender equality and protection against gender-based violence against international conventions and standards in the Arab States. Through their publication, the partners sought to encourage legal, policy and institutional reforms to address barriers to gender equality and women's empowerment. Phase II (2019) and III (2020) of the initiative comprised a regional report and the Gender Justice and the Law Dashboard, and the extension of that dashboard to cover many of the

UNHCR-UNDP Partnership on Rule of Law and Local Governance

The Agenda 2030 recognizes that displacement and exclusion are key development challenges. The 2018 Global Compact on Refugees and other global policies and campaigns on statelessness and internal displacement call upon humanitarian, development and peacebuilding actors to leverage each other's strengths.[219] In particular for refugee hosting situations, this has led to a significant increase in development financing and technical assistance in sectors such as livelihoods, social protection, education and health. However, development financing, policy making and programming for governance and rule of law is still lacking despite their critical importance for ensuring the rights of and protection for asylum seekers, refugees, IDPs, stateless persons, returnees and host communities.[220] Governance and rule of law are also essential to prevent and resolve forced displacement and statelessness.[221]

UNDP and UNHCR have increased their collaboration and in 2017, the organizations confirmed local governance and rule of law as one of the key areas of focus of their collaboration.[222] To date, over 25 UNDP and UNHCR field operations are implementing or designing joint initiatives on local governance and rule of law. The collaboration has led to more coherence across the humanitarian-development-peace nexus and has in many cases also yielded positive protection and development results. However, there are also many knowledge gaps, operational and financing challenges that need to be addressed in order to improve the joint response. UNDP is committed to strengthening this partnership in Phase IV to consolidate existing joint work, sustain and scale up successful practices.

UNDP-DPPA Partnership on Constitutional Assistance

Constitutions provide the legal certainty, equal applicability, and accountability that are foundational components of the rule of law. Constitutions guarantee fundamental rights, and the mandating of courts and commissions to protect those rights, which are vital in promoting a rule of law and human rights culture. UNDP works closely with DPPA and other UN partners to support Member States in designing and implementing inclusive and participatory constitutional reform processes dedicated to promoting democracy and the rule of law. UNDP and DPPA have conducted joint constitutional assessment missions for national and UN partners; induction workshops for newly formed constitution making bodies; and numerous workshops on the array of procedural and substantive challenges that typically arise during constitutional reform processes. UNDP also works with UN Women to promote women's participation in constitutional processes and substantive rights in constitutions and works with OHCHR to promote international human rights norms. At the headquarters level, UNDP and

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indicators in SDG 5.1 respectively. Phase III of the initiative includes the launch of a dedicated Gender Justice website that hosts the data and information made available including the texts of the laws concerned.

[219] Similar calls are made by the Agenda for Humanity, the United Nations resolutions on Sustaining Peace, and the OECD DAC recommendation on the humanitarian-development-peace nexus.

[220] UN GA Executive Committee of the High Commissioner's Programme, Note 96/1145, 63rd meeting, 8 June 2015, EC/66/SC/CRP.10

[221] See also: Jonas Gamso, Farhod Yuldashev, Development aid will not deter migration but Governance Aid will, November 2016; The complex effects of development aid on migration, December 2018; World Bank – United Nations, Pathways for Peace: Inclusive Approaches to Preventing Violent Conflict, 2018. Chapter 4: Why People Fight: Inequality, Exclusion and a Sense of Injustice.

[222] The 2017 Joint Communication by UNHCR's High Commissioner and UNDP's Administrator made a commitment to deepen collaboration in five key areas – refugee inclusion in national plans and SDG implementation; joint-programming, such as on governance, rule of law, access to justice; sustainable livelihoods, and preparedness.

DPPA co-lead an inter-agency working group on constitutional assistance, which also includes DPO, UN Women, OHCHR, and UNICEF.

UNDP-OHCHR-UN Women Human Rights Defender Partnership

To reinforce the actions of the Generation Equality Forum, UNDP works with OHCHR and UN Women on a project to better understand the challenges faced by women and youth human rights defenders in West Africa in particular in the context of the pandemic – and to highlight how they can contribute to building post-COVID societies that respect human rights. The project aims to facilitate the discussions - in a participatory and inclusive manner - around women and youth rights and stimulate dialogue and facilitate networking among women and youth human rights defenders in the sub-region. Ultimately the project will identify priority actions in the support and capacity building of women and youth human rights defenders.

With OHCHR, UNDP also contributes to the work of the Intergovernmental Agencies Contact Group, created in 2019 under the auspices of the OSCE ODIHR and EU Fundamental Rights Agency, in their support to human rights defenders in the region of Europe and Central Asia.

UNDP-OHCHR Partnership on strengthening HR and SDG systems implementation and integrated approaches

Since 2018, UNDP and OHCHR have been implementing joint initiatives bringing together UN and national actors to create synergies between SDG implementation and monitoring processes and the follow-up to the recommendations of the Universal Periodic Review (UPR) and other human rights mechanisms. Within this framework, UNDP and OHCHR have begun to strategically engage with the UPR and other human rights mechanisms (global and regional) to bring integrated approaches to closing the technical cooperation gap between human rights and SDG systems. This aims to increase awareness and capacity of UN country teams, governments and other stakeholders to follow up on human rights recommendations and incorporate them into SDG-based national development processes, and strengthen cooperation between the human rights and SDG systems which varies architecturally at the country level. Seven countries are being supported in 2021 with significant demand for further scaled up support in 2022 and beyond.

Human Rights Mainstreaming (HRM) Multi-Donor Trust Fund

UNDP is a participating UN organization in the Human Rights Mainstreaming (HRM) Multi-Donor Trust Fund. UNDP participates in both in the governance structure as a member of the Steering Committee of the HRM and in supports implementation of key activities. To date the financial support of the MDTF has been focused largely on provision of Human Rights Advisors to UN Resident Coordinator Offices. As the largest programming entity and integator in the UN system, in 2020 UNDP is implementing complementary work jointly with the UN Human Rights Office on strengthening RC and UNCT strategic engagement with the Universal Periodic Review process and other human rights mechanisms (global and regional) to achieve the Sustainable Development Goals.

UNDP will continue to support the strategic objectives of the Human Rights Mainstreaming Trust Fund and lead on key activities where our comparative advantage will support development impact and results using a partnership approach*.*

Regional One-UN Partnerships on Business and Human Rights

UNDP partners with UN actors and the OECD to support the implementation of the UN Guiding Principles on Business and Human Rights, the ILO Declaration on Multi-National Enterprises and the OECD Guidelines for Multi-National Enterprises. In Asia, UNDP convenes and leads a group of actors which includes ILO, UNWOMEN, UNICEF, IOM, UNEP, ESCAP OHCHR, and the UN Working Group on Business and Human Rights, that organizes the annual Responsible Business and Human Rights Forum for Asia-Pacific. In Phase IV, UNDP plans to

replicate the same partnership model for the organization of the Regional Forums in Eastern Europe and Central Asia, Latin America, Africa and Arab States regions which are planned to become yearly events during the timeframe of implementation of the global programme.

b) Non-UN partnerships

Phase IV of the Global Programme will continue to support UNDP's longstanding efforts to build and strengthen partnerships with Member States (including both beneficiary States and donor States), civil society actors, think tanks, academia and global communities of practice in order to advance its strategic goals. Particular attention will be given to new strategic relationships and partnerships that enable the Global Programme to engage in specialist priority areas such as e-justice and climate justice, as well as strengthening learning and policy-oriented partnerships to increase the Global Programme's regional and global level influence.

- **Member States:** In support of its programming aims, UNDP will continue to prioritize partnering with both Member States and other UN bodies and agencies to enhance the provision of support throughout the Global Programme. This includes working with national stakeholders receiving rule of law and human rights assistance through, for example, the GFP, which provides a single point of contact for national stakeholders to liaise with the UN on rule of law issues and to work together to deliver jointly planned and implemented rule of law strategies. Engagement with Member States also includes donors who contribute both financially and in-kind to the Global Programme to ensure that assistance is aligned with national priorities, and coherent and coordinated with other international rule of law actors. This includes tapping into the standing expert capacities of Member States to support UNDP planning and programme implementation. The Global Programme partners with the **Folke Bernadotte Academy** (FBA) who, amongst other things, provide technical expertise to UNDP's people centred security work and are members of our **Advisory Group on the People-Centred approach to Security.**[223] UNDP will also redouble its efforts to work with other multilateral organizations such as the World Bank and the European Union.

- **Civil society:** Civil society actors will be closely engaged in programme countries in effort to leverage the knowledge and expertise of the local context, culture, and political economy. In particular, UNDP will seek to foster partnerships with dynamic civil society organizations and leaders that have demonstrated commitment to international human rights principles and are accountable to their constituents.

- **International NGOs, think tanks and academia:** Additionally, policy and research-oriented partnerships, communities of practice, and networks will be further strengthened with a range of think tanks and academia relevant to the peacebuilding and development field whose efforts may support UNDP's rule of law and human rights efforts going forward. The current partnership with the United Nations University (UNU)'s **Managing Exits from Armed Groups (MEAC)** programme will continue in Phase IV.[224] UNDP's partnership with DCAF-ISSAT to undertake learning-focused

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[223] UNDP and the Folke Bernadotte Academy (FBA) are partnering to focus on and generate innovative reflections around the people-centred approach to security and its implications for future policy and programming engagement. Under this initiative, a thought paper on people-centred approach to security, seeking conceptual clarity to guide policy development has been developed and an Advisory Group (AG) on People-Centred Approach to Security, and a community of practice composed of security sector experts have also been created.

[224] MEAC was launched in 2018 to address the knowledge deficit on whether support to exits from

evaluations of a number of country contexts during Phase III will also be maintained and expanded in line with the Global Programme's learning agenda. The Global Programme maintains close contact with the **Overseas Development Institute (ODI), IDLO,** New York University's **Center on International Cooperation (CIC)** and others to collaborate, and share knowledge and learning. UNDP partners with **the Hague Institute for Innovation of Law (HiiL)** including on projects in Ukraine and Fiji**.** The Global Programme also regularly engages and collaborates with the Working Group on Transitional Justice and SDG16+ convened by the **International Center for Transitional Justice**, and the Task Force on Justice, an initiative of the **Pathfinders for Peaceful, Just and Inclusive Societies**.

- **Regional entities and organisations:** UNDP and the Global Programme has various longstanding partnerships at the regional level. For example, in Europe and Central Asia, the Global Programme works with the **OSCE/OSCE ODIHR, Council of Europe**, and **European Network of NHRIs** to advance human rights issues. In Africa, it works with the African Union, and the Network of African National Human Rights Institutions (NANHRI). It supports the implementation of the **Lake Chad Basin Commission Regional Strategy for the Stabilization, Recovery and Resilience** of the Boko Haram-affected areas. Relationships and partnerships to be strengthened in Phase IV include: in Asia with the Council of ASEAN Chief Justices; International Association of Women Judges; ASEAN Intergovernmental Commission on Human Rights (AICHR) and other ASEAN bodies, and the Asia-Pacific Forum of National Human Rights Institutions (APF); in Africa with major regional development organizations, including Economic Community of West African States (ECOWAS), East African Community, South African Development Community (SADC), Intergovernmental Authority on development (IGAD) among others; and in the Latin American region with Conference of Ibero-American Ministers of Justice (COMJIB), Open Justice Network (RIJA), Network of Judicial Schools, CARICOM, CONOSE Network, SICA, the Association of Prevention of Torture (APT), the Danish Institute of Human Rights and the Interamerican Institute for Human Rights, amongst others.

- **Business Associations:** In the context of its work on Business and Human Rights, UNDP has established partnerships with various chapters of the **UN Global Compact Network** and several other business associations including the **International Organization of Employers** (IOE), **amfor**i and **The Global Business Initiative on Human Rights** (GBI). UNDP also manages the **Connecting Business initiative** (CBi), a joint project with OCHA to strategically engage with local private sector networks to prepare for, respond to, and recover from emergencies. In Phase IV these connections will be further strengthened and leveraged also in the context of work related to green and climate justice.

