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Towards SDG 16: PROMOTING JUST, PEACEFUL AND INCLUSIVE SOCIETIES IN EUROPE AND CENTRAL ASIA

4 RULE OF LAW, JUSTICE, SECURITY AND HUMAN RIGHTS



TOWARDS SDG 16:

Promoting Just, Peaceful and
Inclusive Societies in Europe
and Central Asia

RULE OF LAW, JUSTICE, SECURITY AND HUMAN RIGHTS

OVERVIEW

Promoting human rights and strengthening the rule of law are essential to achieving sustainable development, strengthening democratic governance, and preventing crisis. The United Nations Development Programme's (UNDP's) work in this area takes a number of forms, including:

- **Strengthening National Systems of Human Rights Protection** – Strengthening the capaci-

ties of National Human Rights Institutions (NHRIs) to fulfil their mandate of oversight, protection, and promotion of human rights including in conflict situations, and the role of national and civil society actors in the development and implementation of National Human Rights Actions Plans.

- **Legislative Reform and Effective Justice Systems** – Supporting legislative and judicial authorities in legal reforms for sustainable justice systems, and enhancing public engagement with the legislative process.

- **Improving Access to Justice** – Supporting the development of legal frameworks and the establishment of free legal aid institutions to expand access to information and legal redress, with a focus on disadvantaged and marginalised populations.
- **Anti-Discrimination and Rights of People with Disabilities** – Advocating for and facilitating the involvement of minority groups in reform efforts, from the promotion of the rights of vulnerable communities to the representation of minority groups in civil service.
- **Torture Prevention and Improvement of Conditions of Detention** – Building the capacities of law enforcement bodies to identify, investigate, and prosecute cases of torture and ill-treatment in detention, and support national monitoring and preventive mechanisms.
- **Community Security and Armed Violence Reduction** – Supporting security and police institutions to manage and reduce weapons and ammunition, and build sub-regional border-management capabilities.
- **Prevention and Response to Sexual and Gender-Based Violence** – Building the capacities of the justice and security sector to strengthen victim protection frameworks, and enhancing the role of civil society in awareness-raising and prevention activities.
- **Transitional Justice and Dealing with the Legacy of Conflict** – Supporting national actors to increase dialogue, strengthen trust, and establish the conditions for reconciliation and accountability with transitional justice mechanisms.

UNDP's *Rule of Law, Justice, Security and Human Rights* work is designed to help countries meet targets:

5 GENDER EQUALITY



GOAL 5 – ACHIEVE GENDER EQUALITY AND EMPOWER ALL WOMEN AND GIRLS

- Eliminate all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation
- Eliminate all harmful practices, such as child, early and forced marriage and female genital mutilation

16 PEACE, JUSTICE AND STRONG INSTITUTIONS



GOAL 16 – PROMOTE JUST, PEACEFUL AND INCLUSIVE SOCIETIES

- Significantly reduce all forms of violence and related death rates everywhere
- End abuse, exploitation, trafficking and all forms of violence against and torture of children
- Promote the rule of law at the national and international levels and ensure equal access to justice for all
- By 2030, significantly reduce illicit financial and arms flows, strengthen the recovery and return of stolen assets and combat all forms of organized crime
- Ensure public access to information and protect fundamental freedoms, in accordance with national legislation and international agreements

KEY TRENDS

VARIABLE CONDITIONS FOR HUMAN RIGHTS PROTECTIONS AND THE RULE OF LAW

In 2015, the protection of human rights and respect for rule of law in the Europe and Commonwealth of Independent States (ECIS) region was impacted by several developments, including the refugee and migrant crisis in Europe, ongoing and protracted conflict situations, allegations of large-scale corruption as well as political instability and shrinking democratic space in some countries.

The protection of human rights and fundamental freedoms is highly variable across the region and in many countries, effective rule of law remains one of the primary deficiencies. While in the Western Balkans, most countries and territories have relatively stable democracies, several countries in the ECIS remain highly restrictive politically. The most significant challenges include weak national human rights protection systems, lack of democratic policing, politically compromised judicial systems, and a general lack of access to justice.

Effective human rights protection for vulnerable and marginalized groups is an area of continued focus. Vulnerable and marginalised groups continue to have difficulty accessing public services, including education, health, employment and legal services, and being integrated in society. Difficulty in social integration partly stems from active and passive discrimination, and structural divisions; important information is often not available in minority languages, services are located too far away to be practicable, there are difficulties accessing education and employment opportunities are limited. In light of the 2015 mixed migration flows affecting Europe, emphasis has been made on the need for effective human rights protection of migrants and refugees in both host and transit countries of the ECIS.

CONTINUING SECURITY THREATS

Armed violence and insecurity continues to represent a challenge to stable development in 2015. A high number of available and untracked weapons remain in circulation in the ECIS, including small arms and military equipment from ongoing and protracted conflicts. Currently, gun ownership is highest in the Western Balkans and Ukraine.¹ With long periods of instability and the legacy of armed conflict in the region, high rates of gun ownership present an inherent risk to regional security and stability.

