



LESSONS IDENTIFIED FROM UNITED NATIONS MISSION IN LIBERIA SUPPORT TO RULE OF LAW IN LIBERIA

MARCH 2018



THE INTERNATIONAL SECURITY SECTOR ADVISORY TEAM
THE GENEVA CENTRE FOR THE DEMOCRATIC CONTROL OF ARMED FORCES (DCAF)

ACKNOWLEDGEMENTS

The authors would like to thank the numerous individuals and institutions that supported the lessons identified study. The authors are especially grateful to the national institutions, UN Country Team, development partners and civil society in Liberia (both current and former) as well as current and former UNMIL staff who met with the team and provided input into various phases of the lessons identification study. The authors would also like to thank colleagues in UNMIL and OROLSI who provided important feedback and comments on the various drafts of the lessons identified report. The authors are grateful to the DSRSG Political and Rule of Law, Mr Waldemar Vrey, who initiated this important study and played a key role in facilitating contact with current and former UNMIL staff as well as with senior leadership of the national institutions in Liberia.

The authors would like to thank the UNDP, the Government of Ireland, the Government of Switzerland, and the ISSAT Governing Board members who provided financial support to this study.

This lessons identification study was carried out through a partnership between DCAF's International Security Sector Advisory Team (ISSAT), UNMIL, OHCHR, OROLSI Police Division, Standing Police Capacity, OROLSI Justice and Corrections Service, and OROLSI SSR Unit. Members of the team included: Anicia Lala (Team lead - ISSAT), Catherine Barley (Team lead - UNMIL), Carsten Weber (Overall Team Coordination - OROLSI), Alexander Burian (ISSAT), Charles Briefel (OROLSI), Jeffrey Buenger (OROLSI), Patrick Hagan (ISSAT), Christophe Pradier (OROLSI), Isabelle Dutour (ISSAT), Ingrid Jeunhomme (OROLSI), Jean-Philippe Kot (ISSAT), Dieudonne Munyinga (OHCHR), Peter Albrecht (ISSAT), and Tor Tanke (ISSAT). The authors and team are grateful to a number of individuals in UNMIL who provided key contributions to the data collection process: Simon Blatchly (UN Police Commissioner), Marcel Akpovo (Head of HRPS), Michael Page (SSR Advisor), Samuel Opoku-Agyakwa, Karin Petterson, Ganiat Mustapha, Tabitha Mbugua, Susan Koker, Kiran Kunwar, Joseph Gillespie, and Clement Ngube.

The views expressed in the report do not necessarily reflect the UN official policies.

PHOTO CREDIT

Emanuel Tobey (UNMIL): Cover page, Preface, Introduction, Political Engagement, Elements of National Reform, SSR Lesson, Police Lesson, Human Rights Lesson

Alexander Burian: Executive Summary, Mandate Evolution, Justice and Corrections Lesson



Preface

After almost 15 years UNMIL is finally closing, with the substantive mandate of the Mission coming to an end on 30 March 2018. When a peacekeeping mission closes it is inevitably a bitter-sweet experience for staff of the Mission. In UNMIL, we can both take pride in the achievements of the Mission in support of Liberia in reaching its objectives, but also feel sadness in leaving Liberia and parting from colleagues and friends. Closure is also a time for an honest reflection on the history of a mission. The United Nations formally encourages a culture of learning lessons from past experiences, both positive and negative, through processes undertaken transparently and objectively. It was with this in mind that I decided to approach the International Security Sector Advisory Team of The Geneva Centre for the Democratic Control of Armed Forces (ISSAT/DCAF) to work with both the UNMIL Rule of Law Pillar and our DPKO and OHCHR colleagues in United Nations Headquarters to reflect on the Pillar's experience of working on human rights, police, justice and corrections, and security sector reform over the years. UNMIL, it should be recalled, has changed significantly over the years. In the early years it was among the largest peacekeeping missions in the world and the focus was on both stabilizing Liberia after a horrendous civil conflict, and implementing the terms of the 2003 Accra Comprehensive Peace Agreement. However, as Liberia changed, so did the focus and mandate of UNMIL, and we began to support and build the capacity and capability of our Liberian partners.

In order to undertake this lessons identification exercise, the ISSAT/UN team looked at sector specific as well as a broad range of cross cutting issues. This report is therefore divided into a main section which looks at lessons learned across the Rule of Law Pillar, and annexes containing a series of section specific lessons which I would strongly urge readers and students to look at. The research teams spoke to past and present UNMIL leadership and staff, national counterparts and international partners, in addition to a literature review.

I would like to thank ISSAT for all of the subject matter experts who worked to ensure that this was a robust, objective and independent lessons identification exercise, particularly Dr. Anicia Lala and Mr. Alexander Burian, for leading on the process for ISSAT. From UNMIL I would like to thank the entire staff of the Rule of Law Pillar who supported the study, but would specifically like to thank Ms. Catherine Barley and Mr. Carsten Weber (Chief of the Justice and Corrections Standing Capacity) for their coordination on behalf of the mission. I would also like to thank the focal points who came to assist us from UN headquarters, from DPKO/OROLSI - Police Division/Standing Police Capacity, the Justice and Corrections Service, and the Security Sector Reform Unit – and from the Africa Branch/ Field Operations and Technical Cooperation Division of OHCHR. Finally, I would like to sincerely thank everybody who contributed their time to meet with the research team.

I hope that colleagues in other missions, UN Agencies, Funds and Programmes, Member States and indeed the Liberian government will find this a useful document and will be able to build on the lessons that we have learned from our engagement in Liberia. I strongly believe that this impressive study will be a useful resource for many years to come and trust that the hard work put into it will provide strong dividends to the UN and Liberia.

WALDEMAR VREY
DSRSG POLITICAL AND RULE OF LAW
UNITED NATIONS MISSION IN LIBERIA (UNMIL)
MONROVIA, LIBERIA 21 MARCH 2018

TABLE OF CONTENTS	
0. Introduction	10
Methodology	13
Overall Report Recommendations	14
1. Mandate Evolution, Planning and Implementation	21
1.1 Mandate Evolution	21
1.2 Mandate Implementation	24
1.2.1 Under-utilization of strategic planning	24
1.2.2 Organizational learning	25
1.2.3 Assessments and Analysis	26
1.2.4 Risk Management	28
1.2.5 Affordability of Reforms	30
1.2.6 Quick Impact Projects	32
1.2.7 Mission Staffing and Human Resources	34
1.2.8 Rule of Law Pillar Structure Evolution	37
1.2.9 Gender in the Rule of Law Pillar	38
1.3 Mandate Implementation	40
1.3.1 Sequencing Transition	40
1.3.2 Transition, Continuity of Support and Joint Programme	43
1.3.3 Building in time for Monitoring and Troubleshooting	45
2. Political Engagement	49
3. Elements of National Reform	52
3.1 Coordination	52
3.2 Capacity Building of National Institutions	55
3.3 Supporting Management and Accountability Reforms	57
3.4 Improving Local Level Service Delivery	60
Annex A: Security Sector Reform Lessons	62
Annex B: Police Reform Lessons	74
Annex C: Justice and Corrections Reform Lessons	86
Annex D: Human Rights Lessons	99
Annex E: Table of Recommendations	106
Annex F: Bibliography	117
Annex G: Methodology	122

ACRONYMS

ADR	Alternative Dispute Resolution
AFL	Armed Forces of Liberia
AfT	Agenda for Transformation
BCR	Bureau of Corrections and Rehabilitation (MoJ)
BIN	Bureau of Immigration and Naturalization
CAU	Corrections Advisory Unit (UNMIL)
CPA	Comprehensive Peace Agreement
DEA	Drug Enforcement Agency
DPET	Division for Policy, Evaluation and Training (UN)
DPKO	Department of Peacekeeping Operations
DSRSG	Deputy Special Representative of the Secretary-General
ECOWAS	Economic Community of West African States
FACA	Firearms and Ammunition Control Act
FPU	Formed Police Units
GoL	Government of Liberia
GRC	Liberia's Governance Reform Commission
HRDDP	Human Rights Due Diligence Policy
HIPPO	High-Level Independent Panel on Peace Operations
HRPS	Human Rights and Protection Section
IGP	Inspector General of Police
IOM	International Organization for Migration
INHCR	Independent National Commission on Human Rights
JCS	Justice and Corrections Service
LiNCSA	Liberia National Commission on Small Arms
LIS	Liberian Immigration Service
LNP	Liberia National Police
MDTF	Multi Donor Trust Fund
MoJ	Ministry of Justice

NSA	National Security Advisor
NSS	National Security Strategy
NTGL	National Transitional Government of Liberia
OHCHR	Office of the United Nations High Commissioner for Human Rights
OROLSI	Office of Rule of Law and Security Institutions
PBC	Peacebuilding Commission (UN)
PBF	Peacebuilding Fund (PBF)
PoC	Protection of Civilians
PSD	Professional Standards Division (LNP)
PIU	Project Implementation Unit
PO	Peace Operations
QIP	Quick Impact Projects
RBB	Results Based Budgeting (UN)
RC	Resident Coordinator (UN)
RoL	Rule of Law
SALW	Small Arms and Light Weapons
SGBV	Sexual and Gender Based Violence
SCR	Security Council Resolution
SG	Secretary General (UN)
SGF	Police Strategic Guidance Framework for International Police Peacekeeping (UN)
SRSG	Special Representative of the Secretary-General
SSR	Security Sector Reform
TRC	Truth and Reconciliation Commission
UNCT	United Nations Country Team
UNDP	United Nations Development Program
UNMIL	United Nations Operations in Liberia
UNPOL	United Nations Police
UNSC	United Nations Security Council
US INL	US Bureau of International Narcotics and Law Enforcement Affairs
WACPS	Women and Children Protection Sections (LNP)



EXECUTIVE SUMMARY

This report contains a select body of lessons collected from the engagement of UNMIL in supporting rule of law development and reform in Liberia. These lessons both reaffirm the importance of sustained support to national reform processes and the critical contribution of SSR, justice, corrections, police and human rights assistance to building a stable and peaceful society. The report also highlights some of the challenges experienced by Peace Operations (PO) in helping to strengthen rule of law in post-conflict contexts as well as emerging good practice from UNMIL projects and support. This lessons identified report documents efficiency focused lessons examining the internal organization of the Rule of Law Pillar of the Mission, as well as outward looking lessons that document why and how UNMIL was effective, including shortcomings in effectiveness or efficiency in support to national reform processes. For each of the lessons highlighted in the study, there are a number of corresponding recommendations aimed at helping to identify and inform needed changes in policy and systems supporting the work of Rule of Law pillars in UN PO (found in Section Annex E). Recommendations for the consideration of international partners taking forward support for Liberia's efforts on security and justice sector development can be found in the Introduction Section.

MANDATE EVOLUTION

The UNMIL mandate was uniquely comprehensive, including: 1) Support for the implementation of the Ceasefire Agreement, including Disarmament, Demobilisation, Reintegration and Repatriation (DDRR); 2) Protection of United Nations staff, facilities and civilians; 3) Support for humanitarian and human rights assistance; 4) Support for security reform (specifically restructuring of the police force and formation of a new and restructured Liberian military); and 5) Support for the implementation of the peace process, including consolidation of state institutions, including justice and corrections. In the initial years, the broad scope of the mandate was important in allowing the Mission sufficient flexibility to respond to a large spectrum of emerging needs in a dynamic peacekeeping context. **Gradual evolution and effective sequencing of the mandate towards more specific provisions on Rule of Law reform helped to steer the Mission engagements from basic operational and tactical towards more strategic institution building support.** In addition, the inclusion of clear and robust

SSR, justice and corrections provisions in the mandate elevated the profile of these components both within the Mission, helping to ensure their adequate resourcing while also stimulating national commitment to these areas on the national reform agenda. The challenges, however, included inconsistent opportunity for the Mission to inform periodic mandate revisions which negatively influenced continuity of reform efforts, but also hampered long term strategic planning.

MANDATE IMPLEMENTATION

Political engagement through the “Good Offices” role of the Mission proved important in creating the necessary conditions for meaningful governance related reforms to take root across the security and justice areas. As such, the Mission applied both a political as well as a technical approach to promoting and supporting reforms, which proved essential in fostering greater national commitment to sensitive management and accountability related reforms. Political engagement was usually most effective when the Mission remained proactive through systematic and sustained dialogue, rather than when simply deploying “Good Offices” for troubleshooting, therefore highlighting the importance of designing a strategy for employment of good offices in support of Mission priorities.

Despite the existence of tools that have been centrally designed by the UN system to support missions to take on a strategic direction, a lack of effective medium to long-term strategic planning system across the Rule of Law Pillar limited the extent to which the Mission was able to support complex and holistic reforms. In practice, more robust and sustainable outcomes were achieved when the Pillar and its various components conducted rolling planning exercises to forecast sequencing of reform efforts, including activities, beyond a single year. Inconsistent focus and commitment to information management and institutional learning, including few lessons learned exercises, influenced the limited extent to which follow on reform efforts were informed by results of previous operational experiences. In addition, a key lesson in planning of mission transition includes ensuring dates and milestones are more cognizant of major political cycles and events to guarantee that the process does not become a destabilizing element.

One of the key lessons emerging from the management of the UNMIL transition process was the need to frontload the handover of programmes and responsibilities in the transition plan. Paradoxically, the compressed transition period saw a proliferation of activities, even as the staff and budget were being downsized in UNMIL. The focus on implementation, without sufficient space and time committed to monitoring or troubleshooting support, meant that when UNMIL was leaving there was significant uncertainty as to the medium term viability of many of the reforms that it had supported in the closing years.

UNMIL experience has highlighted the importance of investing in assessments to define strategic priorities, test assumptions regarding needs, and facilitate coordination. A critical factor in the extent to which assessments helped to influence strategic direction was whether a clear follow up process was established, and the assessment driven through a locally owned process. When developed through inclusive approaches, assessments showed to have catalytic effects in introducing strategic level reforms, and provided a tool for the Mission to raise awareness on certain reform issues, or promote national commitment to reform.

In the absence of a clear system of risk analysis and risk management, UNMIL has at times quickly retreated from important areas where reform efforts proved difficult. Not addressing underlying management or accountability issues had undermined the effectiveness and efficiency of subsequent reform efforts. Pursuing tactical and operational efforts while core issues influencing effectiveness and sustainability remained largely unaddressed led to more limited outcomes. This approach was strongly influenced by measuring success based on delivery of outputs, rather than functionalities or outcomes achieved in the medium term. In this regard, the RBB templates and process had an influential role in reinforcing the largely output driven approach to programming.

The lack of analysis of affordability was a contributing factor in the extent to which implementation fell short of expectations, or even lacked sustainability. While good offices functions were commonly deployed to discuss level of spending in the sector or the allocative efficiency (where money is spent), few examples existed where technical or political capital was expanded to discuss issues of affordability and accountability (how money was spent). The 2012 Public Security Sector Expenditure Review helped to improve funding allocation to the security and justice sector, and was also central to promoting national dialogue on the affordability of the reform process.

Across the Rule of Law Pillar greater collaboration and coordination occurred when problem based approaches to planning and implementation were applied, rather than institution specific approaches. Equally, effective coordination occurred when funding, including that obtained through Quick Impact Projects (QIP), was sector and problem oriented rather than institution specific, and thus requiring collaboration between a multitude of institutions.

The effectiveness of the Mission in supporting improved national level coordination in the justice and security sectors was often reflective of the extent to which the Pillar was internally coordinated, and had harmonized messaging and activities. At times the institution specific approach applied by various UNMIL Rule of Law Pillar components reinforced the silo approach to reform in national institutions. When examining instances of the effective convening or coordination role of UNMIL it is clear that one of the key enablers for the Mission to play a leading partner coordination role was its willingness or pro-activeness to seek collaboration with development partners in jointly implementing activities.

The qualifications and competencies of Peace Operations personnel remain a determining factor in the effectiveness of mission performance. To a large extent, many of the associated successes of UNMIL in police, corrections and justice reform can be traced back to professionals who were commonly cited by national institutions in Liberia as being instrumental in the reform process. The key lesson is the need to adapt core advisory capacity within the mission to correspond to changes in mandate.

CROSS CUTTING ELEMENTS OF SECURITY AND JUSTICE SECTOR REFORM

Focusing on building effective national training capacity in the early stages allowed for a gradual re-allocation of Mission resources towards more specialized trainings and targeted approaches to capacity building over time. The development of capacity and systems of training and/or education was a contributing factor in the extent to which capacity development in the national institutions was sustained following UNMIL drawdown and transition. Equally, the support to a wide range of

trainings is credited with providing UNMIL with influence and leverage to engage in more strategic level reforms.

Whilst considerable progress was achieved in institutional reform through capacity building much of these efforts were undermined because the corresponding management and accountability mechanisms were not given similar attention from the outset by UNMIL and other partners. The absence of capable and empowered internal and external oversight mechanisms, alongside heavily centralized management systems, meant that strengthened capacity in the institutions often had marginal impact on improved service delivery. In the absence of amendments to core legal frameworks much of the UNMIL focus had been on developing technical solutions to overcome legal deficits. Equally, one of the limitations of the approach to promoting greater accountability across the institutions was the significant focus on state level and internal accountability mechanisms, with relatively limited progress made in strengthening the capacity of civil society and the Legislature to demand accountability for performance and conduct of the security and justice institutions.

SECURITY SECTOR REFORM

Developing dedicated SSR capacity through an SSR advisor embedded in the Office of the SRSG or a standalone SSR Unit from the start of the mission is critical to ensuring the mission adopts an integrated and coordinated approach to SSR. Delays in developing dedicated internal mission capacity on SSR can have negative influence on the extent to which the mission is effective in implementing critical mandate provisions related to policy, national coordination, defence reform, and re-defining the national security sector architecture. The effectiveness of the Mission in engaging on strategic SSR issues is primarily influenced by the extent to which the SRSG and DSRSG remain personally committed and invested in the agenda. The influence of the SSR Advisor on integrating SSR across the mission requires that such an advisor is effectively empowered. The shift towards a dedicated SSR Unit, with access to funding lines, allowed for more direct engagement and implementation support to national entities that fell outside the purview of the other Rule of Law units; however, the Unit model tended to remove collective mission responsibility for SSR from other components.

Opportunities to engage in overarching and strategic-level support to SSR through security policy-making processes should be seized by missions at early stages of reform, at a cost of otherwise risking a scattered approach to security and justice reforms. With important bilateral partners actively engaging in military reform, a strict interpretation of “division of labor” can hinder potential complementarities and influence the extent to which the mission disengages from strategic level defense sector reform efforts despite a clear mandate. The disengagement from defence reform issues can contribute to missed opportunity to assist the Government in fostering linkages between defense sector reform and the broader national security architecture. In parallel, it is important to substantively engage technically and politically in the process to revise the national security architecture. To a significant extent such gaps can negatively influence the subsequent scattered national engagement and approach to SSR.

POLICE REFORM

An integrated focus on development of internal accountability structures in the police, notably when matched with simple external monitoring systems, resulted in improvements in police accountability. Impact of an improved police regulatory framework can be limited if there is weak internal and external demand for accountability but also there are inadequate management systems. An important element of empowering and ensuring improved effectiveness of internal accountability mechanisms is gradually decentralizing the internal police accountability structures and capacity and ensuring that such capacity are established across county commands. This can help ensure that there is higher capacity to collect and investigate the cases but also improves access for the public to register complaints. Improving police accountability requires equal attention to strengthen internal accountability structures but also empowering external accountability and oversight actors, including Ministries, Legislatures or civil society.

Empowered reform expertise coupled with a programmatic approach is fundamental to successful UNPOL implementation of the police reform agenda. Key to the consistency and the advanced reform support is the inclusion of experienced civilians with programmatic experience in senior roles in the UNPOL structure. The addition of senior civilian reform advisors can increase and improve focus by UNPOL on the broader strategic reform agenda. The relatively low grade of civilian posts limits the extent to which the individual civilian staff are sufficiently empowered to influence leadership or strategic direction in UN Police.