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conflict work and under what circumstances through a rigorous and evidence-based study to contribute to more effective policymaking, programme design and implementation, and allocation of resources. UNDP is a member of the Steering Committee along with DPO, the World Bank, UNICEF, Switzerland, Sweden and Norway.

Box 2: Lessons from the Global Focal Point (GFP) in Phase III

The Global Focal Point (GFP) for the Rule of Law was established by the UN Secretary-General in 2012. The arrangement, co-led by UNDP and DPO, contributes to the UN's prevention and sustaining peace agenda by strengthening the system-wide provision of rule of law assistance to address violent conflict, protect human rights and restore justice and security for conflict-affected people. It supports the implementation of the Action for Peacekeeping, Women Peace and Security, and the 2030 Agendas. The GFP aims to streamline assessment, planning and delivery of rule of law support to improve overall impact. It contributes technical knowledge, people (through the rapid deployment of police, justice and corrections expertise) and strategic support through joint assessments, planning, funding and partnerships to ensure coherent rule of law assistance (including police, justice and corrections support) in post-conflict, crisis and transition contexts.

At the country level, the GFP partners work to deliver under one jointly planned and implemented rule of law plan (in line with national priorities), and provide one single point of contact for national stakeholders to liaise with the UN on rule of law issues. The GFP supports senior United Nations officials in-country who are responsible and accountable for guiding and overseeing UN rule of law strategies, for resolving political obstacles, and for coordinating UN country support on the rule of law. To support the UN leadership in fulfilling this task, the GFP responds to requests channelled through UN entities on the ground, with timely and quality assistance. The Global Programme is the financial vehicle that enables the GFP to deliver both at headquarters and at the country level.

An independent review of the GFP in 2018 identified a number of positive achievements. It found that the GFP helped to leverage comparative advantage, position the UN to avoid setbacks during peace operation transitions, reduce duplication, and create efficiencies in the field. For example, in the Central African Republic, the joint programme on impunity re-established functioning courts in Bangui and elsewhere, 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. 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 law students, and created a Policing Model that is now being developed by state organizations. In Haiti, joint work enabled the continued training of police cadres and digitization of police systems.

The 2018 review and the recent Global Programme mid-term evaluation highlighted several challenges and recommendations for strengthening the effectiveness and reach of the GFP. These included promoting more integrated approaches across the GFP entities, including through more joint resource mobilisation and more coherence of plans, timelines and analysis; raising the profile of the GFP at the country and regional levels; and giving more emphasis to thematic areas such as gender and human rights.

In 2020, funding from the United Kingdom enabled the GFP to greatly strengthen joint responses, especially for the COVID-19 response. Joint support to address COVID-19 challenges was provided in 16 settings. It also assisted the establishment or renewal of 6 joint programmes and the establishment of two new rule of law projects related to CRSV and e-Justice (in South Sudan and Afghanistan respectively). Seed funding was provided to consultations for a new rule of law programme in Somalia (to be jointly implemented by UNSOM, UNDP, UN Women, and UNICEF). The GFP continued to convene key rule of law actors at headquarters and in-country on country-specific consultations. For example, the Standing Police Capacity, UNDP and OHCHR partnered in Angola, Uganda, the Maldives and Zambia to offer online training to law enforcement on human rights based, gender-sensitive and people-centred policing in the context of a state of emergency, elections, and community policing. In Afghanistan, remote court hearings were established with online support offered by the Justice Corrections Standing Capacity through a new joint project in response to the deteriorating security situation and the COVID-19 pandemic.

3.3 Risks and Assumptions

a) Key risks that threaten the achievement of results and mitigation strategies

The Global Programme provides support across the full range of development contexts, with a specific focus on fragile, conflict and crisis affected settings. There are a number of challenges accompanied with delivering this support and a range of risks that could compromise its potential for maximum impact. These risks and accompanying mitigating strategies are further elaborated in Annex 3 Risk Log, and are summarized as follows:

- Changing political environments and national priorities undermine or compromise institutional capacity development efforts.

- Changing priorities within the international community weaken efforts to integrate rule of law and human rights in peacebuilding, stabilization and recovery processes, or other initiatives to address or prevent fragility and conflict.

- Weak inter-agency engagement from partners at headquarters and country level.

- Inadequate response to resource mobilisation efforts hampers the programme's capacity to respond to increasing demand for support from UNDP Country Offices, regional hubs and host governments.

- Unpredictable management, lack of buy in, and/or financial or personnel constraints within Country Offices prevent UNDP rule of law and human rights assistance from achieving maximum effect.

- Challenges in identifying highly qualified and experienced rule of law and human rights experts with whom to partner for rapid deployment.

- Lack of operational or technical capacities, including MEL capacities, in UNDP Country Offices limits delivery and reporting of catalytic effect of pipeline funding.

- Reduced or limited access and ability to work in some settings due to security and public health restrictions for programme staff and consultants (for example restrictions related to the current COVID-19 pandemic).

- Interoperability challenges such as incompatibilities across finance systems negatively affects inter-agency joint rule of law programming, especially in Mission settings, and slows delivery.

To avoid compromised delivery, UNDP is actively engaged in measures to pre-empt and/or mitigate these risks and their potential effects on the Global Programme. For example, UNDP will:

- Increase regional and headquarters-level communications and advocacy efforts to sensitize donor partners of the importance of supporting rule of law and human rights for preventing and responding to crisis, conflict and fragility.
- Continue to be responsive to donor concerns and questions and conduct regular consultation and communication with the partners advisory group, through for example, frequent partner meetings, which were recognised as a strength of the Global Programme in Phase III.
- Establish an expert advisory group for Phase IV, where members of think tanks, academia, international organizations and civil society will be invited to provide guidance and advice to the Global Programme on an annual basis.
- Actively participate in high-level, inter-governmental and other regional and international forums to bring the international community's attention to the importance of rule of law assistance in the early stages of stabilization, recovery, and peace-building initiatives.

- Maintain the highest quality of UN rule of law and human rights expertise at the regional and headquarters levels, including through opportunities to acquire staff through loan arrangements and other in-kind contributions and establishment and maintaining effective knowledge management tools.
- Strengthen the roster of rule of law, justice, security and human rights experts for rapid deployment, with an emphasis on ensuring greater diversity (including in terms of gender, race and ethnicity), expanded thematic and context expertise, and language skills.
- Continue to actively participate in and facilitate increased inter-agency coordination through joint planning, missions, programming and reviews, for example through the GFP, with UN Women, UNHCR, OHCHR, UNODC and others.
- Strengthen MEL capacities within the Global Programme to support high quality programming, inform global policy development, and support resource mobilisation efforts for rule of law and human rights support based on evidence of good practices and impact.
- Engage with Missions, UN Country Teams, UNDP Country Teams, Peace and Development Advisors (PDAs) and other UN presences in a proactive and service-oriented manner, to ensure awareness and visibility of the Global Programme and the Global Focal Point's services and support.
- Mitigate interoperability challenges of finance systems by ensuring that all partners have adequate information in regard to GFP partnership (in English, French, and Spanish) and contractual agreement/funding agreement options available. Further explore GFP governance mechanisms.
- Increase and strengthen partnerships, including with UN agencies such as UNEP, and specialized NGOs and think tanks, research institutes and academic institutions, to mobilise technical and multi-disciplinary expertise to further the strategic priorities of the Global Programme.
- Ensure that UNDP works closely with UNCT in country by encouraging joint programming and coordination including with the RCO.

b) Key assumptions upon which the project results depend

It is assumed that:

- The demand for rule of law and human rights engagement – both political and technical – will increase as a central pillar of governance, peacebuilding and long-term development initiatives supported by the international community.
- Requests for rule of law and human rights assistance by national authorities will continue to increase, given the strengthened capacity of UNDP and the UN System (e.g. the Global Focal Point) to deliver rule of law and human rights assistance.
- A shared understanding among partner governments, international actors and donors regarding the importance of rule of law and human rights in sustaining peace and promoting sustainable development will continue to develop as the UN System and its partners deepen their engagement through a rights-based, people-centred approach.

3.4 Stakeholder Engagement

A critical approach of the Global Programme has always been its engagement with national, regional, and local stakeholders to ensure that supported initiatives are aligned to national and local priorities for strengthening rule of law and human rights. Every effort is made to develop country-level initiatives that build on existing national capacities, which not only minimizes the requirements to get efforts moving on the ground, but also facilitates the national ownership and leadership necessary for making the rule of law and human rights central to peacebuilding, recovery and development efforts and ensuring long-term sustainability.

In Phase IV, the Global Programme intends to enhance its engagement with national stakeholders, but also have an increased focus on harnessing and supporting regional entities

mechanisms, systems and programmes to ensure coherence, sustainability and integration and coordination that can bolster national level efforts. This is particularly important in areas where programming has a cross-border dimension, such as in the Lake Chad Basin and the Sahel.

The Global Programme will also increase engagement with governments, businesses and other partners in promoting rule of law and human rights, including through the application of the UN Guiding Principles on Business and Human Rights, which are grounded in a recognition that the rule of law and human rights are central to enabling countries to effectively, efficiently and transparently mobilize and use resources, and for investors to commit private capital securely.

3.5 South-South and Triangular Cooperation

In Phase IV the Global Programme is committed to strengthening its role as a platform for facilitating and enabling greater collaboration and sharing of knowledge, skills, know-how, and good practices for rule of law and human rights promotion across UNDP Country Offices and the Global Policy Network (GPN). Intentional and systematic learning and knowledge brokerage are specific intended results of the Global Programme to enable the delivery of high-quality programming and the development of evidence-based and learning-informed global policy (see specifically programme outcome 2 and outputs 5 and 6). Efforts to realise this strategic focus will be led by a new MEL and Innovation Unit situated within the programme that will develop and implement a learning strategy aimed at strengthening the capacities of the Global Programme team and the capacities of country office staff. It will build upon existing mechanisms and platforms, including the UNDP Annual Meeting on Rule of Law and Human Rights, and the GPN COPs, while also seeking new opportunities, platforms and partnerships for enabling greater knowledge and learning exchange.

The presence of Global Programme staff in each of the UNDP regional hubs will be critical in enabling and facilitating internal reflections and exchanges of experience between country offices within a specific region and also across regions and with headquarters (see output 5 . This learning approach focuses not only on sharing successes, but also critically reflecting and analysing why certain approaches did or did not achieve the expected results. At the same time, the Global Programme is able to mobilise thematic and regional expertise through both staff and consultants for detailed assignments or other long-term engagements to support the sharing of expertise, skills and knowledge. Its strategic and operational partnerships, including for example with the Pathfinders for Justice initiative or through the GFP, are also critical for enabling South-South and Triangular cooperation.

3.6 Knowledge

In Phase IV, the Global Programme is committed to reasserting its position as a thought leader regarding rule of law and human rights promotion, and this has been identified as a specific intended result of the programme (see output 6). This leadership position was perceived to have been less prominent in the first half of Phase III, although the Global Programme contributed to and produced a large amount of knowledge products during the COVID-19 pandemic.[225] For example, at the onset of the pandemic, UNDP and partners rapidly developed important guidance documents on Access to Justice, Police Planning, Business and Human Rights, Places of Detention, Checklist for a Human Rights-Based Approach to Socio-Economic Country Responses to COVID-19; as well as tools such as the COVID-19 Digital Mapping: Justice and Deprivation of Liberty.

The importance of the Global Programme as a thought leader and knowledge broker is integrally linked to its commitment in Phase IV to developing robust systems for MEL (see

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[225] See the MTE.

output 5) that will enable evidence-based learning, knowledge management and exchange, and will strengthen both programming and policy development at all levels – national, regional and international. The Global Programme in Phase III has already supported several regional level knowledge products such as the Caribbean Justice: needs assessment of the judicial system in countries.[226] This operational enabler aims to leverage the rich experience in Global Programme-supported countries and others, and to ensure policy and knowledge guidance is informed by a strong evidence base of what works and what does not. In this regard, the regional presence of the Global Programme will be important in acting as a feedback mechanism, supporting the feeding of insights, practices, lessons and evidence and good practices from the country level into corporate UNDP strategy and policy at the regional and headquarters level. This country-level evidence and learning will also be important for substantiating the assumptions underpinning the Global Programme's high-level theory of change.