Sexual and gender-based violence (SGBV), including domestic violence, remains an issue in the region. Rates of violence against women remain high, and effective options for accessing immediate protection are often lacking. However, progress has been made towards strengthening gender equality in political affairs which might help to bring legislative and policy focus on better preventing and combatting such violence. There is fertile ground for more progress in the coming years, as many countries have high levels of female participation in the workforce² and growing female participation in politics.³

WHAT WE DO

STRENGTHENING NATIONAL SYSTEMS OF HUMAN RIGHTS PROTECTION

An important element of UNDP's support to governments has been geared towards strengthening national systems of human rights protection to ensure that existing frameworks protect even the most disadvantaged people. During 2015, UNDP's work in the region focused on support and development of NHRIs. UNDP supports the capacity and independence of these institutions, to enhance their role as cornerstones of national human rights system. In Turkmenistan, in partnership with the Office of the United Nations High Commissioner for Human Rights (OHCHR), UNDP provided expertise and assistance

¹ Data compiled by The Guardian, "Gun homicides and gun ownership listed by country", 22 July 2012. Available from <https://www.theguardian.com/news/datablog/2012/jul/22/gun-homicides-ownership-world-list>

² The World Bank, "Labor force participation rate, female". Available from <http://data.worldbank.org/indicator/SL.TLF.CACT.FE.ZS> (accessed 30 August 2016)

³ Inter-Parliamentary Union, "Women in national parliaments". Available from <http://www.ipu.org/wmn-e/classif.htm> (accessed 26 August 2016)

in drafting institutional legislation and establishing an Ombudsperson's office. In the Kyrgyz Republic and the former Yugoslav Republic of Macedonia, support was provided to Ombudsman Institutions in order to further their alignment with the [Paris Principles](#),⁴ including support for capacity assessments of these institutions to identify areas for improvement. In Turkey, UNDP assisted in the development of the first strategic plan for the Ombudsman Institution. In Moldova, assistance was provided to the Ombudsman Office and the Equality Council in developing a methodology to analyse policies and legislation from a human rights and equality perspective. In the Kyrgyz Republic, UNDP and the Ombudsperson's Office partnered with law students to perform public trial

monitoring alongside Ombudsman officers, report their findings, and improve the accountability of the judiciary to the people.

In late 2015, UNDP and the Ukrainian Parliament's Commissioner for Human Rights co-organized an international conference on the role of NHRIs for the protection and promotion of human rights in conflict and post-conflict settings. This conference resulted in the adoption of the Kyiv Declaration on the Role of NHRIs in Conflict and Post-Conflict Situations,⁵ which reaffirms and calls for a stronger role of NHRIs in preventing conflict, and ensuring respect for human rights and their protection in conflict-affected and fragile settings.

NATIONAL HUMAN RIGHTS INSTITUTIONS: KEY HUMAN RIGHTS ACTORS IN CONFLICT AND POST-CONFLICT SITUATIONS

In conflict and post-conflict contexts, NHRIs can play a key role in ensuring the respect and protection of human rights. As neutral actors, NHRIs are also well positioned to monitor compliance, document human rights violations, and facilitate dialogue between actors and stakeholders to prevent further conflict. NHRIs have a unique legitimacy to educate state and non-state actors on human rights and promote rights-based policies. From the outset, the Ukrainian Parliament Commissioner for Human Rights has been actively engaged in responding to human rights violations resulting from the conflict in the east of the country.

With the aim of building on this experience, the Ukrainian Parliament Commissioner for Human Rights and UNDP organized the '2015 International Conference on the Role of National Human Rights Institutions in Conflict and Post-conflict Situations' in Kyiv, Ukraine. The conference brought together representatives from 18 NHRIs from countries in conflict or post-conflict situations, international organisations, human rights experts, and civil society to exchange experiences and lessons learned, and identify recommendations on the role of NHRIs in conflict-affected and fragile settings. Specific topics addressed included the documentation of human rights violations, national and international legal frameworks, reconciliation and peacebuilding, interactions between NHRIs and civil society, and the protection of inter-



Representatives from NHRIs, leaders, human rights experts, and civic activists came together to sign and adopt the Kyiv Declaration

Photo by: Eugene Zelenko/UNDP Ukraine

nally displaced persons (IDPs) and vulnerable groups. Important recommendations for NHRIs and governments were elaborated during the conference on I) enhancing the role of NHRIs in conflict prevention through guidance and education; II) documenting human rights violations; III) supporting IDPs and vulnerable groups/persons; and IV) enhancing closer collaboration with civil society.

⁴ A set of international standards which frame and guide the work of National Human Rights Institutions

⁵ UNDP, "National Human Rights Institutions Adopt Joint Declaration in Kyiv", 23 October 2015. Available from <http://www.eurasia.undp.org/content/rbec/en/home/presscenter/pressreleases/2015/10/23/national-human-rights-institutions-adopt-joint-declaration-in-ky.html>

The conference concluded with the adoption of the 'Kyiv Declaration on the Role of National Human Rights Institutions in Conflict and Post-Conflict Situations' (the Kyiv Declaration), which calls for an active and systematic role for NHRIs in conflict-affected settings. The Kyiv Declaration is a key regional achievement in promoting international human rights standards. Several countries in the region have started implementing the Kyiv Declaration, which is promoted at the regional level through the European Network of NHRIs and at a global level at the General Assembly of the Global Alliance of National Human Rights Institutions (GANHRI). In Ukraine, UNDP support following the Kyiv Declaration includes strengthening the capacity of the Parliament

Commissioner for Human Rights in addressing the rights of IDPs, including with the development of methodology for monitoring violations of the rights of IDPs and assisting their integration into society.