Missions must be able to set out a sustainable end state for a reformed police service. Focus on fleet management, human resources, and maintenance are critical elements of ensuring sustainability of reform efforts and support. The focus on determining the desired police capability and manpower strength needs to be preceded by discussions and clarity on the type of policing model and organization that should be developed, including how the increased capacity would be distributed across the country to ensure increased police presence but also more effective and inclusive policing structures. Secondly, police officers alone, without enabling equipment, do not result in effective policing. Without addressing core issues of fleet management or infrastructure maintenance systems much of the UN support can suffer from lack of sustainability.

JUSTICE AND CORRECTIONS REFORM

When a mission is given a broad justice sector reform mandate, whether it is for supporting holistic reform of the sector or an individual institution, it is important to establish clear prioritization and sequencing of support through effective medium-term planning. A large number of parallel and disconnected initiatives can contribute to limited mission resources being spread too thinly, limiting the potential for achieving robust results in specific areas. There is a need to ensure that reform expectations and ambitions are aligned to the extent to which resources are available. One-off activities or engagements to satisfy wide ranging and diverse demand for support can have little overall impact on the effectiveness or efficiency of the recipient institutions.

An incremental, robust and sequenced approach to building the capacity of national corrections institutions can be an effective strategy to not only ensure that institution is able to quickly perform basic functions but to also develop more sophisticated capabilities over time. This

approach requires a balance between individual and institution capacity building support but also strategic medium to long-term planning. In-service training can be an important management tool for prison management but can also help in ensuring sustainability of capacity building and training efforts. Effectiveness and sustainability of in-service training systems can be enhanced if the system has little associated re-current cost implications and the necessary skill sets for training facilitation are well established in each prison.

Support for the development of specialized systems and structures to deal with SGBV cases can have a positive impact on raising public awareness, promoting political commitment to address the issue, ultimately increasing reporting rates for such crimes. However, the long-term impact of such structures on ensuring effective access to justice for both the victims and accused is limited in the absence of substantive reform of the broader criminal justice system. A key lesson that emerged over time is to ensure an appropriate balance is developed in supporting the SGBV specialized structures alongside broader reform efforts. The key measure of success needs to move beyond the establishment of such structures in themselves. Successful outcomes should rather be measured by the extent to which such structures contribute to more effective access to justice or the degree to which the structures were effective and empowered. Equally, the development of such structures needs to be integrated within the rest of the system. This includes a need to ensure there is effective capacity to deal with SGBV cases across the criminal justice chain rather than simply developing effective capacity within a single element of the chain.

HUMAN RIGHTS

Prevention through “good offices” and developing an integrated and nationally owned preventive approach is essential in implementing the POC mandate. The adoption of a preventive approach to the implementation of the POC mandate by prioritizing Tier One - Protection through Dialogue and Engagement - and Tier Three - Establishment of a Protective Environment – is important to an effective long-term approach to PoC. Significant attention to good offices through early and sustained engagement by senior mission leadership is important in averting crisis and preventing small level crises from escalating to large scale events that could otherwise threaten national peace and stability efforts. Although generally applicable in mission settings, the scope of application of the Human Rights Due Diligence Policy (HRDDP) should be broadened to include the UNCT. Having HRPS as the lead on POC across the UN, and embedding the POC senior advisory function within HRPS, can significantly enhance coherence in implementation across a multiplicity of actors. It can also help to create functional synergies with the Rights Up Front (RuF) initiative.

A focus on structural institutional development and a change in focus from capacity enhancement for leadership to mid-level management helped address chronic weaknesses in the national human rights protection system. When limited progress is made in a top down approach to institutional reform of the key state human rights protection mechanisms, targeting structural reform and middle level management, while keeping an ongoing dialogue with the political leadership, can prove an effective mitigation measure to develop and empower such institutions. With regard to support to the INCHR, this consisted of engaging middle level management personnel to focus on enhancing internal governance and management.

FINDINGS AND RECOMMENDATIONS

While significant progress has been made in developing internal UN policies and guidance on supporting justice, corrections, police, SSR and human rights development during the lifespan of UNMIL, this study found that effort is still needed to ensure that policy translates into effective implementation. Further review and strengthening of Mission planning as well as of recruitment mechanisms is required, as these remained critical impediments to the effectiveness of UNMIL throughout its different life cycles. In addition, greater attention is needed to develop sufficient capacity within Rule of Law Pillars in PO to tackle issues related to public finance management, project management and accountability.

A detailed overview of technical recommendations can be found in Annex E while a review of strategic recommendations for future peace operations, UN system, and international partners can be found in the Introduction Section (page 14).

Detailed lessons and recommendations from SSR, Police Reform, Justice and Corrections, and Human Rights can be found in Annexes A, B, C, D.



0. INTRODUCTION

After a presence of nearly 15 years in Liberia, the United Nations Mission in Liberia (UNMIL) concludes its mandate on 30 March 2018.¹ As closure approaches, this report seeks to capture knowledge and lessons derived from the implementation of the UNMIL mandate on Rule of Law following the United Nations Policy on Knowledge Sharing and Organizational Learning.²

The lesson identification initiative was a collaborative endeavour by UNMIL, the Department of Peacekeeping Operations/Office of Rule of Law and Security Institutions (DPKO/OROLSI), DCAF's International Security Sector Advisory Team (DCAF-ISSAT) and the Office of the High Commissioner for Human Rights (OHCHR), under the lead of the UNMIL Deputy Special Representative of the Secretary General (DSRSG) for Political and Rule of Law. The central aim of this initiative was to selectively identify lessons, good practices and innovation from the work carried out by the components of the Rule of Law Pillar of UNMIL with a threefold goal:

- (i) To provide a resource for current and future United Nations Peace Operations (PO) and to inform ongoing reform within the United Nations;
- (ii) To positively influence the United Nations systems approach to lesson identification from PO, and inform improvements on how the United Nations learns from them, and how it can apply these lessons to other settings;
- (iii) To provide a tool for Liberia and its international partners, informing future engagements on security, justice and human rights development to sustain peace and stability in the country beyond UNMIL's withdrawal.

In many ways UNMIL was an emblematic post-Brahimi³ multidimensional PO with an integrated nature, which represented a commitment to providing a United Nations system-wide response to pursuing a common set of agreed objectives and priorities, aiming to bridge the provision of security, humanitarian support, and development assistance in Liberia.⁴ The Mission's mandate also both straddled peacekeeping and peacebuilding in an attempted comprehensive approach.

With a peacekeeping mandate under Chapter VII, it comprised a robust security mandate to protect civilians throughout the Liberian territory. Simultaneously its peacebuilding mandate included the establishment/restoration of state authority and institutional consolidation, in conjunction with the promotion of human rights.⁵ With a prominent Rule of Law engagement, it was the first Mission to

have a Rule of Law Pillar functionally placed under a DSRSG Rule of Law. In addition to Police, Justice, Corrections and Human Rights components falling under the Rule of Law Pillar, the Mission engaged in SSR, attempting to integrate the delivery of security and justice assistance, first with an SSR Advisor to the Special Representative of the Secretary General (SRSG), and subsequently through an SSR Unit alongside the longstanding components under the Rule of Law Pillar. UNMIL also received a mandate to support the Disarmament, Demobilization, Reintegration and Repatriation (DDRR) process; however this was carried out at the inception of the Mission,⁶ and outside the framework of SSR and support to Rule of Law reforms. Therefore, this area of engagement falls beyond the scope of this Lesson Identification, even if topical allusions are made to DDRR given the repercussions on the process of institutional security reforms, and the links to sustaining peace.⁷

CONTEXT



Figure 1: Map of Liberia (UN Department of Field Support - Cartographic Section)

Timewise, UNMIL evolved in parallel with the evolution of the United Nations engagement in PO, and the development of its internal policy and operational guidance, as well as of capability to support Rule of Law and SSR in a more systematic manner. This means that UNMIL's engagement in these areas was a testing ground, mostly building-up lessons from bottom-up practice, rather than from implementation of structured policy guidance, especially until the mid-life cycle of the Mission. Whilst at the United Nations Secretariat some components such as the Police Division had been

established since 2000, the complexity of the tasks of United Nations Police advanced in parallel, with a wealth of lessons from implementation in Liberia and elsewhere being captured into the UN Police Strategic Guidance Framework for International Police Peacekeeping (SGF) in 2014.⁸ In addition, the integration of Justice and Corrections was linked to the creation of OROLSI in 2007, with DPKO/Department of Field Support (DFS) policies on prison and justice support in United Nations PO also developing across time, and incorporating lessons learning.⁹ It is equally telling that the adoption of a UN institutional approach to SSR only began in 2007, progressing into more complex frameworks over time.¹⁰ These changes also influenced how the Mission organized the Rule of Law Pillar to deliver on its mandate (see for example the lesson on Rule of Law Pillar Structure Evolution), and how it liaised with their respective counterparts at Headquarters (HQ).

These timelines also imply that some of the lessons identified in this study are likely to have been observed in other PO contemporaneous to UNMIL, with learning informing design, planning, and implementation of subsequent missions. Yet, there is still intrinsic value in the lessons from UNMIL's work on Rule of Law given the specificities of the mandate, the contemporaneous United Nations policy and structure setting, and the national context in which the Mission operated. In addition, the duration of the Mission highlights that the process of adoption and implementation of new approaches, frameworks, and policies encounters several difficulties and contestations. This is especially so when HQ mechanisms are simultaneously challenged to evolve at a pace that allows them to become real enablers to support missions in carrying out necessary improvements in delivery. Hence, it is still pertinent to engage in a lesson identification of UNMIL's Rule of Law work to understand how the new approaches, frameworks and policies translated into practice.

At the same time, this study does not ignore that the current debate on PO has been highly influenced by the dilemmas of peacekeeping in stabilisation settings, which have veered towards more limited mandates on Rule of Law and SSR, given the highly volatile security context, and the challenges surrounding the legitimacy of the national political leadership in those countries, and of the PO themselves under the current UN doctrine.¹¹ Thus, whilst the recommendations emerging from the findings and lessons identified are forward looking, they are still grounded on UNMIL's experience in Liberia, which may have limited transferability to different national and PO contexts. On a positive note however, and given UNMIL's strong focus on institution building and reform for over at least a decade, the emerging lessons are relevant as well for other partners providing support to Rule of Law and SSR in medium to long terms efforts, and potentially even beyond peacekeeping contexts.

Importantly, UN PO contributions and support achievements are fundamentally affected by the national dynamics of conflict, politics, leadership, commitment, capability and limitations, which centrally shape outcomes. Liberia's fractioned politics associated to the special support received from the penholder at the Security Council meant that these also conditioned the peacebuilding process (see for example lessons on *Supporting National Security Policy and Strategy Development in Annex A: lesson A.2*, and on *Supporting Effective National Transitional Justice in Annex D: lesson D.1*). In addition, the root causes of conflicts in Liberia are older than just a few decades, pertaining to the formation of the modern state that at its start created an exclusionary society and a centralised state congregated around Monrovia,¹² which ultimately lead to renewed cycles of armed violence.¹³ In little over a decade it is unrealistic to think that UNMIL could resolve these deep-seated breakdowns of society,

which above everything require the responsibility and the agency of national stakeholders to overcome, and to assume the longer-term task of state-building. Yet, well-resourced missions bear responsibility to effectively support national actors driving this process.

Upon its arrival, UNMIL encountered a country and population devastated by the material and psychological effects of a decade long war. State structures and institutions were either weak or non-existent. The Mission has contributed to keeping the peace, expanding the reach of the State outside the capital, and supporting the reestablishment of basic service delivery, institution building and human capacity development. Liberia is, as a result, a significantly different country today, having recently passed the test of democratic transition of authority through a contested election, which was ultimately resolved peacefully through adherence to the rule of law.¹⁴ UNMIL appears to be as legitimate in the eyes of Liberians today, as when it arrived.¹⁵ That in itself is no small feat when compared to PO with a similar mandate and duration. UNMIL concludes its long mandate with significant praise and pride, but also leaving behind unaddressed critical priorities of the Liberian people on transitional justice and reconciliation, albeit in a context where support from the international community to this agenda was not sustained.

METHODOLOGY AND ORGANISATION OF THE REPORT

Through analysis of the work carried out by the Rule of Law Pillar components in implementing UNMIL's mandate, this report identifies lessons' successes, missed opportunities, as well as strengths and weaknesses of the approaches adopted by UNMIL. The exercise sought to capture lessons deriving from the various phases of the Mission: from immediate post-conflict (re-establishment of state authority) to consolidation, drawdown, transition and closure. In practice, however, this was met with methodological challenges, given the extremely limited information management systems of UNMIL. Therefore, the majority of lessons relate to engagements since the mid-life cycle of the Mission (from 2010 onwards) until the closure.

The methods used in this study were documental review,¹⁶ semi-structured interviews, and focus groups. These fed into the development of two main streams of lessons. The first covers cross-cutting Pillar level lessons, including the evolution and implementation of the mandate, as well as political engagement, and elements of national reform. This is done from an internal efficiency perspective of UNMIL and the United Nations - considering structures, planning, monitoring, coordination and capacity - as well as an outward look, documenting why and how UNMIL was effective, as well as where and when it faced shortcomings in supporting national reform processes. The second stream of lessons includes those that are specific to the work of the different Rule of Law specialized components, namely Police, Justice and Corrections, Human Rights and SSR.

However, this report is not a comprehensive review¹⁷ of the work of UNMIL's Rule of Law Pillar, but rather presents a selective body of lessons which fall mainly under the purview of five key areas, namely: (i) capacity building of state institutions (education and training, mentoring and enhancing human resources capability); (ii) management and regulatory frameworks (law and policy reform, strategic direction, leadership, planning, and various elements of institution building); (iii) accountability (support to internal and external, state, and non-state accountability mechanisms);(iv) coordination (support to state level coordination and between institutions in the sector, coordination

between UNMIL and UNCT and other international partners, support to coordination between the state and development partners), and (v) gender. The detailed methodology is presented in Annex F.

As part of this process the team interviewed a significant number of current and former representatives and staff of: UNMIL, UNCT, UN HQ, development partners, national institutions in Liberia, and civil society.

OVERALL RECOMMENDATIONS

The following section provides strategic-level recommendations to inform current and future Peace Operations' work on Rule of Law, SSR and Human Rights, as well as for consideration of international partners taking forward support for Liberia's efforts on security and justice sector development. The recommendations derive from the key findings of the lessons identified, which feature both in the main body of the report as well as in the specific thematic annexes. These recommendations aim to cover broader lessons identified that span across the various specific and thematic lessons and are complemented by more specific operational and technical recommendations encapsulated across the report, and which are further summarized in Annex E.

RECOMMENDATIONS FOR PEACE OPERATIONS AND THE UN SYSTEM

1. **Missions should have a clear strategy to inform and direct the use of good offices in support of agreed rule of law reform mandated priorities.** The strategy should clearly set out how the mission ought to accompany each reform process through political engagement, and Mission activities must be aligned with the strategy. The strategy must reflect the United Nations position and priorities, and seek to hold national actors responsible for the reforms that they have control over.
2. **Missions should treat support to the development of national security architectures and justice systems as a priority.** Such support should feature both top down and bottom up approaches to reform to encourage effective security and justice service delivery at the community level from an early stage. Provision of support should include more systematic and robust engagement of the Mission with non-state actors, including focused capacity building assistance where needed.
3. **Strategic planning should be better utilised by Missions to improve Rule of Law mandate implementation and inform the redefinition of the scope of work as different cycles unfold.** Strategic planning units within a Mission must be empowered to effectively bring all components of the Mission and of the Rule of Law Pillar together behind a common plan and priorities for mandate implementation. In this process the United Nations Secretariat should accompany closely Missions so that they can improve their use of the existing United Nations internal planning, implementation, and reporting mechanisms. Missions need to improve risk management systems, including conducting systematic risk analysis. Planning and reporting systems need to consistently move beyond an input and output driven approach, integrating outcome based planning and indicators to measure progress over time. The Rule of Law Pillar should periodically carry out medium term forecasting and planning of support, including

scenario development for potential shifts in mandate, Mission cycles, national context, or available resources. Further efforts are required to streamline reporting requirements from Mission to the United Nations Secretariat as a means of improving efficiency, including removing redundancy in overlapping reporting requirements to various Headquarters' units.

4. **Missions should base their Rule of Law and Security Sector Reform assistance on assessments carried-out in an inclusive and nationally/institutionally owned manner.** The assessments should be conducted at the start of each specific reform support, and envisage follow-on processes. Engaging in inclusive assessments, undertaken as baselines to inform the design of support to a specific security, justice or human rights area at the start of a Mission can yield catalytic effects by testing underlying assumptions regarding needs, and promoting national ownership of the reform process. Whenever viable, Missions should encourage the participation of willing development partners, and ensure that assessment results are shared and made public to promote awareness, and facilitate. To maximise outputs of the assessments follow-on processes should be enacted, and the baselines should be utilised to monitor reform progress over time. Coherence of approach to assessments will be better ensured if OROLSI develops internal operational guidance notes on assessments, monitoring, and evaluation, as well as puts in place a mechanism to accompany the extent to which internal DPKO guidance is being implemented by Missions.
5. **Assessments informing the design of support to security, justice and human rights development should take into account institutional integrity, corruption risks and vulnerabilities.** Such assessments should be combined with effective monitoring of programmes aimed at identifying the system's problems, the incentives of the various stakeholders and each institutions' weaknesses and strengths. Country and institution-specific corruption risk assessments (drawing, where possible, on the UNCAC implementation review mechanism process) should help inform the design and implementation of peace operations support and include assistance in the development of national anti-corruption strategies and action plans.
6. **Planning for transition should carefully consider the underlying political and financial cycles of the country at stake.** Aside from factoring-in the underlying political cycle and the fragility dynamics of the country at stake, planning for transition should also entail alternative scenario development and risk analysis alongside contingency forecasting. Handover processes should be frontloaded, with remaining years of the transition largely focusing on monitoring and troubleshooting support to enhance sustainability. Sequencing of transition processes needs to improve in practice factoring of the development assistance frameworks of the main international partners of the country at stake - beyond UNCT - so as to ensure support for taking forward the security, justice and human rights development agenda in a common and integrated manner.
7. **Missions should adopt coherent and integrated Rule of Law Pillar approaches to the delivery of gender support.** This includes creating internal task forces to work collaboratively on gender initiatives, as well deliver support to national institutions through fostering networks of mutual collaboration, and facilitating consistency of approach, and national coordination in advancing gender equality efforts in the justice and security sector.

8. **Missions with peacebuilding mandates should more systematically and substantively engage with non-state actors, including civil society, academia and research institutions.** Missions should help to foster the engagement of such actors in justice and security reforms, contributing towards generation of evidence-based knowledge to inform national dialogues, nurture inclusive local ownership, provide societal monitoring of reforms, as well as contribute towards external oversight over the security forces, so as to enhance sustainability of the process.
9. **Recruitment systems require strengthening to ensure improved capacity to recruit adequate specialists in a timely manner to support Missions.** Personnel requirements and needed skill sets should be regularly and systematically reviewed throughout the life of a Mission, with the Mission playing a more direct role in defining civilian staff requirements. Faster recruitment processes should be held to ensure that recruitment best matches specific Mission requirements at any given time and to prevent gaps in staffing from developing. DPKO/DPA should review and strengthen specialised rosters for SSR, Justice and Corrections in order to provide a wider pool of available experts with specialised skills that could reinforce Missions at short-notice. At the same time, rosters require the inclusion of generalists with adequate skills and experience in strategic planning and management. DPKO/DPA should also continue to expand the capacity of the Justice and Corrections Standing Capacity and the Standing Police Capacity in Brindisi to assist Missions. It is advisable to complement these through formalised partnerships, including through the Global Focal Point for Police, Justice and Corrections, Member States, specialized rosters, NGO/IGOs and others, in areas where there are expertise shortfalls to help ensure that such partners facilitate securing time-bound surge in capacity when required.