In Phase IV there will be a specific focus on generating knowledge in a number of key thematic areas including (but not limited to) digitalisation and human rights, business and human rights, climate justice, gender justice, constitutions and DDR. In addition, the programme's learning strategy will identify a series of learning questions that will guide targeted programme efforts (including for example catalytic funding specifically allocated to testing learning approaches) in order to expand UNDP's and the global knowledge base regarding effective rule of law and human rights promotion. Questions could include, for example, how is political will for promoting rule of law and human rights most effectively built and maintained? What role could or should youth perspectives play in justice and security sector reform? How do people-centred approaches address power imbalances and resource allocation?

The Global Programme will support the capturing and sharing of knowledge across UNDP's Global Policy Network (GPN) to strengthen its thought leadership role, as well as facilitating access to existing UNDP-internal corporate worldwide knowledge and expertise within and beyond UNDP. The Global Programme will continue its support to UN system-wide policy development and guidance regarding rule of law and human rights in prevention, recovery and response to fragility, crisis, and conflict, including in conjunction with other GFP knowledge generation initiatives.

3.7 Sustainability and Scaling Up

Ensuring the sustainability of initiatives supported through the Global Programme is a priority for both UNDP and the broader UN System *vis à vis* the GFP. Through all of its assistance, UNDP and the Global Focal Point work to ensure that the most urgent needs are rapidly responded to, while at the same time laying the building blocks for fostering recovery, sustaining peace, and improving human development. In mission contexts where the whole of the GFP is responsible to delivery rule of law support, the Global Programme provides a ready-made tool to ensure a smooth transfer of responsibility for operations and implementation from Mission to Country Team, as well as strengthening the capacity of national and local stakeholders to eventually assume all aspects of justice and security reform and oversight of the human rights situation on the ground. In non-Mission contexts, UNDP ensures sustainability by strengthening national capacities for owning rule of law and human rights processes by building these components into each specific country-level project and programme.

The Global Programme's strategy explicitly acknowledges that it is operating within a complex development setting that requires highly context-specific, integrated and adaptive approaches. The Global Programme prioritises being context and needs-driven to ensure that support is appropriately targeted. Proposals for Global Programme funding need to be explicitly

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[226] See Caribbean Justice: A Needs Assessment of the Judicial System in Nine Countries | UNDP in Barbados & the Eastern Caribbean

grounded in a short politically-informed and conflict-sensitive context analysis and include articulation of the hypothesis for how, what and why the intervention is expected to catalyse change. Throughout the cycle of the project and with support from the newly established MEL and Innovation Unit, the country-level interventions will be updated based on country developments and analysis, in line with a Results-Based Management cycle.

The Global Programme recognizes the particular sustainability challenge in conflict-affected and fragile contexts and will work closely with UNDP country offices and regional hubs with the aim to institutionalise interventions within national structures and institutions. Identifying the most salient targets for support at the country level, especially considering the need to ensure value for money and the most effective use of resources, will be critical.

In Phase IV, the Global Programme will also promote the integration of analysis and strategies at the country level to ensure greater alignment between country-level and global-level objectives and results, and increased information flow between UNDP country offices, regional hubs and headquarters.

Further, the Global Programme's strategy recognises that the sustainability of its interventions require political, distributive, behavioural and institutional change. Political interests and power dynamics are likely to be crucial to the long-term sustainability of programme achievements. Its guiding principles therefore emphasise the importance of designing interventions in a way that is people-centred and participatory and informed and driven by an understanding and analysis of the political, conflict and social context, the legal framework, and current resources, dynamics and capacity of relevant stakeholders and systems. Its support to country offices will include promoting strengthened understanding and application of approaches such as Thinking and Working Politically (TWP) and political economy analysis in their programming. The programme also understands that building political will and commitment in order to achieve national investment and buy in to rule of law and human rights related interventions is key. This understanding underpins the theory of change and are specific aspirations articulated under outputs 1 and 2, for example. Strengthening the capacity of institutions and their personnel to be more accountable, transparent and people-centred is a key goal within output 3, aimed at enabling national stakeholders and institutions to take ownership of actions and integrate them within their own objectives and planning systems. Ensuring rule of law and human rights remain high on the global political agenda and creates an enabling environment for more sustainable country-level interventions is a key focus of the Global Programme's intended interventions under Output 6.

During Phase III, the Global Programme was able to promote sustainability through the provision of targeted technical and financial support. It was observed that after receiving pipeline funding, for example, several country offices were able to generate additional significant funding and expand their programming, including with inputs from other donors and/or national counterparts.[227] For example in Colombia, Global Programme funds were provided in 2018 for an expert to assess bottlenecks in support to SGBV victims, build relations with relevant government counterparts, develop a joint strategy, and conduct a brief pilot in 2020. Subsequently, the Ministry of Justice adopted the approach which is now being rolled out across the country with government support and resources.[228] In 2020, through support provided by the Global Programme, UNDP partnered with the government of Germany to undertake an in-depth analysis of the security situation and the institutional and legal

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[227] MTE 2021
[228] ISSAT Colombia Evaluation.

frameworks governing security and the rule of law in five Sahelian Countries, which concluded with the drafting of the Sahel Security and Stability Assessment Regional Report. As an outcome of the assessment, the German Foreign Office contributed €20 million to UNDP's social cohesion, security and rule of law (COSED) programme in Burkina Faso.[229] The Global Programme's MTE found that in Pakistan, there is evidence of a strong causal relation between seed-funding provided and the substantive amount of recently secured EU funding (6.5 million Euros) for a new programme.[230] Overall, the MTE found that mobilization of funds at the country level has been positively influenced by Global Programme technical and financial support in all case study countries.

However, these catalytic effects were not systematically captured and reported over time. In Phase IV, the Global Programme will focus on developing MEL and reporting systems for better capturing, analysing and reporting on these effects in order to inform good practices, innovations and learning that will facilitate sustainability and opportunities for scaling up based on an understanding of 'what works' and 'what does not'.

IV. PROJECT MANAGEMENT

4.1 Cost efficiency and effectiveness

Building on work undertaken in Phase III, and in line with the DCAF's International Security Sector Advisory Team (ISSAT) evaluations[231] as well as the Global Programme midterm evaluation, UNDP in Phase IV will ensure greater cost efficiency and programme effectiveness by launching a comprehensive approach to Monitoring, Evaluation and Learning (MEL). The Global Programme is committed to creating a more streamlined approach to monitoring and evaluation efforts across country-level and regional projects in order to better assess needs and measure impact.

The new MEL and Innovation Unit will lead the development of a standardised MEL system that supports strategic, evidence-based programme outcomes and outputs with appropriate baselines, targets and indicators that are tailored to each individual context in which the Global Programme operates. Lessons from country offices such as Somalia, Palestine and others regarding MEL will be mined, shared and built upon. Data collection methods will be strengthened to better inform policies and programmes on rule of law, justice, human rights, and people centred security by supporting the development and capacity at country-level for monitoring and evaluation of rule of law and human rights programming. Redoubled efforts will also be made to track results and impact on the ground and measure change in a systematic manner, including through systemized learning exchanges, online training and capacity building in MEL for both the Global Programme team but also country offices through direct support from the MEL and Innovation Unit. The Global Programme will also draw on expertise and resources in other UNDP teams, such as the Effectiveness Team, that are advancing innovative learning approaches in line with UNDPs organisational commitment to enhancing its capacity for continuous learning and impact measurement.

To move this agenda forward, UNDP will continue partnering with DCAF-ISSAT to build a coherent and extensive evidence base for UNDP's Global Programme through a series of country level evaluations culminating in a global findings report, upon which flexible guidelines for strategic monitoring of country-level projects can be based, learning can continue and necessary adjustments to programming can be made.

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[229] 2020 UNDP Annual Report on Rule of Law and Human Rights
[230] Global Programme Phase III Midterm Evaluation
[231] 7 country evaluations were undertaken including in Guinea- Bissau, Colombia, Jordan, CAR (x2), DRC and Palestine.

Phase IV of the Global Programme will continue its focus on providing catalytic funding to fragile and conflict affected countries but will also support prevention initiatives and innovations in programming and learning. A strengthened focus on MEL within the pipeline process will support more systematic learning and a stronger evidence-base to inform programming, policy and enable stronger impact reporting. Requests for Global Programme funding will be required to be explicitly grounded in a short politically-informed and conflict-sensitive context analysis and articulation of the hypothesis for what and how the intervention will catalyse change. Approaches to developing baselines prior to project implementation will be standardized, and mechanisms to ensure mid-term and end-of-phase assessments to encourage reflection and learning will be developed and strengthened throughout Phase IV. Additionally, as highlighted by the Phase III midterm evaluation, further emphasis will be placed on developing and implementing the Global Programme results frameworks based on data-driven analysis rather than just anecdotal evidence or qualitative assessment. To encourage these efforts at a systems level, the Global Programme will provide high quality assistance to UN system processes for conducting baseline/joint assessments, programmes, monitoring and evaluation through the MEL and Innovation Unit. The Global Programme will leverage existing and new mechanisms to ensure learning is regularly shared and purposefully informs programming, broader institutional learning, and global policy discussions and developments.

As per UNDP rules and regulations, the Global Programme will undertake mid-term and end-of-programme evaluations.

An important component of ensuring the delivery of cost efficient and effective support through the Global Programme is maintaining the flexibility to shift programmatic interventions when evidence indicates that the assistance delivered is not achieving the desired result. This is part of the new MEL approach and should allow projects and programmes to adapt based on context changes, learning, results, and outcomes. This may include recalling or reallocating funding, redirecting project or programme aims and efforts, or scaling back initiatives implemented in very complex situations according to ongoing assessments of what achievements are realistic in the given context and what is working at the country or regional level.

As in Phase III, we will continue to mainstream UNDP's human rights based approach and **Social and Environmental Standards** (SES) which underpin our commitment to mainstream social and environmental sustainability in our Programmes and Projects. The SES are an integral component of UNDP's quality assurance and risk management approach to programming. This includes our **Social and Environmental Screening Procedure** that enables UNDP to categorise projects according to the degree of potential social and environmental risks and impacts, including their potential to aggravate existing situations of fragility and conflict. Support will be provided to the operationalization of the human rights-based approach in country programming across all areas of UNDP activity.[232]

The Global Programme is a gender marker 2 project and as an overall principle reaffirms its commitment to ensure that our entire Global Programme is gender mainstreamed (see also Section II, 2.5 Guiding Principles) (i.e. that all country and regional level interventions it supports consider gender as part of the conflict analysis, priority setting, budget allocation, implementation, the results framework, the activities, as well as in monitoring and evaluation) and that dedicated projects on gender equality in rule of law, justice, security and human rights are increasing. This is also in line with Security Council resolution 1325 on Women, Peace and Security, which calls for the increased participation of women and the incorporation of gender perspectives in all UN peace and security efforts (including participation of women in

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[232] https://info.undp.org/sites/bpps/ses_toolkit/Pages/Homepage.aspx

decision-making and peace processes, gender perspectives in training and peacekeeping and gender mainstreaming in UN reporting systems).

4.2 Project management

In an effort to consolidate and strengthen UNDP's global response as well as country level support on rule of law, justice, security and human rights, all of UNDP's global capacities in rule of law and human rights have been brought together into one Rule of Law, Justice, Security and Human Rights technical team (ROLJSHR). This allows UNDP to continue to build its global profile and deepens its rule of law and human rights assistance in all environments and takes forward its role as part of UNDP's the Global Policy Network (GPN). This enhanced team maintains a presence in New York and Geneva headquarters, as well as in the UNDP Regional Hubs in Addis Ababa, Amman, Bangkok, Istanbul, and Panama, with staff also located in satellite offices in Dakar, the Caribbean and Nairobi.