"We are here at a pivotal time for development. Yet the recently adopted Sustainable Development Goals (SDGs) cannot be fully achieved without the involvement of NHRIs."

– **Mr. Neal Walker**, Resident Coordinator, Humanitarian Coordinator and Resident Representative at UNDP Ukraine

The Declaration has been referred to and built-upon by GANHRI,⁶ thus becoming a global reference in this area.

UNDP also provided technical expertise for the design of National Human Rights Action Plans in Armenia, Georgia, Ukraine, and Turkmenistan, including the establishment of a implementation and monitoring system for the plans. In Turkmenistan, the National Institute of Democracy and Human Rights and the Inter-Ministerial Commission finalized the '2016-2020 National Human Rights Action Plan' with the support of UNDP. The Plan represents a comprehensive roadmap on the implementation of recommendations of the 2013 Universal Periodic Review (UPR) and other treaty bodies. UNDP will support selected ministries and the Institute of Democracy and Human Rights on its implementation. In Armenia, UNDP ensured broader involvement of government agencies and civil society in the follow up and monitoring of implementation of the UPR recommendations and its alignment with the National Human Rights Action Plan. In Ukraine, the

first National Human Rights Strategy and Action Plan was adopted following an inclusive process involving civil society, the Government and a number of development partners.

UNDP in partnership with OHCHR also worked to support government engagement with international human rights bodies and mechanisms. By taking a role as a trusted partner, UNDP is able to encourage the participation of governments, and ensure follow-through on the resulting recommendations to improve human rights. In 2015, Belarus, Georgia, and Turkey appeared before the Human Rights Council for the UPR. UNDP provided assistance in developing strategies to implement recommendations of the UPR process. One of UNDP's primary partners in human rights based initiatives, OHCHR is critical to moving forward the promotion and protection of human rights in the region, in particular in supporting efforts to develop and implement National Human Rights Actions Plans, and preparing the UPR in several countries in the region. Since 2011, UNDP, OHCHR and

"OHCHR has a long-standing strategic partnership with UNDP. Collaboration between the two continued in the areas of the rule of law, democracy, good governance and human rights, resulting in strengthened engagement at country and regional levels with international human rights mechanisms, as well as more shared analysis, joint advocacy and programmatic activities. Through this partnership, the two parties have been cooperating at the field level in building and strengthening NHRIs' capacity. In this regard, they have developed, in 2010, the "Toolkit for the collaboration with National Human Rights Institutions" for UN

staff members and, in 2016, the "Global Principles for Capacity Assessment of NHRIs". In 2011, OHCHR, UNDP and the Global Alliance of NHRIs established a strategic tri-partite partnership, which aims at increasing cooperation among the three parties towards better coordinating and leveraging knowledge, expertise and capacity to strengthen NHRIs. The three parties hold regular annual meetings, hosted by UNDP in New York."

– **Mr. Vladlen Stefanov**, Chief, National Institutions and Regional Mechanisms Section, Office of the United Nations High Commissioner for Human Rights

⁶ Formerly known as the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC)

Highlights



In Moldova, the first Strategic Development Plan of the Office of the Ombudsman was adopted.



In Ukraine, the 'Kyiv Declaration on the Role of National Human Rights Institutions in Conflict and Post-Conflict Situations' was adopted, becoming a global reference for international human rights standards on the role of NHRIs in conflict.



In Turkmenistan, the '2016-2020 National Human Rights Action Plan' was adopted.



In Ukraine, the first National Human Rights Strategy and Action Plan was adopted, following an inclusive process involving civil society, government representatives and development partners.

GANHRI has enjoyed a strategic three-way partnership at the global level aimed at a more strategic and holistic approach for dedicated support to NHRIs.

The Council of Europe (CoE) has been also partnering with UNDP in providing assistance to member states in the region in protecting and promoting human rights, democracy, justice and rule of law. This work, amongst many projects, includes monitoring the implementation of the new Criminal Procedure Code in Ukraine, and supporting civic partnerships that documented human rights violation cases that were filed with the European Court of Human Rights.