RECOMMENDATIONS FOR INTERNATIONAL PARTNERS' SUPPORT TO LIBERIA

1. **Systematically monitor, analyse and address drivers of conflict and sustain conflict prevention efforts.** Through political and technical engagement development partners should continue efforts to promote more inclusive and responsive security and justice institutions. This includes supporting decentralisation of security and justice institutions to improve local level service delivery and fostering coordination between formal and traditional security and justice mechanisms. Further effort is needed to assist continuation of reconciliation processes, including implementation of TRC recommendations, strengthening prevention and prosecution of SGBV crimes, fostering greater regulation and oversight of concession areas, finalizing efforts to regulate private security companies, supporting anti-corruption initiatives, regulating allowances, and gradually eliminating political appointments across the security and justice institutions to ensure professionalization of the sector.
2. **Support initiatives to advance the implementation of regional frameworks on conflict prevention and security and justice governance.** This includes assistance provided by ECOWAS on early warning, as well as national efforts to comply with the regional requirements established by ECOWAS. A case in point is the implementation of the Firearms and Ammunition Control Act (2016), so as to enable adequate storage, management, monitoring and licensing of weapons, as well as an effective overseeing of these processes,

according to the ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials.

3. **Improve both national and development partner coordination mechanisms, ensuring that political engagement reinforce technical assistance.** Streamline the multiplicity of fora for international partners' and Government dialogue and decision-making on support to justice and security sector development, and provide relevant assistance in a coordinated and complementary manner. Equal attention needs to be paid to strengthen development partner coordination forums at both political and programmatic levels, with a view to ensuring a coordinated and sustained approach to political messaging reinforcing work carried out at technical levels.
4. **Continue to support and advocate for the Constitutional Review and further efforts to revise the legal and regulatory framework governing the security and justice sector.** Specific focus should be placed into addressing provisions that foster inequality, discrimination and exclusion, as well as in those that limit clarity in the mandate and functions of the justice and security sector architecture
5. **Sensitise the Government and the Legislature for a swift approval and prioritisation of operationalisation of the National Security Strategy and Implementation Plan and the implementation of key security sector legislation including the LNP and LIS Acts and the Firearms and Ammunition Control Act.** Complementary advocacy and technical effort should be made to help ensure capacity strengthening of the National Security Advisor Office so as to enable more effective coordination between the various security institutions, as well as between headquarters and decentralised level organs of Liberia's security architecture.
6. **Continue efforts to strengthen the overall oversight and accountability system, including state and non-state accountability mechanisms.** Development partners should continue to advocate with the Government and the Legislature to prioritise the operationalisation and continued strengthening of the various pending and existing mechanisms of internal oversight of the security forces and justice institutions. Support should be awarded by Development partners to strengthen external oversight of the justice and security institutions. This should include enhancing the capacity of civil society and media working, advocating and reporting in this area, as well as strengthening political engagement and encouraging Legislature efforts to improve the capacity of the relevant specialised committees and their staff.
7. **Support the Government in gradually increasing functionalities and capabilities of the overall criminal justice system chain so as to reinforce the weak links of the chain, in line with nationally validated recommendations.** This includes continued increased support to strengthening the now basic capacities of public defenders, creation of effective alternative dispute resolution mechanisms, and development of an effective legal aid system, including adoption and operationalisation of the legal aid policy.

8. **Advocate with the Government to firmly establish gender equality as a central aim given its importance to peace and social cohesion as well as to development efforts.** Assist the advancement of work on Gender in the Justice and Security Sector, reinforcing the Government's capability, given the likelihood of insufficient financial resources being dedicated to this area.
9. **Ensure that affordability and cost efficiency feature centrally in the support to design, planning and implementation of security and justice reform efforts.** Encourage the Government to proceed with the ongoing public expenditure review process supported by the World Bank and the UN, and support effective follow up to the findings and recommendations of the review. Additional assistance should include strengthening public finance management systems, including the capacity of security and justice institutions to work on planning and budget formulation systems, procurement, and monitoring and evaluation. Overall, donors should ensure that support aims to promote affordability of existing and planned reforms in the sector.
10. **Advocate for the strengthening of the national human rights protection systems and ensure sufficient attention and resources are allocated to the INHCR and the Human Rights Protection Division at the Ministry of Justice to empower and enable them to deliver on their respective mandates.** This includes support to implementation of the National Human Rights Action Plan and prioritization in the development of a national strategy for engagement with international and regional human rights mechanisms. Development partners should support the new GoL administration in its efforts to take forward the national reconciliation agenda through an inclusive process.
11. **Advocate for a national discussion on Sexual and Gender Based Violence (SGBV) to help define a strategic approach to strengthen prevention and response systems and mechanisms.**

¹ UNMIL was established through Security Council Resolution S/RES/1509 (2003) and will close as set out in Security Council Resolution S/RES/2333 (2016). The Mission was effective from 1 October 2003 to 30 March 2018.

² United Nations, *Knowledge Sharing Policy*, Department of Peacekeeping Operations - UN. Department for Field Support - DPKO-DFS/DPET/Policy and Best Practice Service, 01/10/2015.

³ Report of the Panel on United Nations Peace Operations, A/55/305, S/2000/809.

⁴ Accordingly, the Deputy SRSG for rehabilitation, recovery and reconstruction also took on the role of Humanitarian Coordinator (HC) and Resident Coordinator (RC).

⁵ See S/RES/1509 (2003).

⁶ The UNMIL DDR programme closed down in October 2005, but further work continued under the auspices of the National Commission on Disarmament, Demobilization, Reintegration and Repatriation.

⁷ Interviews carried out in December 2017 confirmed the overall view held in previous studies that whilst the DDR process was successful in the Disarmament and Demobilisation components, it was less effective with regard to Reintegration. Amongst the national stakeholders there was confirmation of the high degree of legitimacy held by UNMIL in Liberia, with major shortcomings in the achievements of the Mission being reintegration of ex-combatants, and support to the implementation of the Truth and Reconciliation recommendations. See also United Nations, A/64/712, OIOS, Programme evaluation of the performance and the achievement of results by the United Nations Mission in Liberia. 17/03/2010. On DDR see for example, Paes, Wolf-Christian, *The Challenges of DDR in Liberia*, International Peacekeeping, 12(2)253-261, 2005 and Jennings, Kathleen, *The Struggle to Satisfy: DDR through the Eyes of Ex-combatants in Liberia*, International Peacekeeping, 14(2)204-218, 2007.

⁸ The Security Council urged for the implementation of the SGF in its Resolution 2382 (2017).

⁹ For example the comprehensive judicial handbook for judicial officers (2013), and the most recent DPKO/DFS policies developed through the Justice and Corrections Service of DPKO/OROLSI are the Policy on Prison Support in United Nations Peace Operations (2015), and the Policy on Justice Support in United Nations Peace Operations (2016). https://peacekeeping.un.org/sites/default/files/prison_support_policy_1_september_2015.pdf
https://peacekeeping.un.org/sites/default/files/2016_policy_justice_support_in_un_peace_operations.pdf

¹⁰ These included the milestones provided by two secretary-general reports, namely: Report of the Secretary General, "Securing peace and development: the role of the United Nations in supporting security sector reform", 23/01/2008; United Nations, (A/67/970-S/2013/480), Report of the Secretary General, "Securing States and societies: strengthening the United Nations comprehensive support to security sector reform", 13/08/2013, a Security Council resolution on SSR S/RES/2151 (2014), and the production of United Nations Integrated Technical Guidance Notes on Security Sector Reform. United Nations, (A/62/659-S/2008/39).

¹⁰ United Nations, S/RES/2151(2014), Underscoring the Need for National Ownership of Security-Sector Reform.

¹⁰ United Nations, Security Sector Reform: Integrated Technical Guidance Notes, UN SSR Task Force 2012.

¹¹ United Nations, Report of the High-Level Independent Panel on United Nations Peace Operations, *Uniting Our Strengths for Peace – Politics, Partnership and People*, 16/06/2015; de Coning, Cedric; Karlsrud, John; Aoi, Chiyuki, UN Peacekeeping Doctrine in a New Era: Adapting to Stabilisation, Protection and New Threats, 2017.

¹² See for example Bøås, Morten. 2005. 'The Liberian Civil War: New War/Old War?'. *Global Society* 19:1, 73-88; Ebo, Adedeji. December 2005. 'The Challenges and Opportunities of Security Sector Reform in Post-Conflict Liberia'. *Occasional Paper* No. 9. Geneva: Centre for the Democratic Control of Armed Forces; Bøås, Morten and Karianne Stig. 2010. 'Security Sector Reform in Liberia: An Uneven Partnership without Local Ownership'. *Journal of Intervention and Statebuilding* 4:3, 285-303. Nyei, Ibrahim Al-bakri. 2014. 'Decentralizing the State in Liberia: The Issues, Progress and Challenges'. *Stability: International Journal of Security and Development* 3:1, Article 34.

¹³ Gberie, Lansana. *Liberia's War and Peace process A Historical Overview*; Jaye, Thomas, *Liberia*, In Olonisakin, Funmi; N'Diaye, Boubacar; Bryden; Alan (eds) *Challenges of Security Sector Governance in West Africa*. 2008. Pp. 169-184. Bøås, Morten. 2005. 'The Liberian Civil War: New War/Old War?'. *Global Society* 19:1, 73-88.

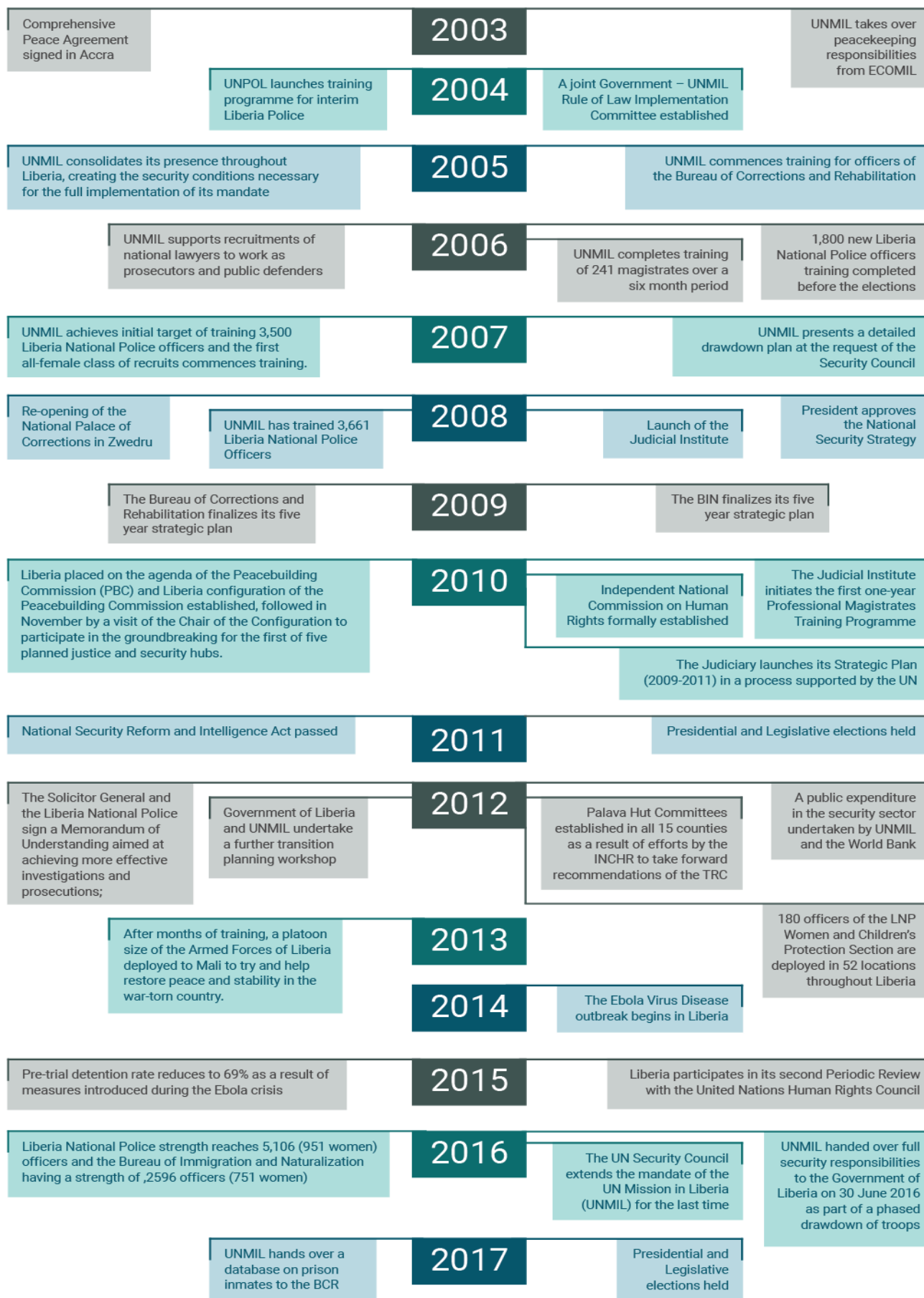
¹⁴ CHARLES WALKER BRUMSKINE- HARRISON KARNWEA, LIBERTY PARTY, JOSEPH BOIKAI AND EMMANUEL NUQUAY V. NATIONAL ELECTIONS COMMISSION-FINAL JUDGMENT (December 2017)

¹⁵ Interviews conducted in December 2017.

¹⁶ This included United Nations official documents such as UN policies, Security Council resolutions, Secretary-General Reports, UNMIL RBB and performance reports, After Action review reports, End of Assignment reports, and code cables selected by the Mission.

¹⁷ Time and resources available for this exercise were limited, and there were gaps in information and evidence, given the poor information management systems of the Mission. Also, the Mission approached closure, with a number of staff with substantive knowledge having already left, although this was minimised by doing remote interviews with a considerable number of former UNMIL staff and leadership.

TIMELINE OF KEY EVENTS 2003-2018





1. MANDATE EVOLUTION, PLANNING & IMPLEMENTATION

1.1 MANDATE EVOLUTION

Lesson: Existing mechanisms for interaction between missions and the United Nations Secretariat are inadequate to foster dialogue around improved alignment of priorities, progress towards the desired end state, and to allow missions to feed more effectively into the process of development of the mandate.

Liberia's state and its capacity to maintain peace and security were derelict when UNMIL was established and deployed in late 2003, under a Chapter VII mandate following Security Council resolution S/RES/1509 (2003). UNMIL's multidimensional mandate, comprising a significant civilian capacity beyond the operational military forces and police units, was indicative of the centrality of the state and institution building tasks. The comprehensive mandate included: 1) Support for the implementation of the Ceasefire Agreement, including Disarmament, Demobilization, Reintegration and Repatriation (DDRR); 2) Protection of United Nations staff, facilities and civilians; 3) Support for humanitarian and human rights assistance; 4) Support for security reform (specifically restructuring of the police force and formation of a new and restructured Liberian military); and 5) Support for the implementation of the peace process, including consolidation of state institutions, including justice and corrections.¹⁸

The mention of corrections in the initial mandate of UNMIL paved the way for early implementation of support to this area, with important short to medium term human rights gains in an area that overall received little attention in peace keeping missions. Also noticeable was the reference made to gender in the original mandate, alluding to the need to implement S/RES/1325 (2000) in the context of UNMIL's work.¹⁹ Finally, a subsequent resolution to the initial mandate instituted UNMIL support

to monitoring of compliance of sanctions, leading to an opportunity to assist on management of Small Arms and Light Weapons (SALW) at a later stage (see Annex A: lesson A.4).²⁰

Concerning mandate evolution UNMIL followed a classical path, starting mainly with maintaining and overseeing the attainment of peace in 2003, and moving into peace consolidation in 2006, after the first post-war elections in late 2005.²¹ In 2010, the Mission entered the transition planning phase,²² which was interrupted by the unexpected break out of the Ebola crisis in 2014, and shifted into closing down in 2017-2018.²³

The mandate relating to support to Rule of Law and Security Sector Reform (SSR) remained almost unchanged from 2003 to 2006, when the Mission entered the consolidation phase. By then it had become clear that the provision of assistance to institution building in these areas required a longer-time framework, since in 2006 most progress with regards to police, justice, corrections and human rights referred to vetting, and basic training and capacity building.²⁴ The need to continue to provide extensive assistance to the Liberian police, and for UNMIL to evolve from what had been mainly a policing role into one focused on supporting institutional development, advising and mentoring, was clearly outlined in a Secretary-General Report in 2006.²⁵ On the formation of a new and restructured Liberian military, the successive Secretary-General reports referred mainly to the progress made by the United States as the main partner providing support to this area until 2010, when reporting on limited joint training began.²⁶

Overall, however, the lack of an integrated framework for support to SSR by the Mission meant that despite the potential provided by the comprehensive mandate, a partitioned approach to security and justice reforms prevailed.²⁷ This was aggravated by the fact that over time Security Council resolutions did not comprise an envisaged end state for the security and justice institutions at the closure of the Mission, and neither did UNMIL develop a Mission concept, where such end state should have been outlined (for further analysis see Section 1: Mandate Evolution, Planning and Implementation). The flexibility entailed in the mandates followed standard practice whereby Security Council Member States retain a stronghold over decision making according to own geopolitical interests, which in the case of Liberia was particularly apparent given the nature of the relationship between the host country and the Security Council mandate penholder.

The Security Council started referring to the need of the Liberian security forces assuming greater security responsibilities in 2006,²⁸ but at that stage the Liberian forces remained severely under resourced. This also coincided with the Mission's development of drawdown benchmarks which were used to report progress to the Security Council.²⁹ Whilst this provision signalled to the Liberian authorities that UNMIL would eventually withdraw, it also narrowly focused on drawdown, without considering the fragility of the political situation at that time.³⁰

Further Security Council mandates specifying the need to redouble efforts to support development of national security and rule of law institutions to fully operate independently followed in 2009,³¹ and 2010,³² concurring with a change in the mandate, now encouraging a joint security transition planning process, albeit in the absence of deadlines.³³ In hindsight, and whilst unrealistic to think that in 2006 the Liberian security forces could have been ready for operational independence, it is also sensible to assume that despite the subsequent Security Council advertences, the Government of Liberia (GoL) procrastinated in committing to take-over security responsibilities from UNMIL. This

allowed it to focus on reconstruction rather than the security sector, given that the Mission simultaneously secured the peace and played an effective deterrent role.

From 2013 onwards, Security Council resolutions became more detailed, prompting the Rule of Law Pillar to make structural adjustments to improve implementation, for example in regards to support provided in the justice area.³⁴ Another example was the resolution adopted in 2014, establishing the deadline of June 2016 for the assumption of security responsibilities by the Liberian authorities, which was instrumental to finally galvanize the GoL and UNMIL around the security transition process.³⁵

Throughout UNMIL's ability to inform mandate evolution was limited by a routinely centralized process of communication with the Department of Peacekeeping Operations (DPKO) Office of Operations through the Integrated Operational Team (IOT) which provides support to, and oversight of the missions at the United Nations Secretariat. Communication between these entities was mainly carried out through code cables, situational reports (SITREP) and budget performance reports (based on Results Based Budgeting-RBB). Further exchanges with Headquarters amounted to stove piped communication between each Mission unit and the respective section in the Secretariat. Other tools, such as discussions between UNMIL and the Headquarters-based Integrated Taskforce (via Video Conferencing- VTC), and the Strategic Review Missions (SRM) and Technical Assessment Missions (TAM) which took place at various stages of the Mission to review progress made across mandated areas, assess the situational context in Liberia, and make recommendations for the way forward for UNMIL, often proved insufficient to foster effective communication between UNMIL and Headquarters around strategic priorities and the shaping of mandates.

Ultimately the convergence of factors between the shortcomings in strategic planning, a broad degree of independence given to UNMIL leadership (until 2013/2014) by the United Nations Secretariat, and national agency sustained by a strong champion at the Security Council created an environment which reduced the space for UNMIL to transform into a smaller mission at an appropriate point in time or allow for a more well planned transition.