The ROLJSHR team, located within the UNDP Crisis Bureau, manages and implements this Global Programme. It works closely with the UNDP Regional Bureaus, the Regional Hubs and UNDP Country Offices to develop and deliver high-quality, context-specific support to rule of law, justice, security and human rights in a wide range of contexts. It also works through the GFP arrangement to partner with DPO and other UN agencies to contribute to joint planning and assessment on behalf of the UN system, and to provide joint financial, technical and operational support on the ground. The ROLJSHR team supports national, regional and global policy efforts and knowledge brokerage, including through the development of guidance documents, research reports and policy briefs. These allow us to both support and influence internal and external networks, which in turn should lead to more effective and well-informed ROLJSHR programming globally.

In Phase IV, the ROLJSHR team structure will be decentralised, moving away from a NY/HQ centric team to a more integrated and agile team with more even distribution of capacity and focus across the thematic areas and the regions. This conceptualisation, including the global reach and inter-connectedness of the Global Programme, is visually represented in Figure 2. Coupled with a more structured process and integrated and agile way of operating that ensures the Global Programme is optimising the collective wisdom, experience, and know-how across the entire team. The team will be knowledge and learning driven, reflected in a commitment to establish a new MEL and Innovation unit.

Figure 2: Conceptual representation of an intentionally integrated and agile team
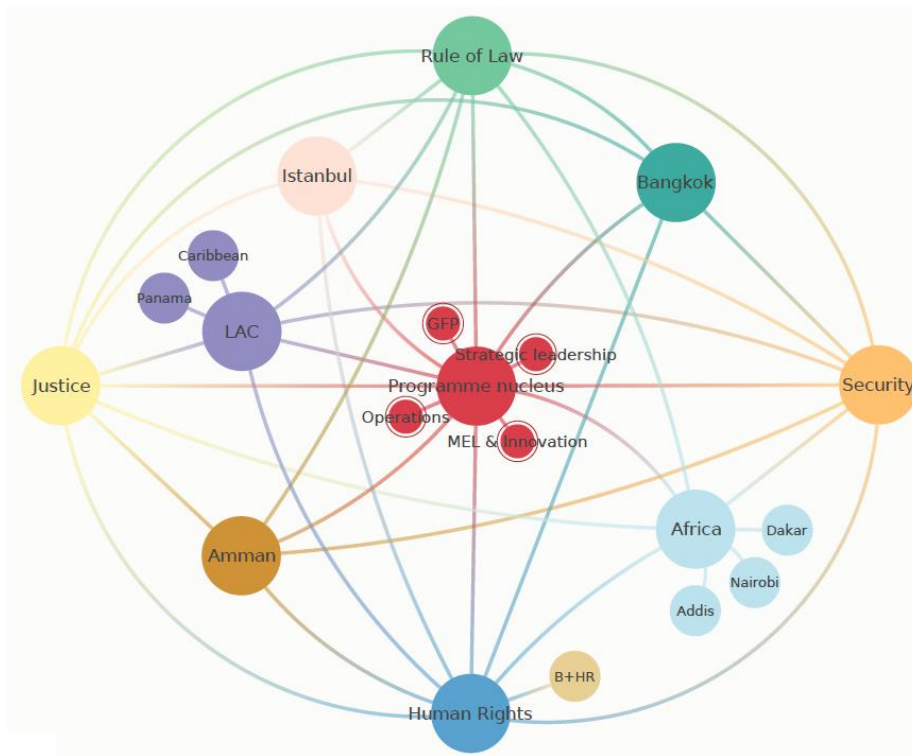
In Phase IV, the Global Programme will strengthen its capacity to influence and enable change by explicitly focusing on and investing financial and/or human and technical resources in the following operational enablers (see Section II, 2.5 (b)):

- **Robust systems for Monitoring, Evaluation and Learning (MEL)**

- **Strategic innovation**

- **A strategic approach to partnerships**

- **Integrated responses to complex challenges**

- **Enhanced and responsible development financing environment**

- **Inclusive, rights-based and sustainable digitalisation**

Context focus

The Global Programme provides bespoke, tailored support to crisis response, risk management and prevention efforts for emerging threats, fragility and crisis across the spectrum of development contexts. During Phase III, demand from non-priority country offices rose and the Global Programme was able to respond to this need by drawing on the range of 'tools' it has at its disposal, such as, catalytic funding, technical and strategic support. Given the global context and lessons from Phase III, it is expected that the demand for rule of law and human rights support from a wide range of contexts, not only crisis and conflict-affected, will continue in Phase IV. The Global Programme is also premised on the assumption that strong rule of law and respect and protection of human rights are crucial for conflict

prevention.[233] Therefore, the Global Programme will not only respond to, but also support efforts to anticipate and prevent, fragility and instability as a way to prevent violence and sustain peace (see Section II, 2.4 Theory of Change). These endeavours may, upon request, be carried out in middle income countries, where these elements pose a substantial threat to peace and development progress that has already been achieved.

Thematic focus

In Phase IV, the Global Programme will continue to provide assistance in its core areas of expertise, including rule of law promotion, constitutions, anti-discrimination, people-centred justice and security, transitional justice, DDR and armed violence reduction, accountability and oversight, enhanced civic space and support to human rights defenders and national human rights systems. In response to the context developments outlined in Section I, as well as UNDP priorities, the Global Programme's comparative advantage and experience and learning from Phase III, it will also focus on strengthening and expanding its work in more nascent areas of work, such as Business and Human Rights, integration of human rights and SDG systems, and civic space, and will identify strategic areas of intervention based on assessment's currently underway regarding climate justice, e-justice and rights-based digitalisation.

Pipeline catalytic funding

The Global Programme funding pipeline, providing catalytic funding to UNDP country offices, will invite country offices to submit proposals and allocate funds, in coordination with regional hubs and regional bureaus through a final sign-off from the Global Programme project board, two to three times per year depending on the availability of funds. In Phase III, some funds were earmarked for "priority countries" however the Global Programme sought to expand funding availability to be more **geographically and thematically** diverse and to be responsive to changing country contexts and needs. For example, the Global Programme supported Belarus in 2020 given the political situation there in order to strengthen the preventive work and recognize the value of early warning signals of crises and prevent serious violations of human rights and humanitarian law.

The Global Programme recognises the importance and the complexity of defining and measuring 'catalytic.' The direct and indirect catalytic effect can be tangible, such as increased financial support, scaling up of programming, new partnerships; or intangible, such as relationship building and building political capital, which are also critical for enabling change. In Phase IV, with the support of the MEL and Innovation Unit, the Global Programme will develop definitions and a system for capturing the tangible and intangible effects of funding over time as part of the new MEL strategy described in Output 5. Guidance will be taken from PBF and others who have experience in measuring catalytic effect in their own programming.[234] The Global Programme intends to focus not only on capturing quantitative data but also on gathering qualitative data and information that contributes to learn and adaptation (see the pipeline funding reporting requirements below). The MEL and Innovation Unit, with the support of the expert advisory and partners groups, will seek to further develop an indicator for the direct catalytic effects of increased financial support so that this can be measured over the duration of Phase IV.

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[233] Pathways for Peace report.
[234] While the PBF definition of catalytic focuses on change critical to peacebuilding, it defines catalytic as involving two levels of change: 1) the factors which are the intermediary level of change that the catalytic program directly affects; and 2) the longer-term or larger level of change that the catalytic program hopes that its intervention will unblock, jump start, or accelerate. The Global Programme will use this as a starting block to define and capture the catalytic impact of Global Programme support.

In Phase IV the Global Programme will focus on strengthening country-level technical support and provide catalytic seed-funding to three sets of contexts:

1. ***Contexts affected by crisis, conflict or fragility***:[235] In Phase III this included, for example Yemen, Mali, Central African Republic, etc.
   a. 70% of Global Programme pipeline funding should be dedicated to these fragile, conflict, crisis and transition settings;
2. ***Prevention contexts and situations of human rights risk***.[236] Initiatives that aim to anticipate and prevent instability and conflict, build resilience, strengthen protection and promotion of human rights and, in doing so, accelerate achievement of the Agenda 2030.
3. ***Contexts supporting experimental and innovative efforts***: Interventions that support experimental and innovative approaches that will expand the programme's learning, knowledge and evidence-base regarding 'what works and what does not,' and advance its learning approach to advancing rule of law, justice, security and human rights

In order to receive the catalytic seed funds, certain minimum funding criteria must be met by the requesting country office. The received proposals are vetted by the Global Programme Management Team based on pre-defined criteria (below) and funding decisions are approved by the Project Board.

A funding request form template must be used for submission of the proposal to the Programme Management Team. The template will be shared with the country offices by the respective ROLJSHR regional or country specific focal point.

The overall eligibility criteria are:

- Project proposals need to be integrated into national policies/strategies (e.g. SDG national plan, national action plans);
- Project proposals need to be explicitly grounded in a short politically-informed and conflict-sensitive context analysis and include articulation of the hypothesis for how, what and why the intervention is expected to catalyse change;
- Must demonstrate that the current context, political situation, and capacities will allow successful implementation in 12 months[237];
- Project proposals must align to one or more of the Global Programme outputs and desired results;
- Projects must be part of an existing broader umbrella of rule-of-law programme, security, justice and human rights programming, as the Global Programme cannot fund "whole projects" but serves as a centre for testing, piloting and scaling up of activities;
- Projects must ensure stakeholder/target group engagement and prioritization focusing on prioritising discriminated and marginalized groups left furthest behind;

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[235] Aligned to the forthcoming *UNDP Framework for Development Solutions for Crisis and Fragile Contexts*.

[236] UNDP's work in prevention is focused on three objectives: stabilizing and protecting development gains; mitigating risks of relapse or recurrence; and building institutional and community resilience to sustain peaceful development pathways. This focus aligns to the UNDP organizational commitment to focus on anticipatory and preventive measures to address emerging complexities. UNDP SP 2022-2025.

[237] Project should use national systems (i.e., procurement, monitoring, evaluations, etc.,) to the extent possible.

- Projects must promote gender equality in a significant way (Gender Marker 2 or 3) and assign a minimum of 15% of their funding to activities related to gender equality and women's empowerment;
- All proposals must comply with corporate programming standards outlined in the POPP, with a particular attention to **UNDP's programming principles and Social and Environmental screening procedure**;
- Projects must have a strategy for joint and coordinated programming and strengthening partnerships – both within and external to the UN system, as appropriate;
- Maximum allocation of up to USD 500,000 total per country per year (except for extraordinary circumstances);
- Consideration will also be given to whether there is a history of effective delivery of GP funds, proven ability to report on and provide evidence of impact, catalytic effects and alignment (to prevent duplication) with other UNDP funds such as Funding Windows[238] allocations;
- Must demonstrate at least 80% delivery of existing pipeline allocations from Global Programme allocations.

Reporting requirements:

- Submit a 6-month interim narrative and financial report, specifically highlighting challenges, lessons and successes, and a description of the actual or potential catalytic effects of the funding, with view to improving programming on the ground where needed, through support from the MEL Unit;
- Provide inputs into the Global Programme Annual Report;
- In order to ensure full understanding of the financial instruments and reporting requirements, first time Global Programme fund recipients, must partake in an introduction meeting on finance and administration with the programme management team.

In addition to the above, UNDP maintains the capability to directly delegate smaller amounts of funding through the Global Programme to other country requests as deemed necessary – for instance, special development situations requiring rapid and targeted support, or smaller monetary investments. As recommended by the Phase III MTE, quick impact funds for situations requiring rapid support, can be made available to country offices. The Global Programme will also provide both technical, strategic and financial support to regional-level programming that responds to regional and country-level priorities for rule of law, justice, security and human rights and are aligned to the Global Programmes strategic outcomes and outputs. outcomes. The Programme will provide an allocation of funds to each regional hub based on priorities and needs identified at the beginning of each year by the ROLJSHR regional advisor in consultation with other relevant hub staff and teams. These allocations may be increased based on needs identified as well as implementation and delivery at the regional level and dependent on the Global Programme budget.

Implementation of rule of law programmes at country levels will be executed by UNDP Country Offices and their implementing partners according to UNDP rules and regulations in close collaboration with the ROLJSHR team in New York, and regional advisors. UNDP Regional Bureaus will oversee implementation of country offices. Regional hubs will be responsible for delivery of financial support of their regional programming and support country offices in their implementation through regional advisors and HQ country focal points.