LEGISLATIVE REFORM AND EFFECTIVE JUSTICE SYSTEMS

In the ECIS region, UNDP works with national partners to strengthen and build the capacity of institutions to develop and implement legal reforms

furthering equality and the rule of law. UNDP assists national authorities, including the legislature, the judiciary, prosecutors, lawyers, and police, to identify and implement specific measures to ensure stable and sustainable justice. In Tajikistan, UNDP supported Tajikistan's National Rule of Law Policy Dialogue, which brought together government officials, civil society, lawyers and academics, to discuss key issues relating to the rule of law and concrete recommendations for law and policy changes. To boost public engagement with the legislative process and enhance the quality of legislation, UNDP in Uzbekistan launched an online public consultations platform in both Uzbek and Russian, for citizens to provide comments to draft legislation. By the end of 2015, over 500 comments were input for approximately 300 draft laws and regulations. In the Kyrgyz Republic, UNDP assisted the Parliament in drafting six new judicial reform laws, incorporating civil society and expert advice, and aligning with human rights standards.

UNDP also provides support and technical expertise to strengthen the knowledge and skills of judges, prosecutors, lawyers, ministries, civil society and the security forces. In Montenegro for example, training curricula were created and adopted by the Judicial Training Centre. The curricula covered a range of both criminal and civil matters including European arrest warrant and surrender procedures, custodial sentences including deprivation of liberty, decisions imposing probation measures and alternative sanctions, as well as decisions on supervision measures. In Bosnia and Herzegovina (BiH), UNDP provided support to build the capacity of the judiciary, the police and the media to prosecute and report on conflict-related sexual violence (CRSV). In partnership with IOM, the United Nations Population Fund (UNFPA) and UN Women, UNDP is implementing a joint programme to address the legacy of CRSV. This programme, amongst other things, will provide training to representatives of the judiciary, police and media on survivors' rights and standards for processing of war crimes cases involving sexual violence. Additionally, UNDP provided support to the implementation of the Justice Sector Reform and National War Crimes Prosecution Strategy and facilitated cooperation among war crimes prosecution offices in the region to speed up the processing of war crimes cases with a regional dimension. In this vein, UNDP provided support to

the continuing expansion of the Victim-Witness Support Programme, now featuring 16 fully operational offices. In 2015, this programme provided assistance to over 1,600 individuals.

IMPROVING ACCESS TO JUSTICE

UNDP provides support to governments to improve justice services and their capacity, and increase access to justice and peaceful resolution of disputes for all.

Poor and disadvantaged groups, including rural populations, IDPs, migrants and refugees, face multiple obstacles in accessing information on legal procedures and seeking legal redress. UNDP seeks to improve access to justice by supporting the provision of free legal aid and legal awareness programmes. In Albania, BiH, Georgia, the Kyrgyz Republic, and Tajikistan, UNDP helped to establish and expand legal services with a focus on vulnerable groups. To ensure the sustainability of these services, UNDP works with and supports governments to develop legal frameworks for free legal aid, establish national free legal aid institutions, and plan for specific budget allocation to free legal services.

In BiH, UNDP supported the establishment of a free legal aid agency in coordination with the Ministry of Justice of the Herzegovina-Neretva Canton, thus increasing the number of agencies to 16 throughout BiH.

Highlights



In Uzbekistan, an online public consultations platform was launched in Uzbek and Russian for citizens to provide comments to draft legislation, resulting in over 500 comments input for 300 draft laws and regulations.



In BiH, the Victim-Witness Support Programme was expanded to feature 16 fully operational offices, and provided assistance to over 1,600 individuals.



In Tajikistan, the Government adopted the concept on state-guaranteed legal aid, while UNDP-supported free legal aid services reached 11,206 people, including 7,021 women and 865 people with disabilities.

These agencies provide access to free legal aid services and information for more than 800,000 citizens, particularly to vulnerable groups such as women and persons with disabilities. In Georgia, access to justice was increased by extending the mandate for the Legal Aid Service to selected civil and administrative cases, in addition to criminal cases. UNDP also supported access to free legal aid to over 30,000 disadvantaged citizens by facilitating an agreement between the Legal Aid Service and the Public Service Development Agency. In the Kyrgyz Republic, UNDP worked to enhance the capacity of free legal aid providers, select municipalities, and the State Registration Service to provide access to justice, legal identity and peaceful dispute resolution. As a result, the number of people accessing legal aid services almost tripled to 14,654 in 2015.

In Tajikistan, UNDP continued to support increased access to justice. In 2015, UNDP-supported free legal aid services reached 11,206 people, including 7,021 women and 865 people with disabilities. Most com-

mon services provided to women pertained to family law issues, followed by civil law issues and property disputes. The great majority of cases (approximately 92 percent) had a positive outcome for the client. To ensure the sustainability of legal aid services, UNDP facilitated a policy dialogue on the rule of law between the Government and civil society, resulting in the adoption of the concept of state guaranteed legal aid. This adoption means the state will now begin the process to undertake full responsibility for the provision of free legal aid, providing a solid and sustainable basis.

Complementing this, UNDP promotes community security and access to justice in conflict-affected areas. Regional and domestic conflicts have created specific access to justice needs for IDPs and refugees. In Turkey, a large-scale project supporting legal aid services targeting disadvantaged groups such as women, children and Syrian refugees was launched late 2015. The project aims to design and implement specific legal aid approaches based on the gender, age and location of applicants, starting with a detailed

Highlights



In BiH, a free legal aid agency was established in coordination with the Ministry of Justice of the Herzegovina-Neretva Canton, increasing the total number of agencies to 16 and enabling access to free legal aid to more than 800,000 citizens.