Recommendations:

- (1) A better structured mechanism should be developed for missions' regular engagement with Headquarters at the senior leadership level, including for instance, bi-annual discussions (via VTC). This should contribute to ensure greater coherence regarding priorities, progress and the desired end state, as well as allow missions to feed more effectively into the development of the mandate.

1.2 MANDATE IMPLEMENTATION

1.2.1 UNDER-UTILIZATION OF STRATEGIC PLANNING

Lesson: The underutilization of strategic planning by missions leads to lack of focus and shortcomings in mandate implementation.

Tools have been centrally designed by the United Nations system to support missions to take on a strategic direction; however UNMIL's experience demonstrated that the limited use of strategic planning exposed the Mission to gaps in guidance negatively affecting mandate implementation. UNMIL did not develop detailed strategic plans, or delineate concrete political goals. For instance, this resulted in the absence of a strategy for Good Offices backing the technical work of the Rule of Law Pillar components, and an ad-hoc use, dependent on the focus of the incumbent Mission leadership.

In hindsight UNMIL could have made better use of the range of strategic guidance tools developed by Headquarters (HQ) throughout its lifespan. Amongst these, the Guidelines on the Integrated Mission Planning Process dated back to at least 2006, with additional guidance issued by the Secretary General in 2008, 2011, and 2013.³⁶ In particular the 2013 policy allowed for flexibility, including the option of an United Nations Development Assistance Framework (UNDAF) plus, which was the framework adopted by the Mission. Yet, the UNDAF plus was not used for practical strategic guidance and Mission planning purposes, remaining relevant solely for official purposes.³⁷ It never became a framework from which to derive priorities and develop an implementation strategy, neither incorporated provisions for accountability of performance.³⁸ UNMIL had also opted not to develop an Integrated Strategic Framework (ISF)³⁹ or a Mission Concept,⁴⁰ which could have facilitated Mission planning.

The shortcomings in strategic planning were recognized in UNMIL's Budget Report for 2013/2014. It was noted that in light of the transition the Mission ought to revisit mechanisms of joint planning and coordination with the United Nations Country Team (UNCT), in order to develop an integrated strategic framework comprising a road map for the exit strategy of the Mission.⁴¹ Notwithstanding, progress did not accompany these intentions.

It is revealing that strategic planning capacity had been largely absent throughout the course of the Mission lifespan. A Strategic Planning Unit had only been established during the 2013/2014 budgetary cycle, following recommendations made in the April 2012 Special Report of the Secretary General.⁴² The objective of the Unit was to ensure the success of the transition phase of the Mission by coordinating joint transition planning with the Government, including providing it with advice in filling identified capacity gaps. The Unit was also meant to support alignment of work plans and operational activities across the Mission for coherent implementation of its mandate, and establishing closer cooperation with the UNCT. Two professional civilian posts at the senior and mid-level comprised the Unit, which was based within the Office of the SRSG. However, despite initially contributing effectively to security transition planning in 2015, the Unit did not achieve the intended impact with respect to broader transition planning, or coherence across the Mission in mandate implementation given that the senior position became vacant in 2016, and was subsequently abolished - along with the Unit - in the 2016/2017 budgetary cycle.

In the absence of strategic planning guidance, UNMIL relied primarily on RBB planning and reporting. Whilst in theory the RBB envisaged outcome-based reporting, in practice this framework lent itself to excessive reliance on an annual activity approach, based on an input to output routine reporting format.

At the Rule of Law Pillar, shortcomings in Mission strategic planning translated into lack of a Pillar level strategy and of a framework accounting for the fact that results in this area require longer than the one-year cycle planning and reporting in the context of RBB. The Pillar tried to address this, for instance, through the design of a work plan for the period 2009-2011. Yet, this was not taken forward subsequently, partly due to the impact of changes in Pillar leadership during this period, with three Deputy Special Representative of the Secretary-General (DSRSG) Rule of Law holding office between 2012 and 2015. A Pillar strategy was designed for the first time in 2015, but given its lateness evidence of this having a positive impact on actual implementation remained scarce.

Recommendations:

- (2) Strategic planning resulting in practical guidance should follow the adoption of mission strategic frameworks, so as to promote better mandate implementation and inform the scope of the mission as it enters new cycles. Missions should be encouraged and adequately accompanied by HQ to improve their use of the existing UN internal planning, implementation, and reporting mechanisms.
- (3) Peace Operations (PO) should have appropriate strategic planning capacity from the earliest stages through to closure. The strategic planning component within a mission must be empowered to effectively bring all components of the mission together behind a common plan for mandate implementation.
- (4) Mission planning should always go beyond annual cycles. Informal forecasting of support by the Mission should be developed for medium to long-term perspectives, to ensure planning for adequate capability, flexibility, sequencing of reforms and promotion of realistic timelines for achieving positive outcomes.

1.2.2 ORGANIZATIONAL LEARNING

Lesson: The early development of effective information management systems and the regular undertaking of lesson identification exercises strengthen organizational learning and contribute towards adaptation of mandate implementation.

Apart from routine reporting requirements (on RBB, Code cables and SITREP), components within the Rule of Law Pillar of UNMIL did not develop a sufficiently strong culture of information management. As a result it often missed opportunities that allowed it to effectively capture learning from implementation. The lack of institutional memory regarding earlier phases of the Mission, beyond that of individual longer-term staff, often posed difficulties to incoming personnel wishing to adopt an approach based on previous evidence-based learning.⁴³ Hence, duplication of effort and replication of past mistakes were not uncommon at different phases of the Mission, as incoming personnel lacked a reliable repository of experience-based knowledge.

UN HQ efforts to advance organizational learning and knowledge management in the last decade do not appear to have been replicated in UNMIL Rule of Law structures and practices. This is despite

learning being mandatory under DPKO/DFS Policy,⁴⁴ and senior managers being responsible to promote an organizational culture that seeks to build on achievements and to learn from failures, as set-out by the Policy. For example, the Mission Rule of Law Pillar did not have a dedicated best practices officer.⁴⁵ This could have assisted in fostering a systematic approach to knowledge management and information sharing, as gaps were manifest from the fact that some assessments conducted by the Mission were poorly shared with national counterparts and other development partners.⁴⁶ Evidence of Mission learning being captured in the earlier days was difficult to obtain, but this is likely to have occurred as demonstrated by the lesson learned report on the start-up phase of the “Civilian Police Component of UNMIL”.⁴⁷ Examples were easier to find in recent stages of the Mission, but even then learning initiatives were mostly localized around major events such as the After Action Reviews conducted on Ebola and the Security Transition. In addition, it seemed that the culture around monitoring and evaluation had not evolved. For example, OIOs audits, and evaluations by the Division for Policy, Evaluation and Training (DPET), could have been much better used as constructive tools to inform knowledge development towards improved delivery. In hindsight incremental measures could have been adopted by the Rule of Law Pillar, or at least proposed. For example, in the absence of a best practices officer and a monitoring and evaluation officer at the Pillar level, existing staff members could have been designated as lesson identification focal points, with responsibility to facilitate periodical internal learning exercises, and to liaise with external consultants/teams that were eventually brought-in to help carry out lessons identification.

Recommendations:

- (5) Peace Operations and their various components should establish, from the beginning, a user-friendly information management system that can enhance institutional memory, and rapidly update new staff.
 - (6) Missions should be encouraged to carry out lesson identification exercises within intervals of at most three years, to be meaningful for learning within cycles of peace operations, and to avail from existing institutional memory and documental records.
 - (7) Resources should consistently be made available for all Missions to incorporate best practices officers within their structures, and for allocating a specialised monitoring and evaluation officer within the Rule of Law Pillar. Should this capacity be based in the Strategic Planning Unit, it needs to be ensured that it can adequately respond to the needs of the Pillar.
-

1.2.3 ASSESSMENTS AND ANALYSIS

Lesson: When conducted through inclusive processes, assessments can have catalytic effects, help test underlying assumptions regarding needs, as well as promote increased national ownership of the reform process. In order to maximize positive outcomes, assessments require a clear methodology, and a structured follow up process to monitor implementation of recommendations.

UNMIL experience has highlighted the importance of periodically investing in assessments to define strategic priorities, test assumptions regarding needs, and facilitate coordination. Often a comprehensive baseline study improved the relevance of the support, but also helped to strategically

re-orient the reform approach. As an example, when a comprehensive baseline study of the Liberia National Police (LNP) was undertaken in 2013, it highlighted a need to re-define the policing concept. It also became an important reference document for United Nations Police (UNPOL) staff that helped to promote a common understanding of reform needs and priorities, even when there was high turnover of staff. Equally, the 2008 problem analysis leading to the LNP Strategic Development Plan (2008-2012), which was conducted through a joint UNPOL-LNP process, served as an important step in assessing reform needs and setting priorities while providing a more evidence based approach to strategy development.

A critical factor in the extent to which assessments helped to influence strategic direction was whether a clear follow up process was established, and the assessment driven through a locally owned process. In this regard, a large number of assessments had a limited influence largely because they were shelved shortly after publication. In contrast, assessments such as the 2013 Management and Accountability Review of the LNP, Judiciary, and Prosecution succeeded in influencing reforms because a follow-on process had been foreseen from the inception phase. The review itself had been done jointly between UN agencies (UNMIL/UNDP), representatives of the GoL and external experts. Following publication, the recommendations were discussed during the 2013 Criminal Justice Conference, and the extent to which the recommendations of the review were being implemented was tracked in UNMIL annual reporting. In contrast, while the 2012 Public Expenditure Review proved an important tool to spur debate on financing in the sector, its overall influence was limited because no clear follow up process was established. A key lesson, which was applied in the 2017-18 Public Expenditure Review, was the need to include national experts on the review team, who would thereafter be able to follow up on recommendations.

A main limitation of all assessments was that rarely were they updated or reviewed for relevance. Rather, preference was given to periodically conduct new assessments which otherwise had poor links to preceding assessments, or had different focus areas altogether. This impacted continuity of efforts, but also limited the degree to which assessments could provide sufficient indication on the extent to which reform progress was achieved in relation to previous assessments, including baseline studies. In this regard, the lack of a clear assessment methodology across the Rule of Law Pillar meant that the scope, content, and approach to methodologies were largely inconsistent over time.

Assessments can have catalytic effects in introducing strategic level reforms, and provide a tool for Missions to raise awareness to certain reform issues or promote national commitment to reform. The 2014 review of the Office of the Court Administrator in the Judiciary, which was largely supported by UNMIL, proved to be highly influential in raising awareness to the capacity constraints of the office. The assessment brought attention to critical reform needs of the internal management system of the judiciary and served to inform leadership about the potential benefits of committing resources to introducing new inspection systems. Many stakeholders noted that such reforms may not have been initiated in the absence of the review, and that the review was critical in stimulating leadership interest in the issue.

Similarly, UNMIL supported self-assessments by the Judiciary (2014) the LNP (2014) and the Liberia Immigration Service (LIS) (2015) through retreats, which proved to be important platforms for these institutions to analyze key reform needs and set reform targets, and to assume greater ownership of reform efforts. Eventually these retreats led to the acceleration of key reforms, including a newly

found commitment by the leadership of the Judiciary to strengthen case tracking and management systems, or the LNP and the LIS to push the adoption of the LNP and the LIS Acts (2016). In all cases, the retreats provided opportunity for institutional leadership to analyze their own requirements and needs. This was a critical element in promoting ownership of the eventual recommendations.

On a less positive note, Liberia has experienced a significant duplication in assessments undertaken by various development partners, largely because of the inconsistent sharing of information or the dissemination of the final reports. As an example, while the development of a judicial database tracking all infrastructure and personnel in the judicial system took over two years and significant UNMIL resources to develop, the eventual impact of its use remained limited because its dissemination was restricted to a handful of individuals. In parallel, various donors initiated similar institutional audits and surveys to meet their own internal planning requirements, resulting in duplication of efforts and a missed opportunity to develop a joint approach.

Recommendations:

- (8) Missions should ensure that baseline assessments are carried out in an inclusive and nationally/institutionally owned manner at the start of each specific reform support, and that they envisage follow-on processes. Whenever viable, missions should encourage the participation of willing development partners, and ensure that assessment results are shared and made public to promote awareness, and facilitate eventual coordination between different national and international stakeholders.
- (9) Internal OROLSI operational guidance notes on monitoring, evaluation and assessments should be further strengthened. This includes defining a clear methodology for conducting assessments or monitoring of national reform processes.

1.2.4 RISK MANAGEMENT

Lesson: Adequate risk assessment and strategic planning strengthen decision making on whether to withdraw from particularly difficult Rule of Law reform efforts. A risk tolerant approach is needed to ensure that critical reforms, which are the subject of institutional reluctance to address, are not abandoned in favor of easier reforms or quick wins. Pursuing quick wins, including tactical and operational level reforms, while core strategic issues influencing effectiveness and sustainability remained largely unaddressed led to poor outcomes.

UNMIL has at times quickly retreated from important areas where reform efforts proved difficult. This was partially due to an inconsistent institutionalization of a clear risk management approach, with thorough analysis of potential risks, possible mitigation measures, and evaluation of the implications of non-engagement across reform streams. In several reform areas the Mission adopted a continuous quick win approach by focusing on easier reform targets without systematically reverting back to the core system issues. This included a sustained focus on infrastructure, equipment or training, which faced little resistance to implementation, while uneven engagement prevailed in management, legal or accountability issues. Yet, pursuing such tactical and operational efforts while core issues influencing effectiveness and sustainability remained largely unaddressed led to poor outcomes. This included a range of cases that span from donation of cars while a clear

system of fleet management was not in place, leading to many being in disrepair shortly after handover, to more strategic level disengagement from supporting core institutions or units, for several years, due to their reluctance to engage in reform. The latter example included largely retreating from engaging with the Legislature in 2012 or reform of the bail system, producing negative effects downstream in legal reform.

Equally, a significant number of initiatives were often discontinued after a one or two year engagement, despite indications that sustainability of reform efforts was yet to be achieved. This approach was largely influenced by measuring success based on delivery of outputs, rather than functionalities or outcomes achieved in the medium term. In this regard, the focus of the RBB process on defining the number of activities had an influential role in reinforcing the largely output driven approach to programming. A key result was that subsequent reform efforts, in the absence of addressing the underlying and basic legal or system deficits (e.g. case management), proved to have lingering effects that undermined the efficiency and effectiveness of subsequent support.

As an example, a pilot project on reforming the bail system was launched with UNMIL support in 2008, and showed early indications of promising results in addressing some of the accountability gaps in handling of bail and improved transparency. Yet, initial resistance and reluctance of judges to implement the program in full resulted in UNMIL withdrawing and abandoning support to the pilot program, rather than revising the approach. The lack of a functioning bail system remained a contributing factor in prison overcrowding, and was again identified as a priority need during UNMIL transition.

Furthermore, as a means of strengthening the overall capacity of the Legislative law-making function, UNMIL provided support to Legislature Drafting Bureaus through an engagement limited to a duration of two years (2010-11). During this time staff from the Bureau benefitted from study visits, trainings but also advisory support from UNMIL staff. Yet, while the support was marked as being of high quality and initial results showed promise - whereby the Bureaus were increasingly tasked by the Committees- the relatively short duration of engagement resulted in poor sustainability, and limited outcomes. At the end of the UNMIL transition the Bureaus remained largely underutilized, and staff capacity never expanded beyond the basic skills acquired during the initial training provided by UNMIL. Arguably, more robust outcomes could have been achieved by sustaining support, or gradually intensifying support over time.

Incremental approaches to capacity building tended to have more sustainable outcomes. Even moderate reform efforts required focused and sustained support. As an example, support to develop a basic numbering system for case files within the judiciary required two years of sustained and multidimensional support that included advisory support, trainings and development of training curriculum. The sustainability and positive outcome of the support can be largely attributed to continuous efforts over time, even when reluctance to pursue the initiative emerged amongst some influential national stakeholders.

UNMIL and the GoL also effectively demonstrated that even during times of prolonged crisis it is possible and important to continue with institutional and sectoral reforms, albeit in smaller scope and pace, to ensure that reforms are not stalled or even reversed. In this regard, despite UNMIL and GoL resources and attention being significantly re-directed towards the Ebola crisis, UNMIL

continued to support and engage in the roll out of reforms in the judiciary and the LNP. With the need to reduce pre-trial detention, UNMIL worked with the Judiciary to continue to develop regulations on plea bargaining. UNMIL also seized the opportunity to push for strategic discussions about introducing diversion measures and alternative sanctions mechanisms. Additionally, UNMIL engaged in strategic level discussions with the LNP on reforming internal management systems to both effectively and efficiently manage and oversee existing the LNP capacity in times of crisis, but also to ensure that it continued to accelerate deconcentration of capacity to the Counties, for improved response during the Ebola epidemic. Overall, the Ebola crisis was a springboard to reinvigorating national dialogue on the need to advance the process of decentralization, to ensure Counties have greater resources and can better respond to crisis directly.

Recommendations:

(10) Mission leadership should be conscious and accommodating of the fact that some reform setbacks are likely to occur. To minimize the potential long term consequences of not addressing the underlying structural, and potentially difficult reforms, a risk management approach should be adopted. This includes integrating risk analysis in internal planning documents, and developing risk mitigation strategies for each reform stream. Resistance or poor results in critical areas should not be seen as an outright reason to withdraw support, but rather serve to re-evaluate the initial approach and corresponding support provided. To guide the work of missions, risk management guidelines for engaging in reforms in justice, corrections, police, defense, and human rights should be developed.

1.2.5 AFFORDABILITY OF REFORMS

Lesson: Systematically analyzing affordability and the cost implications of proposed or ongoing reforms can help promote prioritized and sustainable reforms in a national resource constrained environment.

Liberia's national budget grew almost 600 percent from 2005 to 2017.⁴⁸ Despite this growth, with a budget of 560 million USD in 2017,⁴⁹ the country remained significantly resource constrained throughout the lifespan of UNMIL. The Mission's operating budget was roughly double that of the national GoL budget until 2011 and from 2010 to 2015 roughly in parity.⁵⁰ Limited national revenue, especially in the initial years following conflict, limited the extent to which the GoL could assume responsibility for delivery of security and justice services. Considering the country's financial constraints, a lack of sufficient attention to issues of public finance management, namely affordability but also national funding priorities, as well as infrequent strategic dialogue with the GoL and Legislature on financing, had negative influence on sustainability of reform efforts but also undermined the relevance of a number of planned or supported reform efforts across the security and justice sectors.

In this context, many of the associated costs of sustaining reforms were underestimated. The lack of effective costing of reforms and analysis of affordability was a contributing factor in the extent to which implementation fell short of expectations, or lacked sustainability. The underestimation of cost requirements of the security transition and associated costs of handover of many programs also meant that as the Mission was closing down many important reform achievements were being rolled back because the Government lacked sufficient budget to sustain the capabilities. In such a context, many of the reforms exemplified as good practice and sustained in the long-term had proven to have

limited re-current cost implications or UNMIL helped to devise strategies that reduced the associated cost implications. Examples include creating in service training systems that limited reliance on costly travel or utilizing cell phone based systems for data collection and travel rather than creating more costly IT or radio based systems.

In its mid-life cycle, UNMIL, in collaboration with the United Nations Development Program (UNDP) and donors, committed considerable resources to supporting the development of various institutional strategic plans (Judiciary, Ministry of Justice (MoJ), Law Reform Commission, LNP, LIS, etc). A common limitation of this support was that it did not consider the financial implications or requirements of the proposed plans, leading to financially unrealistic plans. In the absence of fiscal impact studies, including for the landmark LNP and LIS Acts, some important legislative initiatives proved financially untenable. A case in point is the provision for the creation of the Civilian Complaints Oversight Board established under the LNP Act, which was stalled because no funding was made available in the MoJ budget to support associated operational costs. The extent to which there was political commitment to financing such a Board, including what budgetary re-allocations, trade-offs or re-prioritization from the existing MoJ budget would be needed to accommodate the associated costs, was never fully analyzed and discussed with senior leadership, including the Ministry of Finance and the Legislature. Towards the end of the Mission cycle more positive initiatives unfolded. This includes support by the SSR Advisor/Unit to the revision of the National Security Strategy, which included the formulation of a costed implementation plan, or the development of a national Human Rights Strategy that was consciously developed to have limited cost implications.