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[238] https://www.undp.org/funding/funding-windows

V. RESULTS FRAMEWORK[239]

Results Framework[240]

Project title and Atlas Project Number: The Global Programme for Strengthening the Rule of Law, Human Rights, Justice and Security for Sustainable Peace and Development, Phase IV (2022-2025)

Intended Outcome as stated in the UNDP Strategic Plan's Integrated Results and Resource Framework:

Primary Development Outcome 1: Structural transformation accelerated, particularly green, inclusive and digital transitions[241]

Secondary Development Outcome 2: No-one left behind, centring on equitable access to opportunities and a rights-based approach to human agency and human development

UNDP Strategic Plan Outcome indicators including baseline and targets:

Indicator 3: Proportions of positions in national and local institutions, including (a) the legislatures; (b) the public service; and (c) the judiciary, compared to national distributions, by sex, age, persons with disabilities and population groups

Indicator 9: Percentage of achievement of legal frameworks in place to promote, enforce and monitor equality and non-discrimination on the basis of sex.

Applicable Output(s) from the UNDP Strategic Plan:[242]

Output 2.2: Civic space and access to justice expanded, racism and discrimination addressed, rule of law strengthened, human rights and equity strengthened

Output 2.3: Responsive governance systems and local governance strengthened for socio economic opportunity, inclusive basic service delivery, community security, and peacebuilding

Output 2.4: Democratic institutions and processes strengthened for an inclusive and open public sphere with expanded public engagement

Output 3.2 Capacities for conflict prevention and peacebuilding strengthened at regional, national and sub-national levels and across borders

Output 3.3 Risk informed and gender-responsive recovery solutions, including stabilization efforts and mine action, implemented at regional, national and sub-national levels

Output E.1 People and institutions equipped with strengthened digital capabilities and opportunities to contribute to and benefit from inclusive digital societies

Output E.2 Innovation capabilities built, and approaches adopted to expand policy options at global, regional, national and sub-national levels

Expected Programme Outcomes:[243]

Programme Outcome 1: Inclusive, people-centred systems that provide quality justice and security services and uphold and protect human rights are trusted and accessible, especially in contexts affected by crisis, conflict or fragility.

Programme Outcome 2: Regional and global level policy on rule of law, justice, security & human rights is evidence-based, affirms a development perspective, and informs high-quality programming

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[240] UNDP publishes its project information (indicators, baselines, targets and results) to meet the International Aid Transparency Initiative (IATI) standards. Make sure that indicators are S.M.A.R.T. (Specific, Measurable, Attainable, Relevant and Time-bound), provide accurate baselines and targets underpinned by reliable evidence and data, and avoid acronyms so that external audience clearly understand the results of the project.

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[241] See UNDP Strategic Plan 2022-2025, Signature Solution 2: Governance, where it states that output indicator 2.2 (Civic space and access to justice expanded, racism and discrimination addressed, rule of law strengthened, human rights and equity strengthened) primarily contributes to Outcome 1.

[242] The UNDP Strategic Plan, including the IRRF, is still being finalized, therefore the GP's results framework may need to be adjusted based on the final version of the IRRF.

[243] Outcome 1 covers Outputs 1-4, while Outcome 2 consists of Outputs 5 and 6.

Programme Outcome Indicators

1.1. Global Programme (GP)-supported[244] contexts' average World Justice Project, Rule of Law Index score;[245]

       1.1.1. Ibrahim Index of African Governance (IIAG) (for African countries, only)[246]

1.2. Number of victims of intentional homicide per 100,000 population, by sex and age[247]

1.3. Number of strategic partnerships for advancing programming and policy objectives implemented with: i. UN entities; ii. International Financial Institutions; iii. Private sector; iv. Civil society organisations; v. Multi-stakeholders or intergovernmental organisations[248]

1.4. GP-supported contexts' average NHRI accreditation status[249]

2.1 Average score of Programme Quality Index for GP-funded contexts[250]

2.2 GPN/Express One Roster deployments to GP-supported contexts: a) Number of: i. UNDP staff; ii. Consultants, iii. UNVs; iv. Stand by Partner experts (all by gender); b) Volume of deployments (in USD)[251]

2.3 Number of GP-supported impact, country programme, thematic and outcome reviews, assessments and evaluations[252]

2.4 Number of (a.) GP contexts, and (b.) number of people,[253] using digital RoLJSHR-related technologies and services introduced and/or operated thanks due to GP support[254]

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[244] "GP support" or "GP-supported" refers to the provision of tailored, context specific assistance through the Global Programme and may include, but is not limited to, pipeline or non-pipeline funding, technical and strategic expertise and advice provided by ROLJSHR staff or consultants, or the mobilization of agile capacities. See section 2.5 Theory of Action: How the Global Programme Enables Change.

[245] Source: World Justice Project (https://worldjusticeproject.org/our-work/research-and-data/wjp-rule-law-index-2020)

[246] The World Justice Project's Rule of Law Index does not cover all African contexts in which the GP operates. A sub-indicator specifically for African countries has been added to address this gap. Source: Ibrahim Index on African Governance; https://iiag.online/.

[247] See UNDP Strategic Plan Development Outcome 3, Outcome Indicator 5.

[248] Modified from UNDP Strategic Plan, Tier Three Organisational Effectiveness and Efficiency, Organisational Enablers Output 1.4, indicator 1.4.1

[249] Baseline: 55% of NHRIs globally are at A status. Measurement of the indicator will be done at the end of the programme cycle (2025).

[250] UNDP Strategic Plan Organisational Enablers, Result 1.1 Quality programmes designed in support of UNSDCF, NDS goals and SDGs, Indicator 1.1.1. Method. Note: Existence and quality rating of i. Theory of change; ii. Lessons learned from evidence; iii. Risk informed programming; iv. Results and resources framework; v. Fully costed evaluation plan

[251] UNDP Strategic Plan Organisational Enablers, Result 6.3 Agile, transparent, and accountable programming and operations ensured, Indicator 6.3.2. - Proxy indicator pitched at outcome level due to cross-cutting catalytic design of such missions which often are framed as multi-purpose supporting all or several outputs.

[252] UNDP Strategic Plan Organisational Enablers, Result 7.1 Transformative change tracked and evaluated over longer time spans. Baseline: 55% of NHRIs globally are at A status. Measurement of the indicator will be done at the end of the programme cycle (2025), Indicators 7.1.1

[253] Data is to be disaggregated by the following categories: Gender (Female; Male); Age; Poor (income measures); Persons with disabilities; Internally displaced populations & refugees; Ethnic minorities etc.

[254] Inspired by UNDP Strategic Plan Enabler E.2/indicators E1.2 & E1.3.

EXPECTED OUTPUTS	OUTPUT INDICATORS[255]	DATA SOURCE	BASELINE		TARGETS (by frequency of data collection)				DATA COLLECTION METHODS & RISKS
			Value	Year	Year 1 (2022)	Year 2 (2023)	Year 3 (2024)	FINAL Year (2025)	
Output 1 Legal frameworks and underlying norms and practice are more inclusive and non-discriminatory and people have greater agency and opportunities to know and claim their rights, solve disputes and seek redress for rights violations	*1.1* Proportion of contexts where GP support strengthened legal and/or policy strategies or frameworks to expand civic space	*Corporate data*	IRRF indicator 2.2.2	2021	t.b.d.	t.b.d.	t.b.d.	t.b.d.	See the GP Results Framework Methodological Note (working draft, v2.2).
	1.2 Proportion of contexts where GP-supported human rights institutions, systems or stakeholders strengthened capacities to support the fulfilment of nationally and internationally ratified human rights obligations	*Corporate data*	See IRRF indicator 2.2.1	2021	t.b.d.	t.b.d.	t.b.d.	t.b.d.	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).
	1.3 Proportion of contexts in which GP support provided to constitution making processes by introducing or supporting at least one mechanism for civic engagement	*Corporate data*	See IRRF indicator 2.4.1	2021	t.b.d.	t.b.d.	t.b.d.	t.b.d.	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).

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[255] It is recommended that projects use output indicators from the Strategic Plan IRRF, as relevant, in addition to project-specific results indicators. Indicators should be disaggregated by sex or for other targeted groups where relevant.

	1.4 Number of people supported through GP interventions in GP-supported contexts, who have access to justice through a formal or informal dispute resolution mechanism	*Corporate data*	See UNDP Strategic Plan Output Indicator 2.2.3	2021	t.b.d.	t.b.d.	t.b.d.	t.b.d.	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).
	1.5 Number of contexts with GP-funded access to justice programmes or projects introduced or supported	*GP reporting*	24	2020	28	30	32	35	See the GP Results Framework Methodological Note (working draft, v2.2)
	1.6 Proportion of contexts where GP support has contributed to the establishment and/or strengthening of justice & security mechanisms, processes and frameworks to prevent, respond to, and address SGBV/CRSV	*GP reporting*	[2022 value]	2022	Base-line (BL)	BL+2 percen-tage (p.c.) points	BL+4 p.c. points	BL+6 p.c. points	See the GP Results Framework Methodological Note (working draft, v2.2)

Output 2 Mechanisms to hold duty bearers and power holders to account in order to ensure the rule of law and promotion and protection of human rights are in place and actively used	**2.1** Number of contexts in which GP support has contributed to: a) implementation of UPR recommendations b) closer integration between human rights and SDG systems	*GP reporting*	(a) [2022 value] (b) 7	(a) 2022 (b) 2020	(a) BL (b) >2020	>2022 (a) & (b)	>2023 (a) & (b)	>2024 (a) & (b)	See the GP Results Framework Methodological Note (working draft, v2.2)
	2.2 Proportion of contexts where GP-supported private sector institutions, systems, or stakeholders (including publicly owned companies) have strengthened capacities to support fulfilment of nationally and internationally ratified human rights obligations	*Corporate data*	See IRRF Indicator 2.2.1	2021	t.b.d	t.b.d.	t.b.d.	t.b.d.	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).

	2.3 Proportion of contexts where GP support has improved capacities of justice and security institutions for oversight and accountability	*GP reporting*	[2022 value]	2022	BL	BL +5 p.c. points	BL +10 p.c. points	BL +15 p.c. points	See the GP Results Framework Methodological Note (working draft, v2.2)
	2.4 Proportion of contexts with GP-introduced or strengthened people-centred and gender-sensitive, transitional justice solutions	*RoLJSHR reporting*	[2022 value]	2022	BL	>2022	>2023	>2024	See the GP Results Framework Methodological Note (working draft, v2.2)
Output 3 Justice and security systems are service-oriented and better able to protect human rights and respond to people's justice and security needs through high-quality performance	**3.1** Proportion of contexts where GP-support to rule of law and justice institutions, systems, or stakeholders has strengthened capacities to support fulfilment of nationally and internationally ratified human rights obligations	*Corporate data*	See IRRF indicator 2.2.1	2021	t.b.d	t.b.d.	t.b.d.	t.b.d.	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).