In Georgia, the mandate for legal aid services was broadened to include civil and administrative cases in addition to criminal cases, with legal aid capacities able to service 30,000 disadvantaged citizens.



In the Kyrgyz Republic, the capacity of free legal aid providers, selected municipalities, and state registration services were enhanced; the number of people accessing free legal aid tripling to 14,654.



In Ukraine, 6,900 IDPs received legal aid, and a case management system to keep track of legal assistance was introduced, extending support to a further 1,700 people.

assessment of the legal needs of Syrians in five provinces in southern Turkey. In Ukraine, UNDP provided support to civil society organizations in providing legal aid to 6,900 IDPs. A case management system used to keep track of IDPs assistance was introduced, allowing assistance to be extended to around 1,700 people.

ANTI-DISCRIMINATION AND THE RIGHTS OF PERSONS WITH DISABILITIES

UNDP seeks to further human rights by addressing discrimination and social exclusion. In many ECIS countries, vulnerable groups include ethnic minorities, the lesbian, gay, bisexual, transgender and intersex (LGBTI) community, people with disabilities, and women and children. In a number of countries, co-existence remains challenging for minorities, who still face discrimination in political, social, and economic spheres. Discrimination against persons with disabilities also remains problematic across the region. In line with the UNDP Strategic Plan 2014–2017, UNDP and national partners across the region collaborate to ensure the protection and the promotion of the rights of marginalised communities.

When supporting legislative reforms and implementing core human rights conventions, UNDP works to ensure that specific considerations and targets for vulnerable populations are included in reform efforts. In Turkey, as a result of UNDP's impact assessment on the judicial reform process in 2014, a specific target for access to justice for disadvantaged groups was integrated in the Judicial Reform Strategy in 2015. In Georgia, following the adoption of the Law on the Elimination of All Forms of Discrimination in 2015, UNDP facilitated the translation of government websites and other resources into the Abkhaz language, and provided support to Georgian language classes for rural national and ethnic minorities to promote societal integration. In Moldova, UNDP provided support to build the capacity of the Ombudsperson Office and the Equality Council to elaborate a methodology to analyse policies and legislation from a human rights and equality perspective, and promote the implementation of international standards. 23 decisions of the Equality Council were translated into Russian and made publicly available online, thus ensuring access to infor-

mation to linguistic minorities. In Albania, free legal aid was provided to 165 Roma and Egyptian families in three different municipalities. UNDP also provided support to local activists by facilitating forums for Roma and Egyptian women to discuss how to advocate for their rights. Efforts culminated in the finalisation of the 'Action Plan for Integration of Roma and Egyptians in the Republic of Albania 2016–2020', adopted through a participatory process involving civil society, municipalities, and line ministries.

To ensure the rights of persons with disabilities, several countries have taken steps towards adopting the protections provided in the UN Convention on the Rights of Persons with Disabilities (CRPD). With UNDP support and advocacy, Belarus acceded to the CRPD in September 2015. Similar advocacy was conducted in the Kyrgyz Republic, where UNDP assisted the Government and civil society in planning and costing the ratification of the CRPD and conducted analysis on the legal framework regulating representation of women and ethnic minorities in the civil service. UNDP has been also assisting Tajikistan in acceding to the CRPD by supporting an analysis on the legal, economic and functional implications of acceding, providing advocacy, and organising study tours. As part of the UPR process in May 2016, Tajikistan committed itself to join the CRPD. Finally, in Armenia, UNDP supported a comprehensive government reform to change the disability classification model from a medical to a bio-psychosocial model, aligning it with the International Classification of Functioning, Disability and Health and the CRPD. Assessment tools have already been developed and piloted with 1,200 people.

Highlights



In Georgia, the Law on the Elimination of All Forms of Discrimination was adopted, resulting in the translation of government websites into the Abkhaz language to provide access to information for linguistic minorities.



In Albania, the Action Plan for Integration of Roma and Egyptians in the Republic of Albania 2016–2020 was adopted, through a participatory process involving civil society, municipalities, and line ministries.



In Belarus, the CRPD was ratified following a sustained campaign by UNDP.



In Armenia, the disability classification model was reformed to align with the International Classification of Functioning, Disability and Health, and the CRPD, new assessment tools benefiting 1,200 people.

TORTURE PREVENTION AND IMPROVEMENT OF DETENTION CONDITIONS

Important efforts have been taken to prevent torture and ill-treatment in the region, and have been directed at the improvement of detention centres and psychiatric institutions. In Moldova, the Patient's Advocate, a successful UNDP pilot, enabled 1,465 complaints of individuals held in psychiatric institutions to be processed. This resulted in approximately one hundred cases of forced hospitalisation being resolved at the administrative level, with as many people being either released

or transferred to adequate accommodations. In parallel, UNDP provided support to improve the capacity of law enforcement bodies to identify, investigate, and prosecute cases of torture in psychiatric institutions. As such, gender sensitive guidelines for prosecutors on the investigation of cases of torture and other ill-treatment in mental health facilities were finalized and adopted by the General Prosecutor. In Ukraine, UNDP has been providing support to the National Preventive Mechanism with the Office of the Ombudsperson to carry out detention monitoring, including in conflict-affected areas.