In addition, to a limited extent, UNMIL supported institutional efforts to improve capacities to generate revenue, which helped improve the financial sustainability of reforms, or address acute budget shortfalls. In this regard, the creation of agriculture programs within prisons assisted them in generating symbolic revenue. This helped to finance meals and maintenance during times of acute budgetary shortages that could have otherwise threatened human lives and basic operations of the prison.

Overall, UNMIL experienced difficulties in engaging on sensitive budgeting issues through technical assistance and/or good offices. On the one hand, UNMIL lacked specialized financial technical skills for these tasks, and on the other, UNMIL had to carefully balance engagement with national stakeholders to avoid altogether alienation towards reforms. The lack of progress in addressing the system of allowances,⁵¹ or in tackling endemic corruption issues across the criminal justice chain that stifle public trust and confidence in the system, are illustrative of such cases. Equally, well-intended programs, such as the creation of a bank-based bail bond system, failed largely because national authorities were not inclined to undertake reforms that would improve regulation or transparency. In this regard, while good offices functions were commonly deployed to discuss level of spending in the sector, or the allocative efficiency (where money is spent), few examples existed where technical or political capital was expended to discuss issues of affordability and accountability (how money was spent).

At the macro-level, UNMIL, in partnership with the World Bank, has to be credited for pioneering good practice across Peace Operations in the support provided to the Government to carry-out the 2012 Public Security Sector Expenditure Review. This important exercise helped to improve funding

allocation to the security and justice sector, and represented an opportunity to sensitize the Ministry of Finance, the Legislature and the overall Government about the budgetary needs of the sector. It was also central to identifying emerging funding gaps due to the transition, and to introducing important discussions across security and justice institutions on affordability of the reform process. As a result, the sector received a marginal increase in budget of 1.2 percent from 2012 to 2013.⁵² The review helped to ensure that during times of budget short falls (2014 – 2016 economic downturns caused sharp drop in national revenues), the commitment of the GoL to the sector was maintained at roughly the same percentage of the overall national budget.⁵³ Unfortunately, the lack of a structured follow up process to the review limited its potential to shape critical public finance management of reforms in the sector. A follow on review was also undertaken to coincide with the closure of the Mission that explored new opportunities and challenges to financing justice and security sector reform in view of new macroeconomic realities as well as changes in priorities.

Recommendations:

- (11) Missions should undertake basic evaluations of the affordability of proposed reforms of strategic significance, such as support to the development of strategic plans, legal reforms, and costly infrastructure/capability development.
 - (12) In a resource constrained environment, periodic security and justice expenditure reviews should be undertaken to gauge opportunities and challenges in the financing of the sectors. This can help to better understand the affordability of the ongoing or planned reform process, and support prioritization. The reviews should also be utilized as entry-points to improve national public financial management and practices, within the justice and security sectors.
 - (13) Considering the specialized skills required for analyzing the financial implications of reforms and engaging on budgeting across security and justice reform efforts, a dedicated capacity to work on such issues should be integrated in the Front Office of the DSRSG. Such a position should have clear terms of reference, and remain available to support both Pillar wide strategic planning, but also operational planning of individual Pillar components.
-

1.2.6 QUICK IMPACT PROJECTS AS ENABLERS OF REFORMS

Lesson: Quick Impact Projects are fundamental enablers of a mission’s ability to support justice and security reforms. Quick Impact Projects planning needs to be linked to wider Pillar strategies rather than standalone activities.

It is difficult to conceive how UNMIL could have achieved any of the reform outcomes it supported without the enabling QIP funding. Institutional reform requires more than just training and mentoring, demands longer term planning and vision, as well as some flexibility in implementation to quickly act on strategic opportunities when they emerge. It is clear that significant achievements resulted from the use of QIP to support the capacity-building initiatives. UNMIL’s experience confirms the findings of a recent OIOS review of police reform efforts in other missions underscoring the importance of funding support by demonstrating the problems that occurred in its absence.⁵⁴

Initially UNMIL used QIP funding for more traditional small-scale infrastructure projects including rebuilding the presence of justice and security state authorities in Monrovia and beyond, but an

increasingly innovative approach was adopted to broaden their use in later years. The use of QIP to finance infrastructure and basic training from 2007 to 2010 addressed critical needs for achieving a rudimentary level of capability. QIP also served as a central tool for building trust with the national stakeholders, and establishing UNMIL as an important reform partner. From 2013 onwards, the use of QIP funding was diversified to include support to trainings, workshops, assessments, simple systems development, and service delivery. This highlights a slight shift in the use of QIP to support strategic level reforms, and adaptation over time to broadly reflect the evolution of the Mission mandate towards more complex reform areas. As an example, QIP were used to enable the operationalization of the County and District Security Councils, in the context of implementation of the national security architecture at the local level.

Amongst the Rule of Law components, police and immigration projects received the majority of funding during 2013-2018,⁵⁵ in line with mandate priorities, but also revealing higher project management capacity from UNPOL within the Pillar. Gradually, the flexible and administratively light mechanisms of QIP allowed UNMIL to quickly respond to emerging windows of opportunity to influence strategic reforms in the sector, or engage external support when internal expertise had been lacking, as done by Human Rights Protection Service (HRPS) from an early stage, and followed later by the remaining Pillar components. The broader set of activities funded, as well as their use to sequentially support the same initiative to enhance medium-term results – e.g. support by the SSR Unit to the development of the SSR Think Tank of the University of Liberia - demonstrated improved strategic planning awareness in their application throughout time.

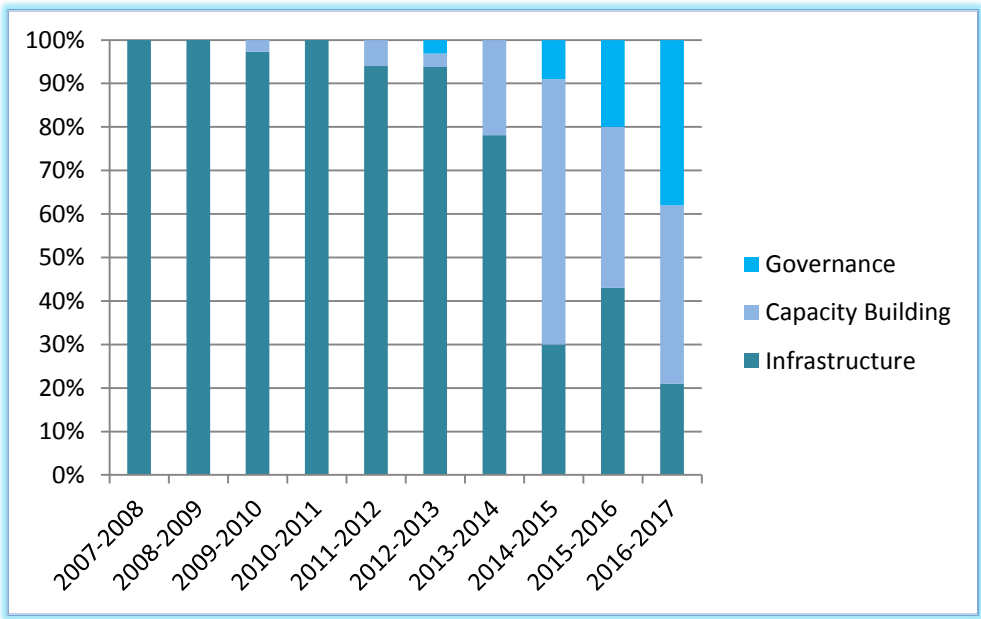


Figure 2 Overview of the target focus of QIPs programs between governance, capacity building and infrastructure

The main management weakness pertained to the lack of an overall Mission or Pillar strategy guiding the use of QIP in support of mandate priorities and implementation. As a result, the QIP engagement was often the defining drive in a reform stream, rather than used to reinforce broader reform efforts. In instances where QIP were a standalone engagement it simply led to a proliferation of activities, instead of achieving the desired multiplier effect. For example, while prosecutor and police joint

trainings funded through QIP in both 2010 and 2016 were an important tool to facilitate important discussions between these actors, the overall impact of this support was limited, since limited complementary or follow-on action was taken to address system or procedural issues to collaboration. Despite an increase in the use of QIP to support strategic engagements, in 2017, a combination of infrastructure, equipment, and IT focused projects still accounted for over 85% of the funds allocated to QIP across the Mission (see table above).⁵⁶ This increased diversification in the use of QIP reaffirming the potential of QIP beyond traditional ‘train and equip’.

Recommendations:

- (14) Analysis of implementation of QIP should be periodically undertaken to help forecast future use and review the extent to which the use of QIP is aligned to Pillar strategic priorities. Such analysis should also track the extent to which QIP are used for basic infrastructure, or to facilitate strategic level engagement, feeding into the adaptation of the use of QIP over time to broadly reflect changes in mandate and in reform focus areas.

1.2.7 MISSION STAFFING AND HUMAN RESOURCES

Lesson: Recruiting the right staff, and ensuring that staffing and expertise is periodically reviewed and adapted to the demands and evolution of the mandate is critical to guaranteeing that a mission effectively implements its mandate and provides relevant support.

The qualifications, competencies, and number of Peace Operations personnel remain a determining factor in the effectiveness of mission performance. To a large extent, many of the associated successes of UNMIL in police, corrections and justice reform can be traced back to professionals who were commonly cited by national institutions in Liberia as being instrumental in the reform process. A common characteristic of the effectiveness of key staff was a combination of strong interpersonal skills, subject area expertise, and deployment to Liberia longer than a limited period of one or two years. The longer-term deployments, in particular, allowed the personnel to understand the local context, and to build trust and effective institutional and individual relationships with local counterparts. In such instances the trust established over time allowed the UNMIL staff unimpeded access to both leadership and technical staff. In contrast, national institutions were critical of many short term staff (less than two years), who at times failed to understand the local context or needs, but also because the frequent rotations of short term experts undermined the extent to which the Mission was able to provide consistent year on year support in specific areas. Conversely, short-term consultants proved more effective when they were called on to play a supporting, rather than the lead role in specific reform efforts.

At the same time, some of the staff retained during all phases of the Mission proved to be poorly adapted to the skills and competencies required in the changing context, and UNMIL was unable to adjust or address emerging shifts in the reform process because of lengthy recruitment mechanisms. In addition, in the absence of an effective system of reviewing staff performance and redefinition of skill sets required for each position as the mandate changed, there was limited staff turnover in a number of key advisory positions across the Pillar. In practice almost all contracts were simply being rolled over or automatically renewed.

While the start-up phase required specific skills in planning and building basic capabilities, it was clear that over time the reform context had more specific technical expertise requirements. The core advisory capacity in UNMIL was not adapted over time to be in line with the evolution of the reform process in Liberia. As an example, a significant constraint in the effectiveness of UNMIL's justice component, such as building linkages between formal/informal justice systems, or support to the constitutional review, was due to the lack of specialized staff in specific areas, at concrete junctures. A tendency to recruit generalist legal practitioners or correction officers, which were otherwise required in the Mission start-up phase, resulted in a high dependency on consultants to fill such expertise gaps. This contributed to uneven support in specialized areas, or to having staff with little prior experience in the area manage the engagement.

Whilst there are a number of different modalities which can be drawn upon to secure the expertise required for successful mandate implementation - such as 6, 12, 18 or 14 month temporary job openings (TJO), 3 month no process TJOs, temporary duty assignments (TDY), government-provided personnel deployed for periods of one to two years and consultants - in their practical implementation the majority of these modalities do not provide the necessary flexibility to provide limited-time, targeted substantive capacity for assessment, planning or implementation of activities in specific technical areas. Within UNMIL, this resulted in a strong reliance on consultants by the justice component in particular. Limitations in the implementation of recruitment modalities are a systemic and widely recognized problem within the Organization, and one which clearly requires ongoing attention and prioritization. At mission level, managers also need to plan appropriately and identify the expertise required at each stage of the mission life cycle.

While generalist police officers in UNPOL were well suited to the needs of the early mandates of UNMIL, where basic training and mentoring were primary activities, as the mandate shifted towards more complex areas of reform in the drawdown phase, it was evident that more specialized skill sets including fleet management, human resources, and legal drafting were needed. While the requirement to recruit such experts was continuously identified in various reports, including UN Secretary General Reports on Liberia,⁵⁷ as late as 2015 the Mission struggled to source the right expertise in these areas. In addition, UNPOL's experience confirmed that the gradual reduction in overall UNPOL staff, but coupled with increased and adequate specialization - including higher number of civilian experts - is more important than preservation of the overall number of staff. While there had been advances in the recruitment system, with the Police Division now recruiting according to four streams as per the 2014 Strategic Guidance Framework on International Police Peacekeeping (SGF),⁵⁸ the benefits did not seem to have translated into demonstrable change visible at the UNMIL level, even in the last cycle of staff rotations in 2016/17.

National partners also expressed reservations over the consistency of advice and technical assistance rendered by UNMIL. Namely, stakeholders noted that at various phases of UNMIL support, or even in parallel across the country, there were examples of seconded UNPOL advisors providing starkly different advice or promoting varied operational concepts or practice which was otherwise in line with the diversified country origin of the individual advisor or trainers. This was particularly noticed when training or advice was provided on document management, community policing, investigation or crowd control but also legal practice. In particular, the judiciary noted that various proposals for improving case flow management were advocated by UNMIL advisors from various countries, few of

which took into consideration the historic linkages of the Liberian legal system to the US common law system. National stakeholders provided this lack of consistency as the reason for their preference for bilateral support in more than one area, whilst simultaneously recognizing that a multiplicity of partners (whether bilateral or multilateral) requires harmonization and flexibility to context adaptation. Again, the good practice recommended in the SGF with regards to consistency in doctrinal approach for UNPOL assistance in capacity-building, reform, and training did not seem to have been operationalized in the context of UNMIL. On a more positive note, the Corrections Advisory Unit (CAU) benefitted from a high degree of harmonization over time largely because a number of key advisory posts were frequently filled by a small pool of countries.

Recommendations:

- (15) Personnel requirements and needed skill sets should be regularly and systematically reviewed throughout the life of a mission. In line with their mandate strategic priorities, missions should define both the expertise/skills required at each stage, the duration for which such expertise is needed, and the most appropriate modality through which it should be secured. Terms of reference for each staff position should be reviewed and updated following each change to mandate.
- (16) For civilian posts, missions should play a more direct role in defining staffing requirements and recruitment of individuals. This could help to ensure that missions broaden searches for qualified and specific expertise that are otherwise inconsistently available through established rosters or secondments from Member States. This should be complemented by re-balancing professional, technical assistance and seconded staff in Corrections and UNPOL components.
- (17) DPKO/DPA should continue to expand and formalize partnerships, including through the Global Focal Point for Police, Justice and Corrections, Member States, specialized rosters, NGO/IGOs and others in areas where there are expertise shortfalls to help ensure that such partners facilitate securing time-bound surge in capacity when required. The relevance and effectiveness of the various OROLSI rosters (eg. SSR, Justice) should be comprehensively reviewed with a view to dedicating resources to strengthening such mechanisms or discontinuing their use altogether.
- (18) The use of specialized UN Police teams, that is, a group of experts in a particular policing specialty on secondment from a single country or group of Member States, should be further explored, including in areas such as addressing SGBV, forensics, and training.
- (19) The SGF and other relevant UN, including DPKO/DFS policies and guidance, should be adhered to by UN staff members, associated personnel, and experts on mission, as applicable. The development/and or clarification of an associated accountability framework could be useful to promote adherence to implementation.

1.2.8 RULE OF LAW PILLAR STRUCTURE EVOLUTION

Lesson: The Rule of Law Pillar performs better in implementing its mandate when its components are integrated through problem specific approaches, rather than structure proximity, or approaches based around support to specific institutions.

Rule of Law was coupled with Governance under the same Pillar from the start of the Mission until 2006.⁵⁹ This changed in 2008 with the creation of an autonomous Rule of Law Pillar to give momentum to reforms and ensure better internal coordination. Structurally the Pillar remained unchanged until 2012, when the Administrative and Operational section was removed as an important measure towards ensuring that the Office of the DSRSG had increased space and time to devote to coordination and management of the Pillar. This also improved clarity of the distinction between the various operational activities associated with the internal work of the Mission, and the more outward looking reform oriented tasks.

With the exception of UNPOL and HRPS components,⁶⁰ the Rule of Law Pillar suffered recurrent changes from 2013 onwards. Initial efforts aimed at enhancing delivery on the mandates through improved working methodologies. Three thematic units were created to respond to better performance of the Justice component on capacity building, access to justice, and on legal and policy development support. This resulted in implementation improvements, but also created a complex structure with thematic units (Access to Justice and Security Unit; Training and Mentoring Unit; and Legal and Policy Reform Unit) alongside institution/area-specific components (CAU, UNPOL, HRPS).

In 2015, in response to UNMIL's new mandate S/RES/2190 (2014), the Access to Justice and Security Unit was dissolved and a new Security Sector Reform Unit established, with all thematic units, as well as the Corrections Advisory Unit, falling under the direction of the Principal Rule of Law Officer within the ODSRSG for Rule of Law. This position had been specifically created in 2013 to ensure that a cross Pillar approach was adopted in common reform streams, but also to guarantee that a sufficiently empowered individual within the ODSRSG could monitor performance, and direct individual units to promote greater collaboration. In addition, in 2015 a Pillar strategy was developed in an attempt to ensure harmonization and joint priorities, as well as help to streamline the large number of reform areas towards a more manageable portfolio.

Yet, these positive but late efforts did not yield the envisaged integration given resistance from the components/units, which had benefited from a high degree of autonomy for a long time. For instance the unification of the Corrections and Justice Services, Sections and Units in 2015 remained limited to a structural amalgamation. The unification did not fully reach its integration potential, as the components kept their separate work plans, and continued to work in a largely siloed approach. This highlighted that coordination does not stem from the crafting of strategies which are not owned by its stakeholders, or from the creation of proximity between structures. Comparatively, when problem based approaches to planning and implementation were applied, rather than institution specific approaches, greater collaboration and coordination was achieved across the Pillar. In this regard, despite being a late development, the most significant examples of effective coordination include the joint work across the Pillar organized into Task Forces on Sexual Gender Based Violence (SGBV), and on Gender and Security Sector. In these initiatives the various components shared common objectives and contributed to the same work stream. Equally, effective coordination

occurred when funding, including that coming from QIP, was sector oriented rather than institution specific and thus requiring collaboration between various institutions.

In 2016, as a result of both UNMIL's ongoing civilian staffing drawdown and a directive from mission leadership to consolidate, the new units were formally merged into the Rule of Law and Security Institutions Support Service (RoLSISS). Finally, and reflecting UNMIL's last mandate S/RES/2133 (2016), which focused support to justice and security sector reform on good offices and political engagement, and again, the ongoing civilian drawdown, RoLSISS was dissolved.

The successive reconfigurations, even if well-intentioned from a management perspective and undertaken in response to mandate changes and budgetary pressures, became counterproductive, and were further worsened by vacuums in leadership at the level of SRSR and DSRSG Rule of Law during this period.

Recommendations:

- (20) The configuration of the Rule of Law Pillar and its integrated strategy ought to be designed from the start towards the achievement of the goals set-up by the Mission in the delivery of its mandate. Concurrently, the specific strategies and planning of the Pillar components ought to be designed taking into account complementarities in their contribution towards the implementation of the Pillar strategy.
- (21) Missions should promote a balanced approach between: 1) institution specific support organized along Pillar component lines (e.g. supporting the police); 2) problem-based planning integrating work across the Pillar; and 3) engaging all components under joint activities. This requires parallel work plans at the Pillar (cross cutting issues) and component levels, with the DSRSG front office playing a lead role in reconciling potential conflicts.
- (22) A common set of indicators to measure performance at the Pillar level should be developed, and coordination pointers should be mandatory in performance review of staff, especially senior managers, to encourage implementation of integrated approaches and joint activities.