	3.2 Number of new or strengthened people-centred justice policies, services or innovative digital solutions developed with GP support	*GP reporting*	[2022 value]	2022	BL	BL+3	BL+6	BL+9	See the GP Results Framework Methodological Note (working draft, v2.2)
	3.3 Number of new or strengthened people-centred security policies, services or innovative digital solutions developed with GP support	*GP reporting*	[2022 value]	2022	BL	BL+2	BL+4	BL+6	See the GP Results Framework Methodological Note (working draft, v2.2)
	3.4 Number of justice and security institutions with enhanced capacity to provide people-centred services, in line with human rights/gender/LNOB principles, through GP-supported interventions	*GP reporting*	[2022 value]	2022	BL	BL+5	BL+5	BL+5	See the GP Results Framework Methodological Note (working draft, v2.2)

	3.5 Number of justice and security personnel with enhanced capacity to provide people-centred services, in line with human rights/gender/LNOB principles, through GP-supported interventions	*GP reporting*	[2022 value]	2022	BL	BL+5 p.c. points	BL+10p.c. points	BL+15p.c. points	See the GP Results Framework Methodological Note (working draft, v2.2)
	3.6 Number and percent of females among professional staff (disaggregated by staff category) in the justice, security and human rights sectors across GP-funded project/programme portfolio(s)	*GP reporting*	[2022 value]	2022	BL	BL+2p.c. points	2023 value +5p.c. points	2024 value +5p.c. points	See the GP Results Framework Methodological Note (working draft, v2.2)
Output 4 Community security, safety, and resilience strengthened through people-centred strategies, processes and mechanisms	**4.1** Proportion of contexts in which GP-supported local government, justice and security providers respond in a more holistic & people-centred way to community safety and security needs and grievances	*GP reporting*	[2022 value]	2022	BL	>2022	>2023	>2024	See the GP Results Framework Methodological Note (working draft, v2.2)

	4.2 Proportion of contexts where GP support introduced or strengthened gender-sensitive and people-centred evidence-based security strategies for reducing armed violence and/or controlling small arms at the community level	*GP reporting*	[2022 value]	2022	BL	>2022	>2023	>2024	See the GP Results Framework Methodological Note (working draft, v2.2)
	4.3 Number of cross-border, regional, national, and sub-national policies, strategies, initiatives, action plans or mechanisms for conflict prevention and peacebuilding that include reintegration	*Corporate data*	[2022 value]	2022	BL	2022 absolute value +2%	2023 absolute value +5%	2024 absolute value +5%	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).
	4.4 Number of integrated programmes/ projects in stabilization and/or triple nexus contexts that support people centred community security and social cohesion and: a) financial volume of support b) number of joint programmes/projects	*GP reporting*	t.b.d.	2021	t.b.d. (a) t.b.d. (b) t.b.d.	t.b.d. (a) t.b.d. (b) t.b.d.	t.b.d. (a) t.b.d. (b) t.b.d.	t.b.d. (a) t.b.d. (b) t.b.d.	See the GP Results Framework Methodological Note (working draft, v2.2)

Output 5 Strengthened Monitoring, Evaluation and Learning (MEL) systems support project/programme design and implementation	*5.1* Number of new methods (including tools, frameworks and processes) for GP-related monitoring, evaluation and learning adopted at: i. global; ii. regional; iii. country level	*Corporate data*	0	2021	>2021	>2022	>2023	>2024	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).
	5.2 Number of key UNDP global knowledge and learning products produced and disseminated by GP; in (a) English; and/or (b) other languages	*GP reporting*	0	2021	a: 3 b: 1	a: 3 (total 6) b: 3 (total 4)	a: 3 (total 9) b: 3 (total 7)	a: 3 (total 12) b: (total 10)	See the GP Results Framework Methodological Note (working draft, v2.2)
	5.3 Number of GP-led or GP-supported knowledge and learning-focused mechanisms (e.g. workshops, trainings, COPs, theory of change reflection sessions etc.) at i. global; ii. Regional; iii. country level	*GP reporting*	0	2021	>2021	>2022	>2023	>2024	See the GP Results Framework Methodological Note (working draft, v2.2)
Output 6 Sustained high-quality, evidence-informed analytics and learning contribute to shaping global and regional level policy	*6.1* Number of key UN global learning and/or policy documents published referencing GP-specific evidence-based findings/knowledge/results	*GP reporting*	0	2021	5	7	9	12	See the GP Results Framework Methodological Note (working draft, v2.2)

| discourse on rule of law, justice, security and human rights | **6.2** Stakeholders' general perception of GP analytics and policy work in terms of (a) quantity /frequency; (b) quality of outputs; (c) level of impact on global RoLJSHR policy landscape | *GP reporting* | [2022 value] | 2022 | BL | >2022 | >2023 | >2024 | See the GP Results Framework Methodological Note (working draft, v2.2) |

	6.3 Number of RoLJSHR-related policy discussions/events (UN and non-UN): (a) that are convened by GP; (b) to which GP is invited to contribute (e.g. staff representation or expertise, data); (c) to which the GP contributes; at the i. global; ii. regional; iii. country level	*GP reporting*	t.b.d.	2021	t.b.d.	t.b.d.	t.b.d.	t.b.d.	See the GP Results Framework Methodological Note (working draft, v2.2)
	6.4 Number of downloads of key GP-produced policy documents and knowledge products	*GP reporting*	t.b.d.	2021	BL +5p.c. points	2022 value +5p.c. points	2023 value +10p.c. points	2024 value +15p.c. points	See the GP Results Framework Methodological Note (working draft, v2.2)
	6.5 Number of ongoing and newly established strategic partnerships to advance the GP as a thought leader (ensuring policy informs programming and vice versa etc.)	*GP reporting*	0	2021	3	3+2=5	5+2=7	7+2=9	See the GP Results Framework Methodological Note (working draft, v2.2)
Operational Effectiveness	**OE1** Number of country-level GP-supported projects/programmes that integrate a human rights-based approach	*Corporate data*	34	2020	34	35	36	37	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).

	OE2 Number of contexts where the respective GP portfolio of projects/ programmes meets the set 15% budget quota for gender investments[256]	*GP reporting*	[2022 value]	2022	BL	>2022	>2023	>2024	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).
	OE3 Total number and proportion of full-time female staff among RoLJSHR team contract holders (i. international professional staff; ii. general service staff; iii. other contract categories (incl. interns, seconded staff, UNVs, consultants etc.)	*GP reporting*	[2022 value]	2022	BL	>2022	>2023	>2024	See the GP Results Framework Methodological Note (working draft, v2.2) and the UNDP Strategic Plan IRRF methodological note (currently under development).
	OE4 GFP partnerships: (a) Total number of GFP-funded joint programmes/ projects (b) Total budget amount of GFP-funded joint programmes (c) Number of GFP-supported joint ROL assessments, strategies, programmes and or frameworks developed (complementing a UN political strategy or reinforcing implementation of a UNSC mission mandate)	*GP reporting*	[2022 value]	2022	BL	>2022	>2023	>2024	See the GP Results Framework Methodological Note (working draft, v2.2)

VI. MONITORING AND EVALUATION

In accordance with UNDP's programming policies and procedures, the Global Programme will be monitored through the following monitoring and evaluation plans.

Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners	Cost[257]
Track results progress	To collect and analyse data against results indicators to assess progress against outputs.	Quarterly	Both qualitative and quantitative date will be collected quarterly by the new MEL unit. Progress data against results indicators in the RRF will be collected and analysed. Challenges and successes will be reviewed and slower than expected progress will be addressed by project management. Lessons learned will be regularly and systematically shared across the team.	**UNDP partners:** UNDP Country Offices, Regional Bureaus, Regional Hubs, effectiveness Team, Evaluation Office, others as required **UN partners:** DPO, UN Women, OHCHR, UNODC, and other GFP entities as relevant	$600,000
Monitor and manage risk	To identify specific risks that may threaten achievement of intended results.	Annually	Risk management actions will be identified and monitored using an actively-maintained risk log (see Annex 3).[258] Audits will be conducted in accordance with UNDP's audit policy to manage financial risk. Actions will be taken to manage identified risks.	*External partners will be consulted on an ad hoc basis as deemed necessary by project team and project board, for example ISSAT.*	$200,000

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[257] The monitoring costs here are included in the work plan in the monitoring budget line.
[258] This includes monitoring measures and plans required as per the UNDP Social and Environmental Standards.

Learn	To regularly capture knowledge, good practices and lessons to integrate back into the project.	Ongoing	The MEL unit will lead the development of a learning strategy. The project team will scan, capture and share relevant lessons learned and challenges from projects/activities undertaken within the project framework. The MEL unit will support the development of policy and knowledge products through collection of country-level inputs. There will be systematized knowledge exchange workshops both at the CO/regional and HQ level in line with the learning strategy. Relevant lessons will be integrated into programming on a bi-annual basis (and ad hoc as appropriate).		$600,000
Annual project quality assurance	To assess the quality of the project against UNDP's quality standards in order to identify project strengths and weaknesses, and to inform management decision-making to improve the project.	Annually	Areas of strength and weakness will be reviewed by project management and decisions will be taken to improve the overall quality of project performance. The MEL unit will support with collection and distribution of information.		$50,000
Review and make course corrections	To utilize evidence gathered during project lifetime to inform and steer project in the direction that will yield the best results.	Biannually	The data and evidence from monitoring actions will be reviewed internally to inform decision making. Country offices 6-month reporting on pipeline funding will be reviewed to make course corrections where needed. Actions will be taken to redirect the project as necessary and within reason to ensure best possible results are able to be achieved.		$100,000 for one team retreat per year; $150,000 for midterm and final evaluation, other reviews will take place in office.

Project annual report	To inform the project board and other partners of progress made against outputs, of risks and mitigation measures, and any other relevant information as necessary	Annually (with the final report at the end of the project)	An annual report will be presented to the project board and other key stakeholders, which will consist of progress data showing the results achieved against pre-defined annual targets at the output level, the annual project rating summary, an updated risk log with mitigation measures, and any evaluation or review reports prepared over the period.		$434,848
Project board	To oversee and ensure the quality of the project and of results achieved, to ensure realistic budgeting, and to promote project results/lessons learned	3 times annually	The project board will hold regular project review to assess the performance of the project and review the work plan to ensure realistic budgeting over the life of the project. Annually the project board will invite in regional bureau deputies and country office representatives to provide feedback on programme team, implementation, lessons learned etc. In the project's final year, the project board will hold an end-of-project review to capture lessons learned and discuss opportunities for scaling up and to socialize project results/lessons learned with relevant audiences. Any quality concerns or slower than expected progress should be discussed by the project review board and management actions agreed to address the issues identified.		$50,000
Partners Advisory Group	Advise the project on allocation decisions through regular participation in quarterly discussions and the Annual Meeting.	Min. twice per year	Review project status and lessons learned.	Donors and partners of the project.	$50,000

| **Experts Advisory Group** | Advise the project on emerging trends and issues. Provide technical expertise and capacity for implementation as appropriate. | Annually | Review project status and challenges.

Discuss possible entry points for strategic partnerships and increased knowledge exchange at regional and global levels.

Obtain advice on cutting edge thinking, emerging good practices and trends, key project challenges, horizon scanning, review analysis and guidance available. | Experts from regional and global think tanks, academia, civil society, etc. | $50,000 |

Evaluation Plan

Evaluation Title	Partners (if joint)	Related Strategic Plan Output	UNDAF/CPD Outcome	Planned Completion Date	Key Evaluation Stakeholders	Cost and Source of Funding
Mid-Term Evaluation				April 2024		$75,000
Final Evaluation				June 2026		$75,000

VII. MULTI-YEAR WORK PLAN [259] [260]

All anticipated programmatic and operational costs to support the project, including development effectiveness and implementation support arrangements, need to be identified, estimated and fully costed in the project budget under the relevant output(s). This includes activities that directly support the project, such as communication, human resources, procurement, finance, audit, policy advisory, quality assurance, reporting, management, etc. All services which are directly related to the project need to be disclosed transparently in the project document.

EXPECTED OUTPUTS	PLANNED ACTIVITIES	PLANNED BUDGET BY YEAR[261]				TOTAL for 4 years	RESPONSIBLE PARTY	Funding Source
		Year 1	Year 2	Year 3	Year 4			
Output 1: **Legal frameworks and underlying norms and practice are more inclusive and non-**	Programme Support[262] • Estimated direct country support is $5,000,000 per year	7,000,000.00	7,000,000.00	7,000,000.00	7,000,000.00	28,000,000.00	ROLJSHR GP	TBD[263]

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[259] Cost definitions and classifications for programme and development effectiveness costs to be charged to the project are defined in the Executive Board decision DP/2010/32

[260] Changes to a project budget affecting the scope (outputs), completion date, or total estimated project costs require a formal budget revision that must be signed by the project board. In other cases, the UNDP programme manager alone may sign the revision provided the other signatories have no objection. This procedure may be applied for example when the purpose of the revision is only to re-phase activities among years.