Highlights



In Moldova, the Patient's Advocate enabled the processing of 1,465 complaints of individuals held in psychiatric institutions, resulting in one hundred cases of release or transfer of individuals to adequate accommodations.



In Ukraine, the Parliament's Commissioner for Human Rights through the National Preventive Mechanism carried out 95 monitoring visits to places of detention, including in conflict-affected areas.

COMMUNITY SECURITY AND REDUCTION OF ARMED VIOLENCE

Insecurity and the prevalence of violence in a society are often the symptoms of other underlying issues such as a lack of trust in government, tension between different communities, and weak rule of law. For many countries in the ECIS region, it is often also a legacy of recent conflicts that have resulted in the large-scale accumulation and availability of weapons, as well as explosive remnants of war. In Southeastern and Eastern Europe, the proliferation and illicit trafficking of small arms and light weapons (SALW) remains a serious problem undermining crime prevention and post conflict peacebuilding, and posing a serious constraint on the long-term economic and social development in Southeastern and Eastern Europe.

To address these challenges, UNDP works, mainly through a joint initiative with the Regional Cooperation Council (RCC) called the South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC). As the successor to the Stability Pact for South Eastern Europe, RCC provides SEESAC with the political mandate for its work and co-chairs the Regional Steering Group on Small Arms and Light Weapons with UNDP. SEESAC's work focuses on working with governments and communities to identify the causes of violence and insecurity, designing practical measures

to address these, and supporting their implementation. As a result, significant time and effort has been invested in curbing the proliferation and availability of these weapons, using tools such as the Regional Micro Disarmament Standards and Guidelines and the International Small Arms Control Standards. The uniqueness of UNDP's approach is the implementation of regional cooperation initiatives and activities, increasing information sharing, enhancing knowledge exchange and improving cross-border coordination. In 2015 for example, SEESAC convened several regional meetings of Small Arms Commissions, Regional Information Exchange Process on Arms Transfers and the South East Europe Firearms Experts Network (SEEFEN), significantly increasing coordination among relevant institutions. A regionally coordinated SALW disposal action marking International Gun Destruction Day (9th of July) resulted in the disposal of 2,600 weapons. Similarly, UNDP worked with the Ministry of Defence in BiH to dispose of 2,452 tonnes of unsafe ammunition as well as facilitating the upgrade of five weapons storage facilities. In Kosovo⁷, UNDP's support has seen community safety improved through the better regulation of civilian weapon possession in line with EU legislation, and a campaign against the use of fireworks. In Belarus, Montenegro and Serbia, UNDP partnered with the Organization for Security and Cooperation in Europe (OSCE) to implement wide-ranging stockpile security and reduction projects.

⁷ All references to Kosovo shall be understood to be in the context of Security Council resolution 1244 (1999).

Weapons being destroyed in Kosovo



Photo by: UNDP Kosovo

Tajik Border Guards at the Tajik-Afghan Border



Photo by: BOMCA/UNDP Brussels

In some cases, the sources of insecurity and violence can be external to the country. In these cases, the improvement of border management capabilities is often an important priority. This is particularly true in Central Asia and Turkey where there are active conflict zones in neighbouring countries (Afghanistan and Syria respectively). In 2015, UNDP's work in this area focused on Turkmenistan, Tajikistan and Uzbekistan, in attempts to ensure borders with Afghanistan were effectively managed. In Tajikistan for example, UNDP provided training on integrated border management for 322 Tajik and Afghan border and customs officials, a programme that will be expanded going forward due to its initial successes.

More broadly, UNDP also works to assist national governments strengthen the delivery of professional security and policing services orientated towards making communities safer. This often also involves improving leadership, decision-making, and strategic planning capacities, as well as specialized training. In the former Yugoslav Republic of Macedonia, a course on physical security and stockpile management was delivered to the Ministry of Defence and later integrated into the curricula of the Military Academy, ensuring sustainability of efforts to improve the management of weapons and ammunition. In Kosovo, training and the provision of advanced forensics equipment to the Forensics

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In BiH, the Ministry of Defence disposed of 2,452 tonnes of unsafe ammunition, and the safety and security of five weapons storage facilities were upgraded.



In Serbia, national collection and awareness-raising campaigns resulted in 2,138 SALW, 1,107 pieces of explosive ordnances, and 160,434 pieces of ammunition turned over for destruction, and 4,300 registration requests submitted for SALW.



As a result of regional coordinated destructions on International Gun Destruction Day, 1,799 SALW and 1,854 parts and components were destroyed in Kosovo, and 857 SALW and 194 parts and components were destroyed in Montenegro.

Agency of Kosovo has doubled the rate at which crimes are solved. In Moldova, UNDP provided training to crime scene investigators on modern tools and techniques, and police on community policing

principles. As a result, not only was the effectiveness of the police improved, but there was also a large improvement in how police were perceived in the community.