1.2.9 GENDER IN THE RULE OF LAW PILLAR

Lesson: The impact achieved in addressing Gender issues within the police, justice and security sector reform agenda is maximized when undertaken as part of an integrated and holistic mission approach that includes a mix of technical and political interventions. Strong commitment from mission leadership in promoting a gender sensitive and mainstreaming approach is critical to ensuring a consistent and robust mission engagement in addressing gender issues across the national security and justice reform process.

UNMIL has worked actively and collaboratively with the UNCT in supporting the Government of Liberia in developing its Gender approach. This includes ensuring that Gender elements and objectives were appropriately integrated and addressed in Liberia's first Poverty Reduction Strategy⁶¹ and in the subsequent development strategy, the Agenda for Transformation⁶². UNMIL also supported the development of the 2009 National Gender Policy which was an enabling instrument of

the GoL in addressing gender inequality, as well as provided support to development of the 2009 National Action Plan for the operationalization of UN Security Council resolution 1325.

With respect to the work of the Rule of Law Pillar, support has been strongly focused, and from an early stage, on integrating a Gender perspective into police and security sector reform. For example, the first Gender Policy of the LNP was developed in 2004. A positive example of what could be achieved was the 2009 initiative, led by the Office of Gender Affairs, resulting in the establishment of Gender focal points across the mission within the context of the development of action plans for each office/section and a three year mission-wide Gender action plan. UNMIL and UN Women support in 2011 to the Geneva Centre for the Democratic Control of Armed Forces in undertaking a mapping of Gender and security sector reform in Liberia can be seen as emanating from this increased focus on Gender issues, an initiative which included a Gender audit of both the LNP and LIS, and which resulted, inter alia, in the development of a revised LNP Gender Policy and an Equal Opportunities Policy for LIS, as well as the establishment of a UN Gender and SSR working group (which continued through to 2014) and an UNMIL Gender Taskforce. Additionally, in 2012, UN Women, with UNMIL technical advisory support, developed a Gender Training Manual for the security sector in Liberia, which was launched in 2013.

While individually each of the initiatives were important steps towards raising awareness to gender issues in the sector, the cumulative impact of the various engagements remained uneven largely because such an approach was not consistently applied throughout the Mission's life cycle. There were varying levels of engagement and commitment to gender issues at different phases of the Mission. This can be attributable to the priority placed upon it by individual staff members in key positions both within the pillar but also across the Mission. A 2013 UNMIL Gender Audit noted that there was "no overarching Mission-wide plan that clearly lays out the Mission's approach on gender equality and women's empowerment."⁶³ It was seen by UNMIL staff members⁶⁴ that this inconsistency of approach was partly a result of changes of direction within the Office of Gender Affairs, driven by differing direction from UNMIL leadership as to whether the Office should have an internal focus or serve to coordinate external Gender engagement by the Mission. Staff members also recognized that the UNMIL Gender Task Force, whilst aiding internal coordination and communication, was not convened regularly and provided no clear mission strategy. That the UNMIL Gender Task Force worked with varying levels of effectiveness was also a finding of the 2013 Audit⁶⁵.

It must however be recognized that even in the absence of a fully coordinated and integrated approach, there was useful coordination with respect to mandate implementation within the Rule of Law Pillar and with the Office of Gender Affairs, notably with respect to capacity building efforts aimed at addressing sexual and gender-based violence. Further, although late in the life cycle of the Mission, a significant effort was made towards an integrated Gender approach, leading to effective support to the national security sector agencies in establishing and operationalizing a Gender and Security Sector National Task Force (see Annex A.6: SSR Lessons).

A final point to be noted with respect to the RoL Pillar's efforts in this area is that, as with other aspects of the Pillar's work, interpretation and application of OROLSI and other UN guidance in this area is uneven. For example, whilst sections across the Pillar had assigned Gender Focal Points, and UNPOL for many years even had a dedicated Gender Adviser position within the Office of the Police Commissioner, there is limited evidence that this ensured effective integration of gender

perspectives into the work of the Pillar. Whilst the initiatives outlined above certainly demonstrate a commitment to gender mainstreaming for example, in practice staff members felt that they did not have appropriate knowledge or understanding as to how to effectively apply this in the design, implementation and monitoring of plans, projects and activities⁶⁶.

Recommendations:

- (23) Missions should adopt coherent and integrated Rule of Law Pillar approaches to the delivery of gender support and should be further supported in developing mission-wide capacity to ensure the effective application and implementation of UN Gender policy and guidance.

1.3 PLANNING AND MANAGING TRANSITION

1.3.1 SEQUENCING TRANSITION WITH NATIONAL POLICE AND ECONOMIC CYCLES

Lesson: Planning and sequencing of mission transitions should factor-in risk analysis, considering change management of national political dynamics and financial planning cycles.

Transition entered the lexicon of UNMIL in 2009, pursuant to the request by the Security Council in S/RES/1885 (2009), for a strategic integrated plan to coordinate activity towards the achievement of UNMIL's benchmarks. These benchmarks were initiated following S/RES/1626 (2005) to guide a phased approach to UNMIL's consolidation, drawdown and withdrawal, and were refined first in 2008 and, subsequently, in 2011, into transition benchmarks. Between 2006 and 2013, updates on progress towards these benchmarks and on transition planning were provided in the regular reports of the Secretary General on UNMIL. Security Council resolutions from 2010 to 2014 specifically requested the development of a joint transition plan and report on advancement of the progressive handover of security responsibilities.

Despite this however, there was lack of clarity as to what the transition process meant and entailed for a number of years. There were in fact a number of different processes ongoing during this period which can be seen as aspects of transition planning within the Policy on United Nations Transitions in the Context of Mission Drawdown or Withdrawal.⁶⁷ For example: the development of national capacity across priority areas of peacebuilding, efforts to mobilize predictable donor funding for these areas, and efforts to increase opportunities for the capacity development of UNMIL national staff. Nevertheless, it was UNMIL's planning with the GoL, related to the ongoing mission drawdown process, for the handover of specific operational security tasks and closing UNMIL camps, which was given the "transition" moniker.

The issuing of S/RES/2190 (2014) setting a deadline of 30 June 2016 for the full assumption of security responsibilities by the GoL from UNMIL served both to bring these various work streams together and, critically, mobilize the attention of the GoL and create a concrete national focus on transition preparations. As requested by the Security Council, and with UNMIL support, the GoL developed a comprehensive plan for the security sector - the Government of Liberia Plan for UNMIL Transition (GoLPUT) - with thematic benchmarks and timelines, which was approved in March 2015.

Throughout 2015 and the first half of 2016, security transition was the major focus for both the GoL and for UNMIL, working in collaboration with UNCT to support the GoL in the implementation of the GoLPUT. In accordance with the Security Council deadline, transition of responsibilities successfully took place on 30 June 2016. However, implementation of much of the GoLPUT remained outstanding at that time, largely, although not exclusively, as a result of a lack of funding. Notably, the security transition timeline did not allow for effective budgetary planning on the part of the GoL, with the 2014/2015 national budgetary cycle already having commenced, thus creating the impossible task of funding the implementation of the plan from just one year's national budget (2015/2016). Moreover, the security transition timeline also did not provide an opportunity for the majority of Liberia's international partners to consider adjustment of their financial support.

Subsequently, S/RES/2333 (2016) set a deadline of 30 March 2018 for UNMIL's substantive mandate expiration. This presented a mismatch with the timeframe of the national political cycle, with the transition period running in parallel with the full electoral period through to the Presidential and Legislative elections scheduled for October 2017, and the inauguration of the new President in January 2018. Many stakeholders were of the view that UNMIL should have departed well before the elections, or thereafter stayed for a period of accompaniment of the new administration.⁶⁸ Whilst the timeframe for mission closure *vis-a-vis* the national elections cycle was under discussion at least as far back as 2014, the final determination seems not to have been undertaken on the basis of scenario planning or risk analysis.

Alongside the transition process, Liberia had been included in the agenda of the Peacebuilding Commission in 2010, with positive results at the level of political engagement around the identified peacebuilding priorities of security sector development and strengthening of the rule of law. The commitment to reform in these areas was further reaffirmed in the 2016 Statement of Mutual Commitments between the Government of Liberia and the Peacebuilding Commission, providing immeasurable support to UNMIL's good offices engagement in these areas.

Recognizing the importance of this political platform S/RES/2333 (2016) also called for the development of a peacebuilding plan to direct the role of the United Nations and other partners in supporting Liberia's transition, and UNMIL accordingly supported the GoL in a consultative process to develop the Liberia Peacebuilding Plan 2017-2020. This plan contemplates two distinct phases, with the first ending with UNMIL's closure in March 2018, and the second spanning from April 2018 to 2020. The second phase was established as the basis for programming under the UNDAF 2019-2024, with a view to ensuring continued support for national efforts towards the mitigation, prevention and management of violent conflict risks.

This process was limited by the fact that the development of the Peacebuilding Plan was led by a previous Government and that with the effected change of power the new administration may legitimately change political and development priorities. Mitigation measures were factored-in insofar as the consultative process around the development of the Plan involving the leadership of all political parties; the formulation of the contents based on experiential evidence, and the division in two periods, providing an opportunity for review by the new administration.

For viability, the Peacebuilding Plan required additional international partner resources, which at the time of writing were failing to materialize. The apparent donor fatigue, but also the fact that the GoL

had inherited other parallel national policy guiding frameworks,⁶⁹ could be discouraging funding partners.⁷⁰ The latter have their preferred frameworks, and systems of channeling financial support, not to mention funding cycles, that were not factored into consideration and timing of the creation of the Multi Donor Trust Fund (MDTF) to support the implementation of the Peacebuilding Plan. Whilst the self-assessment of the UNCT capacity and the concerted support of UNMIL leadership to the capacitating of the Office of the United Nations Resident Coordinator (and of UNDP) were seen as positive signs by donors, overall it was thought that the MDTF should have been in place for a longer trial period.⁷¹ A stop-gap measure that could also have been considered was the extension of the previous UNDAF at least until January 2019, to ensure some continuity of funding to UNCT.⁷² In general however, international partners were critical of narrow considerations, in the context of transition, with regards to their prospective support upon UNMIL's closure, given that Liberia will require assistance by other bilateral and multilateral partners beyond that which the UNCT will be able to provide.

Recommendations:

- (24) The need for early and integrated transition planning should be firmly embedded in the mission's strategy and work plan as determined in the Policy on UN Transitions in the Context of Mission Drawdown or Withdrawal. Monitoring of progress should refer to broader criteria than that of the narrower processes of drawdown and security transition, and ought to be jointly carried out by HQ and missions.
 - (25) Transition planning and timelines should entail scenario development and matching risk analysis and contingency plans, whilst carefully observing the underlying political cycle dynamics and fragility of the country at stake. Consideration should be awarded to the integration of development of Theories of Change as planning and monitoring tools leading to improved adaptability and risk management in different transition phases.
 - (26) Transition initiatives, should be designed through adequate consultation and conscious timelines as to the existing policy and planning frameworks, aligned with the country's own economic and financial cycles, as well as those of international partners. The UN should assess the viability of Multi-Donor Trust Funds as mechanisms for ensuring continuation of financial support in the context of transitions, and seriously consider strengthening the management and administration arrangements comprised in MDTF.
 - (27) Sequencing of transition processes needs to move beyond only considering centrally the requirements for UNCT continuation of assistance going forward into factoring-in the development assistance frameworks of the main international partners of the country at stake, and of regional organizations, so as to ensure support for taking forward the peacebuilding agenda in an inclusive and integrated manner.
-

1.3.2 CONTINUITY OF SUPPORT THROUGH UNMIL/UNDP JOINT PROGRAMME ON RULE OF LAW

Lesson: Where joint programs on Rule of Law represent a clear advantage in advancing mandate delivery and enhancing the capacity of national institutions, they must start early in the transition continuum to allow sufficient time for their testing and implementation.

Coordination between UNMIL and UNCT has been constant throughout the life cycle of the Mission. With respect to the Rule of Law Pillar, this is best illustrated by the elaboration and implementation of two joint programs with UNDP, both developed within the context of transition, and the significant UN system effort to support the Government of Liberia with respect to the implementation of their security transition plan.

The collaborative work with respect to security transition was notable as it brought together the Mission and the UNCT under the joint leadership of the two DSRSGs and in support of an integrated UN plan. During 2015-2016, UNMIL and the UNCT designed, implemented and monitored a comprehensive support plan, ensuring coherence both with regard to the provision of assistance to the Government in meeting the deadline set by the United Nations Security Council for transfer of security responsibilities, and with respect to political engagement with the Government and the international donor community.

In terms of the joint programs, the first, the “Justice and Security Joint Program”, ran from 2011-2016 with the specific outcome of enhancing access to justice and security at regional and county levels, thus supporting national preparations for UNMIL’s eventual departure. Lessons were learnt from this project with regards to the need to improve accountability in UN program management and implementation, as well as to limit the focus on infrastructure development. These were factored into the design of the second joint program, “Strengthening the Rule of Law in Liberia: Justice and Security for the Liberian People”, a three year program launched in 2016, with a focus on strengthening coordination across the sector. The aim is to increase levels of engagement with civil society, and improve gender responsiveness, with the objective of ensuring post-UNMIL support to critical areas of engagement by the United Nations.

The latter proved an important engagement to facilitate coordination between UNMIL and UNDP, and to promote collaborative efforts as transition unfolded. In particular the joint design of an action plan to the program became catalytic in fostering an agreed approach to supporting reforms, setting priorities, and significantly reducing competition. The active engagement and oversight role by the leadership was crucial in advancing the initiative, as at the technical level coordination and implementation progress tended to be tied to the quality of interpersonal relations between the staff of the two institutions. However, the initiative was met with challenges due to the compressed period of transition, which ruled out co-location of Mission’s and UNDP’s police, justice and corrections capacities, which would have leveraged implementation through complementarity between Mission mentoring capacity and UNDP programme management expertise.

A test of UN system coordination with regards to this initiative concerned the allocation of UNMIL financial contribution through its assessed funding stream. UNMIL’s Budget report for 2016/2017

notes that *“The Mission will work in an increasingly integrated manner with the United Nations Country Team in the implementation of the Mission’s mandate and proposes to utilize assessed funding to that effect”*.⁷³ Furthermore, the request in S/RES/2333 (2016) for UNMIL to work closely with the UNCT to transition human rights monitoring, rule of law, national reconciliation, and security sector reform tasks to the Government and the UNCT to ensure continued progress in these areas was fully acknowledged in UNMIL’s Budget Report for 2017/2018. Resources were allocated to support this transition in the sum of USD 7 million assessed funding, and specifically referencing support to the Joint Program on Rule of Law.⁷⁴ Despite this clear commitment, the funding from UNMIL to the Joint Program did not materialize, in the end, due to a combination of factors. This included, on the one hand, the intended good practice by the OSRSG of the introduction of new criteria for selection of implementing partners for assessed funding projects. On the other hand, there was a lack of consensus between the Mission and UNDP as to the requirements for budgetary detail for the program document, and time constraints for implementation in light of the need to develop MOUs for individual projects.⁷⁵ In this regard UNMIL missed an opportunity to provide funding for the implementation of a tool designed to sustain gains made by the Mission in the rule of law areas, and is an example of where Mission/UNCT coordination faced limitations.

However, there were other projects where UNMIL funding was used effectively to support the transition of key areas of work, and which represent positive examples of UNMIL and UNCT coordination with respect to the successful utilization of assessed funding. It was so in the case of projects - undertaken in 2016/2017 and 2017/2018 - to develop and then implement an integrated border management and security strategy with the International Organization for Migration (IOM). Furthermore, projects to enhance national capacity to address impunity for sexual and gender-based violence were also undertaken in both 2016/2017 and 2017/2018, to complement program by UN Women. Finally, projects supported by assessed funding to develop community policing and support the building of a gender responsive security sector are being taken forward post-UNMIL by, respectively, UNDP (under the rule of law joint program)⁷⁶ and UN Women.

Recommendations:

- (28) Where relevant, transition planning by peace operations ought to factor-in realistic time-frameworks for implementation of joint programs on Rule of Law between the Mission and UNCT. This is especially important as missions face a high turnover of staff, during these periods. Co-location and joint implementation and monitoring of progress towards transition outcomes with foreseen benchmarks, indicators and timelines are supportive of greater coordination.
 - (29) Assessed programmatic funding should be used as a tool to facilitate sustainable transitions by preventing gaps in delivery as the Mission draws down, and serve as a catalytic investment to enable the UNCT to scale up support and fundraising over time.
 - (30) Missions should identify a clear governance structure for the approval and oversight of programmatic funding implementation, as per the DPKO/DFS Guidelines on Mandated Programmatic Activities funded through Peacekeeping Assessed Budgets, to ensure that clear and effective decision-making processes are in place.
-

1.3.3 BUILDING-IN TIME FOR MONITORING AND TROUBLE-SHOOTING

Lesson: Transition processes need to be frontloaded, providing sufficient time and space for handover, and followed by monitoring and trouble-shooting to help institutionalize reforms and promote greater sustainability of efforts.

One of the key lessons emerging in the management of the UNMIL transition process was the need to frontload the handover of programs and responsibilities in the transition plan. This especially includes handing over operational functions of UNMIL. In practice, many of the core activities and programs were being implemented directly by UNMIL until the very last possible moment, and some reform initiatives even started a few months prior to the closure of the Mission. As an example, while guarding prisons was traditionally the task of UNMIL Formed Police Units (FPU), the handover of responsibility only occurred once the specific FPU departed as part of the security transition in 2016. This approach contributed to the extent to which security of prisons remained largely undefined at the end of UNMIL closure, leaving in practice many of the prisons unguarded for large parts of the day once the FPU departed. Equally, collection of crime statistics and prison population figures was only handed over at the very end of transition, though arguably the demonstrated capacity of the national institutions to produce such statistics independently confirms that such handover could have occurred earlier.

Several activities were simply continued over the years because there was either a dependency culture from national counterparts, or a reluctance of UNMIL to hand over responsibilities. In many cases efforts to develop the national capacity to take over responsibility for functions traditionally provided by UNPOL, such as data collection or training, commonly coincided with the departure of responsible UNMIL personnel as a result of gradual staff decreases, or planned budget cuts. This approach left little opportunity for UNMIL to test sustainability of the support, or provide trouble shooting assistance following handover.

Paradoxically, the compressed transition period saw a proliferation of activities, even as the staff and budget was being downsized in UNMIL. Some of this support was used to strategically address shortcomings in previous assistance, or to compensate for neglected areas of reform. Yet, at a critical juncture when UNMIL was leaving there was significant uncertainty as to the medium term viability of many of the reforms that it supported over the years, but had only managed to handover in 2017 or 2018.

Recommendations:

(31) The transition process, including handover of projects and operational responsibilities, should be frontloaded, with a remaining period of the transition largely focusing on monitoring and troubleshooting support to ensure sustainability of the reform or capability. Efforts should be made to ensure that staffing in missions is secured in the waning years of the mandate even as the number of reform activities is decreased. Such a mandate transition should enable the mission to provide robust monitoring and troubleshooting, where necessary to help support institutionalization of reforms in the remaining years of the transition process.

¹⁸ United Nations, S/RES/1509 (2003), 19/09/2003.

¹⁹ Idem, Paragraph 11.

²⁰ United Nations, S/RES/1521 (2003), Paragraph 23, 22/12/2003.

²¹ United Nations, S/2006/159, 10th Progress Report of the Secretary General on the United Nations Mission in Liberia, Paragraph 45 and subsequent, 14/03/2006.

²² United Nations, S/RES/1938 (2010), Paragraph 5, 15/09/2010.

²³ United Nations, S/RES/2333(2016), Paragraph 10, 23/12/2016.