[261] This work plan is in line with the overall lifetime delivery of the Global Programme, and given past experience through the previous phases, minimal negative impact has been experiences due to fluctuating inflation/exchange rate.

[262] General programme support is provided by the Global Programme (including Regional Hubs) through, for example, country support; project document formulation; financial, operational and technical support to implementation; resource mobilization; and outreach. The programme support includes the country allocations which could cover costs such as trainings, workshops, capacity development activities, expert fees, etc. The programme support budget also includes staff costs for project and programme implementation primarily related to the delivery of direct country support.

[263] Currently in negotiations for new multi-year contributions with Switzerland, Sweden, and the Netherlands. Contributions already committed from Japan and US INL.

discriminatory and people have greater agency to know and claim their rights and seek redress for rights violations **Gender marker: 2**	Policy Support[264]	750,000.00	750,000.00	750,000.00	750,000.00	3,000,000.00		
	Monitoring[265]	95,202.00	95,202.00	95,202.00	95,202.00	380,808.00		
	Sub-Total for Output 1	7,845,202.00	7,845,202.00	7,845,202.00	7,845,202.00	31,380,808.00		
Output 2: **Mechanisms to hold duty bearers and power holders to account in order to ensure the rule of law and promotion and protection of human rights are in place and actively used** **Gender marker: 2**	Programme Support • Estimated direct country support is $4,000,000 per year	4,500,000.00	4,500,000.00	4,500,000.00	4,500,000.00	18,000,000.00	ROLJSHR GP	TBD
	Policy Support	1,500,000.00	1,500,000.00	1,500,000.00	1,500,000.00	6,000,000.00		
	Monitoring	95,202.00	95,202.00	95,202.00	95,202.00	380,808.00		
	Sub-Total for Output 2	6,095,202.00	6,095,202.00	6,095,202.00	6,095,202.00	24,380,808.00		
Output 3: **Justice and security systems are service-**	Programme Support • Estimated direct country support is	4,000,000.00	4,000,000.00	4,000,000.00	4,000,000.00	16,000,000.00	ROLJSHR GP	TBD

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[264] General support to policy development may occur through modalities such as generating, brokering and sharing evidence-based knowledge, including through online platforms; facilitating peer-to-peer knowledge exchanges; building consensus around policy issues through partnership development and strengthening; and development of guidance in key policy/thematic areas. This includes costs, for example that may be related to development of a guidance document, including the design and publication. The policy support also includes the staff costs for the Global Programme, mainly related to regional and global policy development, and including programme management such as the MEL unit staff costs.

[265] The monitoring costs in the work plan are the reflection of the costs in the Monitoring and Evaluation Plan on page 84-88. According to UNDP corporate guidance, a minimum of 1 percent of the expenditures must be spent on monitoring and evaluation.

oriented and better able to protect human rights and respond to people's justice and security needs through high-quality performance	$3,000,000 per year							
	Policy Support	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	4,000,000.00		
	Monitoring	95,202.00	95,202.00	95,202.00	95,202.00	380,808.00		
Gender marker: 2	Sub-Total for Output 3	5,095,202.00	5,095,202.00	5,095,202.00	5,095,202.00	20,380,808.00		
Output 4: **Community security, safety, and resilience strengthened through people-centred strategies, processes and mechanisms** **Gender marker: 2**	Programme Support • Estimated direct country support is $2,500,000 per year	3,500,000.00	3,500,000.00	3,500,000.00	3,500,000.00	14,000,000.00	ROLJSHR GP	TBD
	Policy Support	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	4,000,000.00		
	Monitoring	95,202.00	95,202.00	95,202.00	95,202.00	380,808.00		
	Sub-Total for Output 4	4,595,202.00	4,595,202.00	4,595,202.00	4,595,202.00	18,380,808.00		
Output 5: **Strengthened Monitoring, Evaluation and Learning (MEL) support project and programme design and implementation** **Gender marker: 2**	Programme Support • Estimated direct country support is $2,000,000 per year	2,500,000.00	2,500,000.00	2,500,000.00	2,500,000.00	10,000,000.00	ROLJSHR GP	TBD
	Policy Support	750,000.00	750,000.00	750,000.00	750,000.00	3,000,000.00		
	Monitoring	95,202.00	95,202.00	95,202.00	95,202.00	380,808.00		

	Sub-Total for Output 5	3,345,202.00	3,345,202.00	3,345,202.00	3,345,202.00	13,380,808.00		
Output 6: **Sustained high-quality, evidence-informed analytics and learning contribute to shaping global and regional level policy discourse on rule of law, justice, security and human rights**	Programme Support • Estimated direct country support is $750,000 per year	1,000,000.00	1,000,000.00	1,000,000.00	1,000,000.00	4,000,000.00	ROLJSHR GP	TBD
	Policy Support	500,000.00	500,000.00	500,000.00	500,000.00	2,000,000.00		
	Monitoring	95,202.00	95,202.00	95,202.00	95,202.00	380,808.00		
Gender marker: 2	Sub-Total for Output 6	1,595,202.00	1,595,202.00	1,595,202.00	1,595,202.00	6,380,808.00		
GFP Earmarked Funding		**500,000.00**	**500,000.00**	**500,000.00**	**500,000.00**	**2,000,000.00**		
Evaluation Costs		-	-	**75,000.00**	**75,000.00**	**150,000.00**	**ROLJSHR GP**	**TBD**
SUB TOTAL		**29,071,212.00**	**29,071,212.00**	**29,146,212.00**	**29,146,212.00**	**116,434,848.00**		
GMS		**2,325,696.96**	**2,325,696.96**	**2,331,696.96**	**2,331,696.96**	**9,314,787.84**		
GRAND TOTAL		**31,396,908.96**	**31,396,908.96**	**31,552,908.96**	**31,552,908.96**	**125,749,635.84**		

VIII. GOVERNANCE AND MANAGEMENT ARRANGEMENTS

The Project Board will oversee the implementation of this Global Programme, as outlined below. This Project Board will determine annual work plans, approve country allocations and establish responsibility lines for implementation across UNDP (see Annex 4: Terms of References).

The Project Board will be composed as follows:

Executive: Rule of Law, Justice, Security and Human Rights Team Leader, Crisis Bureau
Role description:
1.   Overall direction, strategic planning and guidance for the programme
2.   Chair Project Board meetings and reviews
3.   Set management expectations and tolerances
4.   Review delivery of programme results and objectives
5.   Respond to corrective action when required
6.   Partnership development.

Senior Supplier: Bureau of External Relations and Advocacy (BERA)
Role description:
1.   Ownership of the programme from a supplier viewpoint
2.   Attend Project Board meetings and reviews
3.   Prioritize programme issues
4.   Review exception reports and exception plans
5.   Recommend corrective action when required

Senior User: UNDP Country Offices represented by UNDP Regional Bureaus (Africa, Arab States, Asia and the Pacific, Europe and the Commonwealth of Independent States, Latin American and the Caribbean)
Role description:
1.   Ownership of the programme from a user/stakeholder viewpoint
2.   Attend Programme Executive Board meetings and reviews
3.   Review and approve country allocations
4.   Recommend corrective action when required

Programme Assurance: CB/BPPS Policy Specialist
Role description:
1.   Carry out objective and independent programme oversight and monitoring functions
2.   Attend Programme Executive Board meetings and reviews
3.   Supplier assurance carried out by spot-check/audit of deliverables and outputs
4.   Exercise approval authority for transactions up to his/her level of authority.
5.   Review products/deliverables via quality reviews

Programme Manager: Global Programme Project Manager
Role description (see Annex 4: Terms of References):
1.   Overall day to day management of the programme
2.   Project planning and monitoring
3.   Reporting progress through annual reports

4.   Overall management of the project support and MEL unit staff

5.   Delivery of the project deliverables

6.   Partnership building

7..   Collaboration with Regional Bureaus, Funding Windows, etc. on programme implementation

<u>Project Support Unit:</u> Programme Associate (2 staff), Strategic Reporting and Learning Programme Analyst (1 staff)

Role description:

1.   Day-to-day financial management of the programme

2.   Reporting and documenting progress on both activities and financial expenditures

3.   Partnership building and external relations

5.   Knowledge management and internal communications

4.   Tasked with specific deliverables as determined by the Programme Manager

<u>Monitoring, Evaluation and Learning and Innovation Unit</u>**: MEL Specialist (2 staff)**

Role description (see Annex 4: Terms of References):

1.   Continuous MEL support to team and COs

2.   Reporting narrative and quantitative progress and challenges

3.   Support to knowledge management and information dissemination

4.   Tasked with specific deliverables as determined by the Programme Manager

<u>Global Team:</u> ROLJSHR HQ Staff - Policy Advisors (3 P5 staff), Policy Specialists (4 P4 staff + secondments, 2 JPOs, 1 UNV), Programme Manager (P4), Policy and Programme Analysts (5 P3 staff), SALIENT Staff (P3 Project Coordinator and Administrative staff), Team of Experts, Administrative support staff (2 G staff) and others such as IPSA and IC's as necessary on an ad hoc basis. Role description:

1.   Day-to-day programme implementation, in collaboration with other UN/UNDP capacities, as appropriate.

2.   Tasked with specific deliverables according to technical expertise.

<u>Regional Team:</u> UNDP Regional Hub Staff, other CB technical experts - Programme/Policy Specialists (5 regional governance and peacebuilding team leaders, 5 regional advisors + 3 secondments FBA and NORDEM plus ad-hoc as needed), 4 technical staff (BHR, Human Rights, Programming) and others as necessary on an ad hoc basis. Role description:

1.   Day-to-day programme implementation, in collaboration with other UN/UNDP capacities, as appropriate.

2.   Tasked with specific deliverables according to technical expertise.

<u>Partners Advisory Group:</u> Donor partners, other external technical specialists as necessary

Role description (see Annex 4: Terms of References):

1.   Advise the Programme's through strategic and thematic inputs through regular participation in quarterly discussions and the Annual Meeting.

2.   Provide technical expertise and capacity for implementation as appropriate.

<u>Expert Advisory Group</u>: Think tanks, academia, civil society and other technical experts as necessary. Including but not limited to experts in Security Sector Reform, gender experts, human rights experts, justice experts, digitization and innovations, etc. Role description (see Annex 4: Terms of References):

1. Provide technical expertise and thematic support as required through participation in an annual discussion and the Annual Meeting.

In addition to the above programme management structure, the Global Programme will continue to co-lead the Global Focal Point arrangement with DPO to deliver on the project outputs and outcomes. Further, it will maintain its financial and technical support to the Technical Specialist for the Team of Experts on Rule of Law/Sexual Violence in Conflict. UNDP, through the Global Programme for Strengthening the Rule of Law, Human Rights, Justice and Security for Sustainable Peace and Development receives and manages the funds of the SALIENT Programme, in line with the programme-management and coordination modalities stipulated in the SALIENT Project Document and as per UNDP Rules and Regulations.

Based on the above objectives, as well as on regular discussions with Partners Advisory Group, resource allocations will be determined by the Project Board in accordance with the Annual Work Plan and Global Programme priorities. Global Focal Point allocations will be conducted according to the rules and regulations of the Global Programme but in consultations and close coordination with the GFP managers and GFP core team. Specific GFP Standard Operating Procedures will be developed and tested. Other UN partners will be invited to submit their recommendations on allocation priorities to the board for consideration through regular, quarterly discussions. Additionally, the Experts Advisory Group will receive regular updates regarding the Global Programme and will be given the opportunity annually to provide technical support and guidance as well as recommendations for consideration by the Project Board, or as needed.

There will also be a yearly project review, where Deputies of Regional Bureaus, as well as two Country Office representatives from each region will be invited. This meeting will be chaired by the Deputy Director of the Crisis Bureau. Representatives from the partners advisory and expert advisory group will be invited.

In certain cases, such as a sudden outbreak of crisis or conflict, or an emerging 'special development situation' (i.e. the COVID-19 pandemic), an ad hoc meeting of the Project Board can be convened to determine whether additional allocations are needed and warranted in conjunction with any ongoing corporate response.