SUPPORT FOR SMALL ARMS CONTROL IN SOUTHEAST EUROPE - TRANSPARENCY, CAPACITY, MANAGEMENT

In order to support national and international stakeholders in their efforts to practically implement SALW control measures, UNDP's partnership with RCC and the formation of SEESAC joint initiative have been vital. SEESAC is working to strengthen the capacities of national and regional stakeholders to advance Security Sector Reform and thus contribute to enhanced stability, security and development in Southeast Europe. With over 14 years of experience in the practical implementation of SALW control measures, SEESAC's work has been widely recognized and is based on fostering regional cooperation, facilitating knowledge exchange and enabling information sharing.

Since its inception, SEESAC has served as the executive arm of the **Regional Implementation Plan on Combating the Proliferation of Small Arms and Light Weapons in Southeast Europe**. In this role, SEESAC has implemented approximately US\$17.5 million worth of projects in Albania, BiH, Bulgaria, Croatia, Kosovo, Moldova, Montenegro, Serbia and the former Yugoslav Republic of Macedonia.

In line with Goal 16 of the SDGs which focuses on Peace, Justice, and Strong Institutions, new and ongoing regional initiatives run by SEESAC in 2015 featured EU support for SEESAC disarmament and arms control activities in Southeast Europe, support for an arms control programme in the Western Balkans, the Capacity Development Programme for Conventional Ammunition Stockpile Management, and the Regional Security Sector Reform Platform.

The Regional Security Sector Reform Platform (RSSRP) established in 2015 is an innovative mechanism established to facilitate the transfer of knowledge and expertise on niche security sector reform themes from Southeast Europe to the rest of the ECIS region and further afield. The RSSRP blends SEESAC's practical project development and implementation capacity with the regional Roster of Experts, approved by the participating states, and selected for their proven track-record and current hands-on experience in national policy design and implementation coupled with participation in SEESAC regional projects and initiatives. Currently, the roster features 73 experts, including 36 women and 37 men, with 43 gender experts, 27 SALW experts, and 3 Security Sector Reform experts, further divided into 14 different areas of expertise. The first deployment through the RSSRP took place in September 2015 when Lieutenant Colonel Strašo Stojčevski from the Ministry of Defence of the former Yugoslav Republic of Macedonia and Captain Predrag Lučić from the Armed Forces of Montenegro supported as instructors the Nordic Centre in Military Operations in conducting the 'Gender Training of Trainers' course organized at the Ministry of Defence in Georgia from 15 to 24 September. The course was organized at the National Defence Academy in Gori, Georgia for 13 participants from Armenia, Moldova, Romania, Ukraine, Denmark and Georgia. For more information, please visit <http://www.seesac.org/RSSRP>

"The most important part of the process has been the information exchange process on arms exports control among countries in the region. ... I can proudly say that this project demonstrated that countries of this region, which has until recently been known for lack of mutual understanding, tensions and instability, have become an example of successful and open cooperation that is based on friendly relations of mutual understanding and trust."

– **Mr. Stevan Nikčević**, State Secretary, Ministry of Trade, Tourism and Telecommunications, Republic of Serbia, 30 October 2015, during the conference Arms Transfers Control Achievements in the Western Balkans

PREVENTION AND RESPONSE TO SEXUAL AND GENDER-BASED VIOLENCE

SGBV has devastating, long-term effects on the lives of victims, their families and communities, and also impedes development progress. Furthermore, levels of SGBV often rise in crisis and conflict settings, where systems of protection, security and justice break down, creating a vicious cycle.

UNDP supports efforts to prevent and reduce SGBV, and assist victims and their families. At the highest level, UNDP works with governments and institutions to implement reforms aimed to protect women from violence and ensure their ongoing protection. In October 2015, the UNDP 'Regional Conference on Effective Programing for Preventing and Combating Sexual and Gender-Based Violence' brought together more than 50 government officials, including representatives of justice and security institutions, experts and civil society representatives in Belgrade, Serbia. Experts from 14 countries in the region discussed the international, regional, and national legal and policy frameworks, and the role of justice and security institutions in preventing and combating SGBV, as well as supporting victims and survivors in conflict-affected settings.

The capacity of public servants and professionals in the justice system such as the police, prosecutors and judges, is an important element in the fight against impunity for SGBV and support for victims. Unfortunately, in many cases, cultural norms, the non-recognition of the situation, and/or a lack of awareness of potential solutions, mean the opportunity for a successful intervention is missed. As a result, building the capacity of officials addressing SGBV cases is typically an effective way to strengthen the protection of women. To achieve this, UNDP works with officials in the justice and security sector to provide training on how to recognize risk factors, how to better protect victims and how to more effectively deal with perpetrators. In Albania for example, UNDP helped the State Police Academy assess and upgrade its training curricula on SGBV and trained 220 police staff in seven regions to implement a new anti-harassment policy. In Montenegro, in response to the findings of UNDP supported research on perceptions of the judiciary on gender-based violence, 14 representatives of judiciary were trained by UNDP to become peer educators on this topic, while 76 took part in tailored educational workshops.

Complementing this, UNDP also works with national and local partners to improve the availability of services for survivors. This includes medical, psychosocial, family, legal and economic assistance.