²⁴ United Nations, S/2006/159, 10th Progress Report of the Secretary General on the United Nations Mission in Liberia, Paragraphs 52 and 70, 14/03/2006. See also various progress reports from the Secretary-General from 2014 to 2016.

²⁵ Idem. This report also highlighted the need to recruit police specialists with adequate skills, including in the area of immigration and border security. This was required, amongst others, to reinforce support to the LIS/BIN, which only started in 2005. Similarly, support to the BCR had focused mainly on rehabilitation of premises, with training of officers starting only in February 2005. Support to the legal and judicial system consisted mainly of engaging in capacity building of the legal and judicial officers based in the Counties, to enhance their capacity to administer justice.

²⁶ United Nations, S/2010/429, 21st Progress Report of the Secretary General on the United Nations Mission in Liberia, Paragraph 24, 11/08/2010.

²⁷ United Nations, A/64/712, Paragraphs 37-43, 17/03/2010.

²⁸ United Nations, S/RES/1731 (2006), P1, 20/12/2006.

²⁹ United Nations, S/2006/743, Paragraphs 71-72 and Annex I, 12/09/2006 and subsequent reports.

³⁰ Charles Taylor had been arrested and was sent to undergo trial at the Special Court in Sierra Leone for war crimes, crimes against humanity and other serious violations of international humanitarian law in Sierra Leone. This created a rift between the Executive and the Legislature, with the latter accusing the President and the Government of not consulting on Mr Taylor's transfer from Liberia to the Special Court. The legislature had democratically elected sitting members who were former warlords, and tensions were high around what they perceived as a disruptive path to reconciliation. United Nations, S/2006/376, 11th Progress Report of the Secretary General on the United Nations Mission in Liberia, Paragraphs 3, 6, 09/06/2006.

³¹ United Nations, S/RES/1885 (2009), Paragraph 10, 15/09/2009.

³² United Nations, S/RES/1938 (2010), Paragraph 10, 15/09/2010.

³³ United Nations, S/RES/1938 (2010), Paragraph 5, 15/09/2010.

³⁴ United Nations, S/RES/2116 (2013), 18/09/2013.

³⁵ United Nations, S/RES/2190 (2014), Paragraph 5, 15/12/2014.

³⁶ In light of the HIPPO and AGE reports, DPKO/DFS issued a further policy, effective 1 January 2017. DPKO/DFS Policy on Planning and Review of Peacekeeping Operations (Ref. 2016.09), January 2017.

³⁷ Interviews, December 2017.

³⁸ This course of action is likely to have been shaped by the close and good working relations between UNCT and UNMIL around mid-life of the Mission. This was partly due to the pioneer structure (first tested in Sierra Leone and then adopted in Liberia) whereby the Mission DSRSG Peace Consolidation was also Resident Coordinator (RC) and Humanitarian Coordinator (HC), chairing the UN Country Team.

³⁹ *"The content of the ISF document must include:*

- a. The main findings from integrated assessments of the conflict and challenges to peace consolidation, UN role and comparative advantages;*
- b. A clear definition and expression of peace consolidation priorities for the UN, including for national capacity development and institution-building;*
- c. An articulation of all programmatic, functions and/or operational areas requiring an integrated approach, with agreed form and depth of integration;*
- d. Agreed results, timelines, responsibilities and other relevant implementation arrangements, including coordination mechanisms;*
- e. A common monitoring and reporting framework including indicators or benchmarks of progress.*

Other UN planning frameworks (such as a UN Development Assistance Framework (UNDAF)) may serve as Integrated Strategic Frameworks if their content meets the standards outlined in paragraph."

⁴⁰ Guidelines on Mission Concept were produced by HQ in 2014. See United Nations, Integrated Assessment and Planning Handbook (pages 71 et seq.), 2014.

⁴¹ *"In the light of the UNMIL transition and reconfiguration phase between 2012 and 2015 and the imperative for longer-term planning, the Mission may revisit the integrated strategic framework or a similar mechanism as a joint planning tool to coordinate with the United Nations country team to strengthen organizational coherence and optimized impact, including efficiencies. This holistic approach would serve as a cornerstone of the UNMIL transition process and the integrated strategic framework would be expected to reflect a road map for the eventual exit strategy of the Mission".* In United Nations (A/67/755), Report of the Secretary-General, Budget for the United Nations Mission in Liberia for the period from 1 July 2013 to 30 June 2014, Paragraph 38, P. 13, 22/02/2013.

⁴² United Nations (S/2012/230), Special report of the Secretary-General on the United Nations Mission in Liberia, 16/04/ 2012.

⁴³ Interviews revealed that several UNPOL advisors were unaware of important analysis and baseline assessments, which had been conducted in a recent past, and were relevant to their work.

⁴⁴ United Nations, *Knowledge Sharing Policy*, 01/10/2015. Department of Peacekeeping Operations - Department for Field Support/ Division of Policy, Evaluation and Training, Policy and Best Practice Service.

⁴⁵ This is in contrast with the Force, which had Best Practice Officers at various points during the Mission's lifespan. Within the Rule of Law Pillar UNPOL also benefited similarly to the Force.

⁴⁶ Interviews carried-out in Monrovia, December 2017.

⁴⁷ David Harland, 24/03/2004. Report on Lessons Learned on the start-up phase of the "Civilian Police Component of UNMIL".

⁴⁸ <https://www.mfdp.gov.lr/index.php/the-budget>

⁴⁹ <https://www.mfdp.gov.lr/index.php/the-budget#>

⁵⁰ UNMIL Budget Performance Reports 2003-2017

⁵¹ General Allowances are salary top ups that remained unregulated and accounted for up to 20 percent of the budgets of national institutions (2013 Management/Accountability Review).

⁵² Interviews carried out with national stakeholders, Monrovia December 2017.

⁵³ Liberia has maintained a rough allocation of 14-16 percent of its annual budget to civilian security and the justice sector, given that these had been identified as development priorities for the GoL in the Agenda for Transformation.

⁵⁴ Insert source. See previous versions of the report.

⁵⁵ <https://www.mfdp.gov.lr/index.php/the-budget>, Interviews with UNMIL SSR Unit

⁵⁶ UNMIL QIPs matrix (2017)

⁵⁷ S/2010/88 Twentieth progress reports of the SG on UNMIL

⁵⁸ 1) Administration, 2) Capacity-Building and Development, 3) Command and 4) Operations. See United Nations Strategic Guidance on International Police Peacekeeping, 2014.

⁵⁹ The rule of law components have been under the leadership of the DSRSG for Operations and Rule of Law, which also oversaw other sections such as Civil Affairs and Elections until FY 2006/2007, when Civil Affairs moved to the Recovery and Governance Pillar. Other areas were removed in FY 2008/2009, creating the current Rule of Law structure, although the title of DSRSG Operations and Rule of Law only changed to DSRSG for Rule of Law in FY 2011/2012. In FY 2016/2017 it became DSRSG for Rule of Law and Political.

⁶⁰ Component is generically used here to refer to a constituent element. However, this includes Services (led by a D1), Sections (led by a P5), and Units (led by P4).

⁶¹ Poverty Reduction Strategy, Republic of Liberia (2008-2011)

⁶² Agenda for Transformation, Steps Toward Liberia Rising 2030 (2012-2017)

⁶³ 2013 UNMIL Gender Audit, *Conclusions (page 26)*

⁶⁴ Interviews conducted in UNMIL in December 2017/

⁶⁵ 2013 UNMIL Gender Audit, *UNMIL and UN coordination mechanisms on gender mainstreaming (page 20)*

⁶⁶ Interviews conducted in UNMIL in December 2017

⁶⁷ United Nations, Policy on UN Transitions in the Context of Mission Drawdown or Withdrawal, 04/02/2013.

⁶⁸ Interviews with national and international interlocutors, December 2017.

⁶⁹ For example the GoL had not yet had the opportunity to develop the successor to the 2012-2017 Agenda for Transformation. Other frameworks included Liberia Rising: Vision 2030 and the Strategic Road Map for National Healing, Peacebuilding and Reconciliation (2013-2030).

⁷⁰ Interviews carried out in December 2017 and February 2018.

⁷¹ Idem. Interviewees mentioned that at least two years of trial before UNMIL's exit could have been beneficial.

⁷² Ibidem.

⁷³ United Nations, (A/70/719). Budget for the United Nations Mission in Liberia for the period from 1 July 2016 to 30 June 2017, Paragraph 3, P. 5, 08/02/2016.

⁷⁴ United Nations, (A/71/847). Budget for the United Nations Mission in Liberia for the period from 1 July 2017 to 30 June 2018, Paragraph 7, P.6 21/03/2017.

⁷⁵ Interviews carried out in December 2017 and February 2018.

⁷⁶ The UNDP community policing follow on support builds on the UNPOL-implemented community policing project of 2016/2017, and it is funded through donor support to the Joint Programme.



2. POLITICAL ENGAGEMENT

2.1 MANAGING POLITICAL ENGAGEMENT AND GOOD OFFICES

Lesson: Furthering human rights, and police, justice and security sector reform, are political processes, which must be fully recognized as such, particularly in post-conflict settings. A clear strategy for political/good offices engagement in mandated areas, appropriately supported by activities at the technical level, is essential for meaningful and sustainable results.

UNMIL's mandate over the course of its 14.5 years lifespan has consistently recognized the importance of human rights development, and police, justice and security sector reform to achieving peace and stability in Liberia. The challenges faced by the Mission in delivering on this mandate have demonstrated unequivocally the fundamentally political nature of these processes, highlighting the centrality of political engagement to overcoming resistance and the status quo. The "good offices" role of a Mission and its capacity to engage national and local actors to address blockages to tangible reform, and to convene and coordinate key actors to build and sustain political consensus on rule of law issues are crucial enabling factors.

UNMIL leadership, and leadership of the Mission's Rule of Law Pillar, have maintained strong working relationships with the Government since the Mission was established. For example, successive UNMIL SRSs have met regularly with the President, the DSRs for Rule of Law with the Ministers of Justice and Chief Justice and Supreme Court Bench, and the Police Commissioners with the leadership of the Liberia National Police. Notwithstanding, UNMIL has displayed inconsistent degrees of deployment of good offices in support of technical assistance to the security, rule of law and human rights agendas.

In some key instances, particularly in the final stages of the Mission, UNMIL has used its good offices mandate extremely effectively, maximizing political influence through strategic engagement across government, and with international partners, furthering progress in priority areas for the Mission. This is best illustrated by the 2015-2016 security transition process, a key aspect of S/RES/2239

(2014) which set a deadline for the Government of Liberia to fully assume security responsibilities from UNMIL by 30 June 2016.

This engagement involved participation by the SRSG, both DSRSGs, and the Police Commissioner in monthly meetings, which brought together national actors at the Ministerial level as well as development partners at the ambassadorial level. There were regular meetings on specific transition issues between the SRSG or DSRSG Rule of Law and the Minister of Justice, the Government lead for transition planning, as well as with members of the legislature. This was complemented by fortnightly meetings between the SRSG and the President; regular briefings by the SRSG for the international community; and even participation of the SRSG and DSRSG Rule of Law in a meeting of the National Security Council.

This sustained high-level engagement proved crucial to ensuring the necessary national focus on preparations for security transition, and the successful completion of the process in line with the United Nations Security Council's deadline, including key areas of reform – such as the finalization and passage of a Liberia National Police Act and a Firearms and Ammunition Control Act - which had not advanced despite many years of UNMIL engagement at the technical level.

The 2017 Presidential and Legislative electoral process, which became subject to judicial decision making as a result of contested election results, is a further example of both the political nature of rule of law work and the concerted good offices engagement by Mission leadership. The patience and respect for the rule of law demonstrated by Liberians during this protracted process must be fully recognized as the primary factor in the peaceful conduct of the elections. At the same time, years of UNMIL engagement with the Judiciary on the critical importance of judicial independence, supported by efforts to strengthen judicial capacity to resolve electoral disputes, contributed to the settlement of disputes through the established dispute resolution framework.

In contrast, the inconsistent use of good offices in the earlier stages of the Mission meant that several crucial overarching legal reform processes did not advance in good time, as was the case with the review of the Constitution, which ought to establish the overall framework for subsidiary legislation on human rights, rule of law, and security provision. In addition, as UNMIL closes down, key legal frameworks or legislation such as the Criminal procedure/Penal Code Reform, the Local Administration Act and the revised National Security Strategy are pending approval. Arguably UNMIL could have been more successful in support of human rights, police, justice and security sector reform had there been greater efforts to extend political engagement with the Executive to include regular and sustained engagement with the Legislature. A partial explanation as to the limited nature of this engagement, and in particular with the specialized committees on defense, security, justice and human rights, was the controversial membership of these bodies. However, any effective system of political engagement must be with all relevant actors, including fostering and strengthening improved working relationships between them. This could have encouraged necessary collaboration across different branches of government and political party divides.

Yet, it is also necessary to recognize that the specific political context of Liberia limited the potential extent of the good offices of the Mission on certain fundamental matters. A concrete instance of where there was full acknowledgement of the political nature of a process that UNMIL was mandated to support, but limited its deployment of good offices, was in support of the

implementation of the recommendations of the Truth and Reconciliation Commission. Despite the significant levels of technical assistance provided by the Mission to establish the Commission and assist it in implementing its mandate in an independent and professional manner, UNMIL leadership took a “soft” approach concerning follow-up through political engagement. This was in line with the wider international community’s posture of detachment on transitional justice, despite lingering impunity related to the absence of criminal prosecutions against perpetrators of human rights abuses and international humanitarian law violations.

Recommendations:

- (32) Peace Operations should have a clear strategy to inform and direct the use of good offices and political engagement behind agreed rule of law reform priorities. The strategy should clearly set out how the mission ought to accompany each reform process, and mission activities must be aligned with the strategy. The strategy must reflect the United Nations position and priorities, and seek to hold national actors responsible for the reforms which are in their hands to effect.
 - (33) Sustained political engagement/good offices by Mission leadership must be utilized in conjunction with technical support for meaningful sequencing of processes, and achievement of progress across time in human rights development and police, justice and security sector reform.
 - (34) Effective political engagement by the Mission leadership should involve all relevant actors beyond simply the national Executive, and should strive to foster and/or strengthen improved working relationships between the various actors.
-



3. ELEMENTS OF NATIONAL REFORM

3.1 COORDINATION

Lesson: Given the significant resources, reach and influence, missions can play a critical role in facilitating and encouraging a coordinated approach both within the national justice and security sector, but also amongst development partners. The effectiveness of the mission in supporting coordination efforts, however, is largely contingent on the extent to which: 1) it is able to foster a strategic rather than simply tactical approach to coordination; 2) internal coordination systems within the mission are effective; and 3) the mission is proactive in seeking to play a coordination role.

National level coordination

Successful efforts to promote dialogue and coordination within the sector were often the result of UNMIL playing a proactive convening or facilitation role to support coordination. The focus on sector level coordination, however, was largely influenced by the extent to which the leadership of the Pillar was proactive in exercising a convening function and facilitating the coordination efforts at strategic level in the sector. Equally, the effectiveness of the Mission in supporting improved national level coordination was often reflective of the extent to which the Pillar was internally coordinated and had harmonized messaging and activities. At times the institution specific approach applied by various UNMIL Rule of Law Pillar components reinforced the silo approach to reform in national institutions. As an example, while the MoJ in Liberia is the responsible line Ministry for both the Bureau of Corrections and Rehabilitation (BCR), the LNP and the Prosecution, Ministers and Solicitor Generals noted that they often received different advice from the various Heads of Pillar components on what reforms should be prioritized.

Equally, at operational level limited ability within the Pillar to de-conflict operational engagements meant that there were at times parallel invitations from various Rule of Law components to national

counterparts to attend events that were occurring simultaneously. The latter example was largely attributed to a lack of clearly defined procedures on how Rule of Law components should contact or engage with individual institutions when cross sector engagements, such as human rights, SSR or criminal justice reform, are envisioned. Similarly the efficiency of UNMIL coordination was undermined by a lack of clarity on the extent to which all engagement with the national counterparts should be systematically channeled or coordinated through the responsible UNMIL component who would otherwise lead on interaction, or support to that institution.

The most significant UNMIL contribution to coordination includes facilitation of greater policy and strategy discussions across the sector or convening operational collaboration between actors. For instance, when relations between institutions were strained, as was the case between the MoJ and the Supreme Court in the period up to 2008, UNMIL, through the DSRSG Rule of Law, played a critical and active role through its convening power to facilitate dialogue between the two institutions. As a result of UNMIL's good offices engagement, a national rule of law retreat in 2008 led to the participation of the Judiciary within the Agenda for Transformation's coordination and monitoring mechanism for the first time. This mechanism has, in practice, functioned rather erratically over the years, but, with UNMIL engagement, Pillar One of the mechanism (responsible for peace, security and rule of law) has been the most consistent, and has served to bring about greater collaboration between the Executive and the Judiciary. This has, in turn, led to a number of joint efforts, for example, a further rule of law retreat in 2011 and a national conference on criminal justice in 2013, that brought together key stakeholders from across the sector to map out priority reform areas.

The limitation of UNMIL support, however, was that few institutional structures for cross sector coordination were developed that would otherwise help to sustain national coordination efforts after UNMIL withdrawal. Rather, many of the UNMIL support efforts were ad hoc initiatives such as pre-trial detention taskforces or conferences. The exceptions were the Gender National Security Sector Task Force, and the SGBV Task Force, which promoted strong leadership of national agencies in coordination, with UNMIL playing a supporting role.

Where UNMIL seemed to only have made humble beginnings is in building national capacity for donor coordination. However, at the technical level within the Rule of Law area an example worth mentioning is the MoJ Project Implementation Unit (PIU), which has developed experience in this type of engagement with international partners, including management, coordination and monitoring of progress of agreed program.

Coordination with international development partners

When examining instances of the effective convening or coordination role of UNMIL it is clear that one of the key enablers for UNMIL to play a leading coordination role was its willingness or pro-activeness to seek collaboration with development partners in jointly implementing activities. In most instances the active collaboration proved an essential element in facilitating handover of reform efforts to other partners, in building trust between them, but also in reducing duplication of effort. In this regard, across all sub-sectors there are numerous examples of joint UNMIL/partner activities. For instance, in promoting initial dialogue on traditional and formal justice mechanisms, the Mission collaborated with The Carter Center to utilize their technical expertise in this area, while UNMIL contributed funding through QIP. More strategic level coordination occurred between UNMIL

and USAID/US Embassy in supporting case management development in the SGBV Crimes Unit, or in the establishment of the Judicial Institute. In these examples, UNMIL played a leading role in the initial concept development while follow on implementation support was provided by USAID/US Embassy. Similarly, through the LNP Steering Group, UNMIL shared its entire work plan with the LNP, as well as with other development partners. This proactive approach to information sharing influenced other bilateral partners to eventually also share their detailed work plans.

A critical lesson is that strong engagement and commitment from leadership within the Pillar is required to ensure consistency in coordination efforts. In this regard, in the absence of clear instruction and demand for collaboration with partners from the level of the DSRSG, efforts at collaboration and coordination remained uneven across the various components. The performance of components or individual staff was rarely evaluated against the extent to which they remained active in coordinating with partners.

Coordination within the United Nations system

The effective coordination of political messaging and programmatic support between the Peacebuilding Commission, the Peacebuilding Support Office, UNMIL and the UNCT proved to be highly influential in pushing crucial reforms and raising the profile of Rule of Law reform on the national agenda, including promoting Government commitment to rolling out the security and justice hub concept. The effective coordination between UNMIL and the PBC was due to the relatively frequent and substantive dialogue and communication between the Special Representative of the Secretary-General (SRSG), DSRSG and the PBC Chair, as well as using the PBC as an important convening platform for facilitating UN system coordination at HQ level. A 2016 technical mission, comprised of the Liberia PBC Configuration Chair, representatives of DPKO, PBSO, UNDP and the Department of Political Affairs (DPA), served as an important means of defining joint priorities for peacebuilding in Liberia across the UN system. In many cases, the 2010 PBC-GoL Statement of Mutual Commitments, updated in 2016, served as an important mechanism to raise awareness and commitment to important reform issues, including refocusing efforts of the Government to addressing issues of accountability in line with changes and priorities of the UNMIL mandate. In turn, UNMIL played a crucial role in advocacy and monitoring of the implementation of the Statement of Mutual Commitments, as well as in facilitating implementation of the various provisions.