This Global Programme will be made operational as a cost-sharing arrangement. The Global Programme will also continue to use the Funding Windows as an operational modality for allocations of pipeline funding to country offices. However, please note that governance and management arrangements are subject to change based on ongoing discussions on fund management options.

Figure 3: Programme Governance and Management Diagram
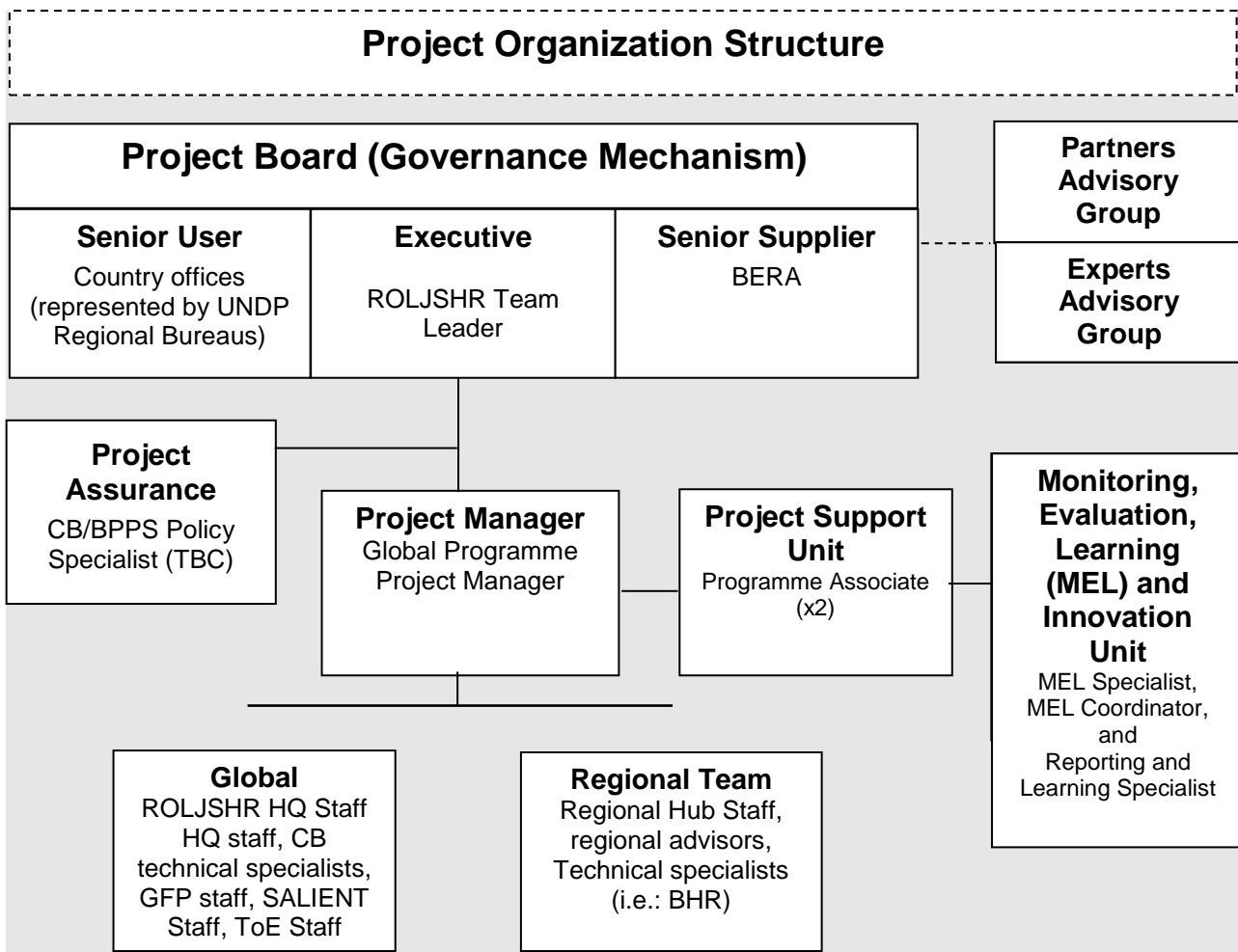
IX. LEGAL CONTEXT

Option c. For Global and Regional Projects

This project forms part of an overall programmatic framework under which several separate associated country level activities will be implemented. When assistance and support services are provided from this Project to the associated country level activities, this document shall be the "Project Document" instrument referred to in: (i) the respective signed SBAAs for the specific countries; or (ii) in the Supplemental Provisions to the Project Document attached to the Project Document in cases where the recipient country has not signed an SBAA with UNDP, attached hereto and forming an integral part hereof. All references in the SBAA to "Executing Agency" shall be deemed to refer to "Implementing Partner."

This project will be implemented by [name of entity] ("Implementing Partner") in accordance with its financial regulations, rules, practices and procedures only to the extent that they do not contravene the principles of the Financial Regulations and Rules of UNDP. Where the financial governance of an Implementing Partner does not provide the required guidance to ensure best value for money, fairness, integrity, transparency, and effective international competition, the financial governance of UNDP shall apply**.**

X. RISK MANAGEMENT

Option b. UNDP (DIM)

1. UNDP as the Implementing Partner will comply with the policies, procedures and practices of the United Nations Security Management System (UNSMS.)

2. UNDP as the Implementing Partner will undertake all reasonable efforts to ensure that none of the [project funds][266] [UNDP funds received pursuant to the Project Document][267] are used to provide support to individuals or entities associated with terrorism and that the recipients of any amounts provided by UNDP hereunder do not appear on the list maintained by the Security Council Committee established pursuant to resolution 1267 (1999). The list can be accessed via http://www.un.org/sc/committees/1267/aq_sanctions_list.shtml. This provision must be included in all sub-contracts or sub-agreements entered into under this Project Document.

3. Social and environmental sustainability will be enhanced through application of the UNDP Social and Environmental Standards (http://www.undp.org/ses) and related Accountability Mechanism (http://www.undp.org/secu-srm).

4. UNDP as the Implementing Partner will: (a) conduct project and programme-related activities in a manner consistent with the UNDP Social and Environmental Standards, (b) implement any management or mitigation plan prepared for the project or programme to comply with such standards, and (c) engage in a constructive and timely manner to address any concerns and complaints raised through the Accountability Mechanism. UNDP will seek to ensure that communities and other project stakeholders are informed of and have access to the Accountability Mechanism.

5. In the implementation of the activities under this Project Document, UNDP as the Implementing Partner will handle any sexual exploitation and abuse ("SEA") and sexual harassment ("SH") allegations in accordance with its regulations, rules, policies and procedures.

6. All signatories to the Project Document shall cooperate in good faith with any exercise to evaluate any programme or project-related commitments or compliance with the UNDP Social and Environmental Standards. This includes providing access to project sites, relevant personnel, information, and documentation.

7. UNDP as the Implementing Partner will ensure that the following obligations are binding on each responsible party, subcontractor and sub-recipient:

   a. Consistent with the Article III of the SBAA *[or the Supplemental Provisions to the Project Document]*, the responsibility for the safety and security of each responsible party, subcontractor and sub-recipient and its personnel and property, and of UNDP's property in such responsible party's, subcontractor's and sub-recipient's custody, rests with such responsible party, subcontractor and sub-recipient. To this end, each responsible party, subcontractor and sub-recipient shall:
      i. put in place an appropriate security plan and maintain the security plan, taking into account the security situation in the country where the project is being carried;
      ii. assume all risks and liabilities related to such responsible party's, subcontractor's and sub-recipient's security, and the full implementation of the security plan.

   b. UNDP reserves the right to verify whether such a plan is in place, and to suggest modifications to the plan when necessary. Failure to maintain and implement an appropriate security plan as required hereunder shall be deemed a breach of the responsible party's, subcontractor's and sub-recipient's obligations under this Project Document.
   c. In the performance of the activities under this Project, UNDP as the Implementing Partner shall ensure, with respect to the activities of any of its responsible parties, sub-recipients and other entities engaged under the Project, either as contractors or subcontractors, their personnel and any individuals performing services for them, that those entities have in place adequate and proper procedures, processes and policies to prevent and/or address SEA and SH.

   d. Each responsible party, subcontractor and sub-recipient will take appropriate steps to prevent misuse of funds, fraud or corruption, by its officials, consultants, subcontractors and sub-recipients in implementing the project or programme or using the UNDP funds. It will ensure that its financial management, anti-corruption and anti-fraud policies are in place and enforced for all funding received from or through UNDP.

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[266] To be used where UNDP is the Implementing Partner
[267] To be used where the UN, a UN fund/programme or a specialized agency is the Implementing Partner

e. The requirements of the following documents, then in force at the time of signature of the Project Document, apply to each responsible party, subcontractor and sub-recipient: (a) UNDP Policy on Fraud and other Corrupt Practices and (b) UNDP Office of Audit and Investigations Investigation Guidelines. Each responsible party, subcontractor and sub-recipient agrees to the requirements of the above documents, which are an integral part of this Project Document and are available online at www.undp.org.

f. In the event that an investigation is required, UNDP will conduct investigations relating to any aspect of UNDP programmes and projects. Each responsible party, subcontractor and sub-recipient will provide its full cooperation, including making available personnel, relevant documentation, and granting access to its (and its consultants', subcontractors' and sub-recipients') premises, for such purposes at reasonable times and on reasonable conditions as may be required for the purpose of an investigation. Should there be a limitation in meeting this obligation, UNDP shall consult with it to find a solution.

g. Each responsible party, subcontractor and sub-recipient will promptly inform UNDP as the Implementing Partner in case of any incidence of inappropriate use of funds, or credible allegation of fraud or corruption with due confidentiality.

Where it becomes aware that a UNDP project or activity, in whole or in part, is the focus of investigation for alleged fraud/corruption, each responsible party, subcontractor and sub-recipient will inform the UNDP Resident Representative/Head of Office, who will promptly inform UNDP's Office of Audit and Investigations (OAI). It will provide regular updates to the head of UNDP in the country and OAI of the status of, and actions relating to, such investigation.

h. *Choose one of the three following options:*

Option 1: UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of this Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement. Recovery of such amount by UNDP shall not diminish or curtail any responsible party's, subcontractor's or sub-recipient's obligations under this Project Document.

Option 2: Each responsible party, subcontractor or sub-recipient agrees that, where applicable, donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities which are the subject of the Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

Option 3: UNDP will be entitled to a refund from the responsible party, subcontractor or sub-recipient of any funds provided that have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document. Such amount may be deducted by UNDP from any payment due to the responsible party, subcontractor or sub-recipient under this or any other agreement.

Where such funds have not been refunded to UNDP, the responsible party, subcontractor or sub-recipient agrees that donors to UNDP (including the Government) whose funding is the source, in whole or in part, of the funds for the activities under this Project Document, may seek recourse to such responsible party, subcontractor or sub-recipient for the recovery of any funds determined by UNDP to have been used inappropriately, including through fraud or corruption, or otherwise paid other than in accordance with the terms and conditions of the Project Document.

Note: The term "Project Document" as used in this clause shall be deemed to include any relevant subsidiary agreement further to the Project Document, including those with responsible parties, subcontractors and sub-recipients.

i. Each contract issued by the responsible party, subcontractor or sub-recipient in connection with this Project Document shall include a provision representing that no fees, gratuities,

rebates, gifts, commissions or other payments, other than those shown in the proposal, have been given, received, or promised in connection with the selection process or in contract execution, and that the recipient of funds from it shall cooperate with any and all investigations and post-payment audits.

j. Should UNDP refer to the relevant national authorities for appropriate legal action any alleged wrongdoing relating to the project or programme, the Government will ensure that the relevant national authorities shall actively investigate the same and take appropriate legal action against all individuals found to have participated in the wrongdoing, recover and return any recovered funds to UNDP.

k. Each responsible party, subcontractor and sub-recipient shall ensure that all of its obligations set forth under this section entitled "Risk Management" are passed on to its subcontractors and sub-recipients and that all the clauses under this section entitled "Risk Management Standard Clauses" are adequately reflected, *mutatis mutandis*, in all its sub-contracts or sub-agreements entered into further to this Project Document.