Highlights



In BiH, the Victim-Witness Support Programme was expanded to 16 fully operational offices, providing assistance to over 1,600 people.



In Montenegro and Serbia, a national SOS helpline for victims of violence was introduced, resulting in a significant increase in reports of domestic violence.



In Albania, a coordinated community response mechanism for awareness-raising and prevention of SGBV was established in four municipalities and expanded in two municipalities, resulting in a 30 percent increase in reported cases and a 24 percent increase in arrests for family crimes.

REFORM IN THE WESTERN BALKANS – GENDER EQUALITY IN THE MILITARY

Despite improvements in women's equality in the countries of the Western Balkans, the military remains a domain dominated by men. Statistics from SEESAC show that women only make up between 5.7 and 9.0 percent of the armed forces in the Western Balkans,³² with women in management and command positions even rarer. Although military careers are open to women, a systematic approach is needed to attract and retain them in the defence and armed forces.

With the aim of addressing this challenge, **Gender Equality in the Military in the Western Balkans** is a regional project being run by UNDP's SEESAC initiative with the financial support of the Norwegian Ministry of Foreign Affairs, the Swedish Armed Forces and UNDP. Initiated in 2012, the project has been implemented in close cooperation with the Ministries of Defence of BiH, Montenegro, Serbia and the former Yugoslav Republic of Macedonia.



Trainers during an outdoor exercise as part of the Gender Training of Trainers Course in Belgrade, Serbia

Photo by: UNDP in Europe and Central Asia

The project has two primary goals. The first is to boost gender equality in the military. This is being done in a range of ways which include increasing gender awareness, strengthening gender-responsive human resource policies, and capacitating gender equality mechanisms in the Ministries of Defence and Armed Forces throughout the region. The project has supported the establishment of a regional network of military gender trainers in the armed forces. This network serves as an important gender awareness mechanism and has trained more than 4,500 military and civilian personnel on gender perspectives in the security sector in 2015 and 2016.

The second goal of the project has been to boost regional coordination and create new relationships and networks. In addition to allowing for more effective sharing of knowledge, information and best practices, the partnerships and relationships established help to increase regional cooperation, contributing to the reconciliation process and increased security and stability in the Western Balkans.

"Thanks to the project but also other implemented activities general climate has changed significantly in the Ministry. The intensity and scope of the project enabled the integration of gender perspective in different aspects in HR policies and practice. Women [from the Armed Forces] are also providing evidences of the changed institutional climate, infrastructure better fits women's needs, internal regulation and procedures are modified, uniforms are accustomed which has altogether led towards the improvement of position of women and their higher share in Armed Forces of Montenegro."

– **Ms. Slobodanka Doderović**, Head of Human Resources Management Department, Ministry of Defence Montenegro

For example, in Montenegro and Serbia, UNDP supported the introduction of the national SOS helpline for victims of violence. Statistics from Montenegro showed a significant increase in reports of domestic violence as a result. In the case of Serbia, UNDP also supported a programme that provides individual and group therapy sessions for perpetrators in order to reduce the recidivism rate.

Local communities are often the first source of support for victims of SGBV. As such, UNDP works at the community level in awareness-raising and prevention activities. In Albania, UNDP helped to establish coordinated community response mechanisms in four municipalities while also expanding existing mechanisms in two other municipalities. This has led to significant increases not only in the number of reports being made, but also an increase in the number of perpetrators arrested.

³² SEESAC, "The Position of Women in the Armed Forces in the Western Balkans", 2014. Available from <http://www.seesac.org/res/files/publication/877.pdf>

TRANSITIONAL JUSTICE

Societies must be enabled to address large-scale violence resulting from conflict, political upheaval, or authoritarian regimes. Nationally-led transitional justice processes contribute to atonement for past violence and human rights violations and help societies guard against a relapse into systematic discrimination or violence, fostering reconciliation. Building the role and capacities of national justice institutions in transitional justice can also strengthen their independence.

To support redress for past violence and human rights violations, and to enable societies to recover from the legacy of violence, many of UNDP's initiatives focus on supporting dialogue processes and providing advice to governments and communities on measures of transitional justice, including establishing truth commissions and prosecuting conflict-related crimes. In BiH, Dialogue for the Future, a large project

involving multiple UN agencies funded by the UN Peacebuilding Fund and supported by the Presidency of BiH, continues to focus on trust building and the promotion of diversity. To date, Dialogue for the Future has directly engaged over 54,000 citizens through two Dialogue Platform Conferences, 26 youth forums, trainings, and 40 grants facility projects, which has resulted in the creation of a formal process that enables citizens and decision makers to interact and discuss peacebuilding and trust-building. In Ukraine, UNDP supported civic human rights monitors and investigators in launching a database to document evidence on human rights violations in the east of the country. The gathered evidence is to be used before national and international justice mechanisms. Thus far, 120 individual and group cases obtained from 15 localities were filed. Based on this evidence, eight monitoring reports were prepared, five criminal investigations launched and three claims to the European Court of Human Rights were filed.

Highlights



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