Coordination between UNMIL and UNCT has been constant throughout the life cycle of the Mission given that the DSRSG Peace Consolidation was in parallel the RC. In addition, close relations were forged especially in terms of work at the County level whereby UNCT used UNMIL premises and logistics as operational enabling support. The Transition allowed for intensification of collaboration at the leadership level, in preparation for UNMIL withdrawal. While UNCT was not “taking-over” from the Mission, nor there could have been such transfer of tasks - UNCT work rationale and capacity are different – this engagement was useful to identify critical peacebuilding needs and frameworks to take those forward. In this process the collaborative work under the Rule of Law Joint Program was emblematic, especially once the gaps in leadership positions at the level of UNMIL SRSG and DSRSG were addressed. More detailed analysis of the coordination across the UN system during the transition process can be found in Section 1.3.

Regional Coordination

UNMIL has forged close relations with the Economic Community of West African States (ECOWAS) since the inception of the Mission, whereby ECOWAS military units were re-hatted into UNMIL. Coordination at the political level was intense during the tenure of the International Contact Group, waned after ECOWAS office closure in 2010 and re-intensified again when the latter re-opened its office in Monrovia. More recently, the joint deployment of good offices between UNMIL, the AU and ECOWAS has been highly effective during the prolonged, contested, electoral period.

Recommendations:

- (35) Considering the significant resources available to peace operations, mandates should clearly instruct, alongside the good offices' function, a coordination role of Missions in police, justice, corrections, human rights and SSR work, in the spirit of S/RES/2151(2014). Equal consideration should be given to missions' mechanisms to strengthen national level internal coordination systems, as well as their capacity to facilitate coordination with international partners.
 - (36) As part of their transition strategy missions should advocate for the continuation of platforms of international partner coordination on work on police, justice, corrections,, Human Rights and SSR, to ensure continuity and coherence of efforts upon the closure of the mission. In this regard it is important to consider the capacity of regional mechanisms to play such role, supported by UNCT, and other prominent bilateral and multilateral partners in this area of work.
-

3.2 CAPACITY BUILDING OF NATIONAL INSTITUTIONS

Lesson: Investment in broad capacity building of a wide range of junior and senior staff in the early stages of missions is essential for sustainability of knowledge, and influence of current and future leaders that will take on important middle and senior management roles as the mission closes down. Building effective national training capacity in the early stages of missions allows for a gradual re-allocation of resources to more specialized trainings and targeted approaches to capacity building over time, whilst ensuring greater sustainability of efforts.

The brunt of UNMIL efforts and resources dedicated to Rule of Law institutions was focused on capacity building. The majority of staff in these institutions have benefitted from trainings delivered by, or developed with UNMIL support. For many institutions, including the LNP, LIS, judiciary, the Law Reform Commission and the BCR, UNMIL was the lead partner in providing capacity building support. The engagement on a wide range of trainings is credited with providing UNMIL with influence and leverage to otherwise engage in more strategic level reforms.

Support provided by HRPS to establish a Human Rights component within the armed forces, to support and coordinate internal Armed Forces of Liberia (AFL) human rights monitoring and training, is an example of developing self-sustaining training capacity, whilst at the same time fostering a preventive approach to protection of civilians by national security institutions. The same work was

replicated by the HRPS with the LNP, the BCR and the LIS, though these institutions required continued support from UNMIL to sustain and deliver the training.

Furthermore, in the case of the LNP, UNPOL helped to develop the LNP Academy already in the early life cycle of the Mission. The early development of the academy allowed UNMIL to handover responsibility for entry-level training to the LNP, providing an opportunity for UNPOL to gradually redeploy its personnel from the resource intense requirements of initial and basic trainings to subsequently provide more specialized and targeted trainings. The handover was facilitated by UNPOL also helping to establish a clear rank and organization structure, basic job descriptions, and basic eligibility criteria for recruitment prior to the establishment of the academy. While initial support included UNMIL playing a lead training role, its support to the academy was gradually phased out through co-facilitation approaches, followed by ad hoc support to develop specialized trainings, including on gender and on human rights.

Similarly, UNMIL assisted the development of the James A Pierre Judicial Training Institute within the Judiciary in 2008. Jointly with other partners, UNMIL advocated for the need to establish this institute, but also provided support for the development of the initial concept. Over time the judicial institute became the primary means of providing continuous initial and in service training to judges and other legal practitioners. This comprises the development of a magistrate program, continuous magistrate training, and clerk record keeping program. In all three instances the critical success factor was that UNMIL sustained support to the development of such trainings over several years. This included providing direct support in curriculum development, delivering training, and slowly phasing out support to the Judicial Training Institute while its partners, namely USAID and the American Bar Association, increased their engagement.

In comparison, limited success was met in helping to shape the training curriculum within the Law School, or to establish a clear training capacity within the prosecution, contributing to critical gaps in the development of legal practitioners and prosecutors respectively. At the end of UNMIL transition, the curriculum in the Law School, which has not been updated in over 30 years, was still deemed as insufficient to train up incoming lawyers. While these poor results could be explained by institutional reluctance to reform, the lack of reform in the Law School is an influencing factor in why the legal profession in Liberia remains underdeveloped, a fundamental shift in legal practice has not occurred, and insufficient numbers of practicing lawyers are available. While such reform efforts are usually outside of the scope of work of missions, improved coordination and the convening power of missions could direct greater donor efforts to this critical area of reform. Similarly, the lack of internal training capacity within the Prosecution Department was a limiting factor in the extent to which capacity building support was provided to prosecutors. Rather, the Department had a continued dependence on external support even for basic training delivery.

Recommendations:

- (37) Peace Operations should target training of a wide range of junior and senior staff in the early stages, and as a means of achieving greater sustainability of capacity building support should gradually build internal institutional training capacity across the sector, to deliver both specialized trainings and continuous in service training and education. The aim should be to ensure that national institutions are able to deliver basic training with Missions gradually shifting resources and focus towards more specialized trainings, and capacity building efforts
-

3.3 SUPPORTING MANAGEMENT AND ACCOUNTABILITY REFORMS

Lesson: Addressing management and accountability deficits in the security and justice sectors requires proactive and sustained effort from missions at both political and programmatic levels. When management and accountability reforms are integral elements of the priorities of missions, greater success is achieved with respect to institutional development.

Considerable progress has been made in expanding the number of staff across the institutions in the criminal justice chain, increasing financial resources, building new capabilities, and ensuring that staff has sufficient training to fulfil their functions. Yet, much of these efforts were undermined because the corresponding management and accountability mechanisms, that otherwise would have ensured that such resources were used appropriately, were not given similar attention from the outset by UNMIL and other partners. The absence of capable and empowered internal and external oversight mechanisms, alongside heavily centralized management systems, meant that strengthened capacity in the institutions often had marginal impact on improved service delivery. In addition, the lack of support for development of oversight mechanisms was a leading contributor to high absenteeism rates amongst staff, corruption and poor efficiency in the system.

Notably, robust accountability focused reform efforts emerged in the Pillar work plan for support to the judiciary, police and prosecution only in 2010. This coincided with the explicit integration of management and accountability reforms in the UNMIL mandate in the same year. In other years accountability was largely accommodated through UNMIL acting as an oversight actor.

UNMIL's focus was primarily directed at technical initiatives, such as building infrastructure, training and law reform. Although progress was made in these areas, the overall impact of these reforms was muted by the continuing high incidence of corruption in the system. The Mission's political and technical engagement on issues of corruption, was inconsistent and overall only a small focus area of support. Few reform streams were implemented with a clear anti-corruption lens that took into account incentive structures, corruption risks and vulnerabilities.

Many of the existing challenges across the criminal justice chain were rooted in a largely outdated and inadequate legal and regulatory framework. This included provisions in the law that limited prosecutorial discretion, short court terms, or even stringent jury trial requirements for indictments. For the LNP the absence of a clear and adequate framework affected the extent to which the organization could effectively address the underlying challenges related to professionalism, or structures, as well as address the critical aspects of appointments and clarification of mandates. While these issues were widely documented and acknowledged, little progress was made in addressing them through comprehensive law reform, or such a focus came too late in the Mission (for example the LNP Act was only passed in 2016, and a Constitution Review was yet to advance to actual amendments). In this regard, in the absence of amendments to the legal framework much of the focus had been on developing technical solutions to overcome or compensate for the legal deficit.

One of the shortcomings of UNMIL support to Rule of Law was the relatively limited engagement on strengthening the core management, oversight and policy capacities of the MoJ. In Liberia, the MoJ

has broad policy and oversight responsibilities over the LNP, the LIS, the BCR, the Prosecution Department, and other agencies, including the Fire Service. While UNMIL remained active in engaging with the Ministry, most of the engagement was limited to consultations in relation to the various subordinate agencies, discussions on regulations/law reform, and capacity building of the Prosecution. In this regard, by the end of the UNMIL mandate, the MoJ had not substantially advanced its capacity to develop policy, coordinate the work of the criminal justice system, monitor and/or evaluate the performance of subordinate agencies in line with its core mandate. The limited capacity of the MoJ impeded efforts to develop effective oversight of the LNP, the LIS and the BCR, but also to create a more strategic approach to criminal justice system reform. Despite the important management and accountability role of the MoJ, during the lifespan of UNMIL a functional review of the MoJ was never undertaken, and to a high degree the extent to which reform of the MoJ should have been a core element of the UNMIL mandate was unclear.

A more integrated institutional approach to reforms was utilized by HRPS in the support provided to the Independent National Commission on Human Rights (INCHR). With institutional reluctance to reform at senior management levels, the focus on engaging middle level management personnel to strengthen management and governance proved an effective strategy for changing institutional culture and creating more active oversight and management across the institution. In particular, by enhancing capacity of middle managers in areas of budgeting and finance, planning methodology and recruitment the INHCR became more efficient over time. Additional support was also provided to strengthening mechanisms to collect and address public complaints, leading to improved effectiveness in the implementation of the core oversight mandate of INHCR.

Addressing management and accountability deficits required a proactive technical and political approach from the Mission. As mentioned above, the inclusion of management and accountability targets for the Police in the UNMIL mandate in 2010 provided an important step to refocusing both the Mission efforts, but also raising the profile of this reform area in national policy discussions. Equally, the joint commitment between the Government, the PBC and UNMIL, as defined by the Statement of Mutual Commitments (2010), provided an important programming and political framework for promoting greater attention to this area at both political and programming levels. This included ensuring that the 2013 Review of the Management and Accountability systems in the LNP, Judiciary and Prosecution was undertaken. This review, financed by the PBF and partners, proved instrumental in gauging some of the underlying issues in the sector, and thereafter served as an important instrument to inform and push key reforms in the area. Similarly, the 2014 review of the Office of the Court Administrator in the Judiciary also proved influential in creating a court inspection system. The recommendations of the two reviews proved important catalysts in refocusing leadership of the institutions away from infrastructure and capacity building towards more institutional oriented reforms.

One of the limitations of the approach to promoting greater accountability across the institutions was the significant focus on state level and internal accountability mechanisms, with relatively more modest efforts at strengthening external accountability mechanisms. This includes limited progress made in strengthening the capacity of civil society to demand accountability for performance and conduct of the rule of law institutions. The lack of transparency of accountability structures and reliance on peer to peer accountability mechanisms (e.g. judges overseeing other judges, police

overseeing police) meant that public trust and confidence in the willingness of the institutions to hold themselves to account continued to suffer, despite increases in the number of misconduct cases being investigated by internal inspections in both the LNP, BCR and Judiciary year on year. In this regard, insufficient direct support provided to strengthening civil society organizations, in their role as oversight mechanisms limited the extent to which progress in reducing corruption, or enhancing public perception of the performance of the institutions had been made over the years. A shift towards more robust engagement and support to civil society by UNMIL, such as the work of the SSR Unit to help strengthen the Liberian security sector reform civil society working group, or the assistance to establish and support the SSR Think Tank at the University of Liberia emerged only in 2015/2016 (See Annex A: lesson A.5).

In addition, the limited work of UNMIL with the Legislature proved to be a key limiting factor in the extent to which external oversight of the security and justice sector was effective in promoting behavioral change across the security and justice institutions. Namely, while UNMIL remained active in engaging with the Legislature in its law-making functions, including supporting capacity building of the Legislative Drafting Bureaus, relatively little was done to ensure that the Legislature was more active and effective in its oversight role. Key exceptions were the inclusion of the Legislature in oversight of the security transition, and in the process of revision of the National Security Strategy (see Annex A, lesson A.2).

A common challenge of the various Liberian Commissions and Autonomous Agencies mandated to oversee various elements of the work of security and justice institutions has been the lack of effective resourcing and empowerment to effectively perform their work. This includes a high degree of ambiguity or overlap in mandates. Differently from the overall weak support to the Legislature and civil society organizations (CSO), the work of the HRPS to strengthen the INHRC proved as an effective means of improving oversight of the security and justice sector, and ensuring a degree of effective independent oversight of the work of the Police and Corrections. HRPS support to help establish and build the capacity of INHRC monitors at County level ensured that police stations and prisons were monitored to a certain extent once UNMIL withdrew. This in turn aided to address a potential external monitoring gap that would otherwise emerge once UNMIL stopped performing active monitoring at County level as part of the drawdown processes.

Recommendations:

- (38) Management and accountability reforms in the Rule of Law sectors should be made explicit in the mission mandate. Such a focus should be gradually developed, and expanded over the lifespan of the mission.
 - (39) Missions' rule of law engagement should, from the outset, be strategically designed to achieve the goal of reducing systemic corruption in the justice system, building trust and confidence, and instilling a culture for respect of the rule of law, focusing more clearly on advancing the core objectives of integrity, transparency and accountability. This could include institution-specific corruption risk assessments that identify corruption risks and vulnerabilities to help guide reform efforts.
 - (40) Transition processes should explicitly aim to ensure that the monitoring and accountability function of Peace Operations is effectively handed over. This includes mapping areas where missions play a leading role in monitoring and holding state institutions to account for performance and conduct, and identifying which internal and
-

external accountability mechanisms will take over such functions over time.

- (41) Considering the central role of Line Ministries in strategy, oversight and management of core security and justice functions, strengthening the capacity and effectiveness of line Ministries should be integral parts of Rule of Law, SSR and Human Rights' reform efforts. Various OROLSI internal guidance notes (SSR, Police Division, Justice, Corrections), and similar OHCHR documents, should be reviewed and strengthened to provide more effective guidance to Rule of Law components on how to engage in supporting the development of capacities and mandates of line Ministries in their management, oversight, policy and budgeting roles.

3.4 IMPROVING LOCAL LEVEL SECURITY AND JUSTICE SERVICE DELIVERY

Lesson: Efforts to support the extension of state authority and improve local service delivery need to balance management and accountability reforms alongside capacity building. Deconcentration of staff or services in the absence of such a balance can make services inefficient and susceptible to corruption. Effort should be made to ensure that key systems and processes, including recruitment, training and oversight, are devolved to the local level as early as possible.

Through technical assistance and advocacy, UNMIL has played a critical role in helping to push and support national agencies in gradually deconcentrating staffing out of the capital and into the counties but also committing greater resources to supporting operations at county level. The limitation of the support provided by UNMIL, however, was that concerted effort in promoting and supporting decentralization was made roughly half way through the life cycle of the Mission when centralized practices and systems became already heavily entrenched across security and justice institutions. This reaffirms the need for peacekeeping missions to support institutions early on in the process to develop a vision and model of how security and justice service delivery at local level will work over time and gradually adapt the reform process to meet those ends.

As an example, while initial recruitment and initial training processes were centrally administered in Monrovia, UNPOL support to creating community recruitment drives and decentralizing training delivery helped to ensure that the LNP was in comparison to the centralized system of recruitment through Monrovia centric process better able to recruit officers from the communities where they were eventually deployed to or provide in service training. This helped to a small extent overcome a reluctance of officers from Monrovia to deploy to the Counties or address high absenteeism rates, whereby officers would frequently travel back to their own counties when stationed elsewhere, and ensure an effective community presence of the LNP. Nonetheless, in the absence of holistic reform of the management and staffing systems of the LNP, the overall results were limited despite important first steps were taken with UNMIL support. While in 2013 only 23 percent of the LNP police officers were stationed outside of Montserrado, by 2017 this was slightly re-balanced to a 31 percent of the LNP officers being stationed in peripheral Counties.⁷⁷

In the absence of full decentralization of Government, in 2011 the UN in Liberia, supported by the Peacebuilding Support Office and PBF allocations, and through the initial Justice and Security Joint

Program helped the sector to develop the concept of justice and security hubs and launch a pilot hub project in Bong County. While the initial concept was to create a hub to extend police services, the concept was expanded over time to create a single hub whereby all criminal justice institutions were placed in the same facility to help improve access to services and facilitate coordination. The critical lesson that emerged from the experience was, however, that common infrastructure and proximity is only a small contributing factor at improving efficiency and service delivery across the sector. Rather, improved coordination through streamlined procedures and more regular interaction amongst the institutions was a more sustainable and cost-efficient approach to maximizing the impact of increasing capacity at community level. In this regard, for the roll out of the second and third hubs, the Government rather shifted focus towards prioritizing the implementation of services, including through increasing staffing and duplicating the coordination systems applied in the first hub. This approach had largely the same effects as the first hub without the significant resource implications of building infrastructure.

Yet, a critical lesson that emerged from the Liberian experience is that in order to maximize the positive outcomes of deconcentration of capacity from the capital to the regions there is a need to not only focus on capabilities, including infrastructure and number of personnel, but rather the systems applied at local and national level to manage and oversee such personnel. To a large extent, the effects of increased personnel at county level were limited due to inadequate systems to oversee and hold staff accountable for poor performance. While new magistrate courts and police stations were continuously created and services expanded to local communities, in the absence of strong internal oversight, inspection capacity, and accountability mechanisms, such surges in capacity commonly proved inefficient and at times even prone to increased abuse or corruption. Corrective measures were taken in the UNMIL transition phase by focusing on deconcentrating the LNP Professional Standards Division (PSD) to all counties and introducing a court inspection capacity within the judiciary in 2014.

Recommendations:

(42) Context permitting, a gradual approach to deconcentration of capacity and services beyond the capital should be promoted and supported by missions from the beginning. Continuous analysis should be undertaken by the mission to help identify which systems or processes, including recruitment or oversight, can be devolved to local level. As staffing, services and resources are gradually increased at local level, missions should ensure that support is provided to strengthen accountability mechanisms, including capacitating external oversight bodies (e.g. Anti-Corruption Commission or Civil Society).

⁷⁷ It is notable that Montserrado County accounted for roughly one fourth of the overall population of Liberia.



ANNEX A: SECURITY SECTOR REFORM LESSONS

UNMIL was established prior to the existence of an official framework guiding the work of the United Nations on Security Sector Reform. As highlighted by the lessons captured below this factor significantly shaped the outcomes of the SSR work carried out by the Mission, and in particular by the Rule of Law Pillar, with regard to the lack of an integrated approach. In addition, various policy frameworks and guidance designed and approved at the United Nations Secretariat level evolved during the lifespan of the Mission. These included the milestones provided by two Secretary-General Reports on SSR in 2008 and 2013,⁷⁸ a Security Council resolution on SSR S/RES/2151 (2014),⁷⁹ and the production of United Nations Integrated Technical Guidance Notes on Security Sector Reform.⁸⁰ Combined these documents have established principles of support such as fostering democratic governance of the security sector alongside the promotion of its effectiveness and in full respect for human rights and rule of law, supporting SSR as part of broader political reforms and national dialogue processes, national ownership, coordination, partnerships with regional organizations, and a system-wide approach to delivering coherent United Nations assistance. These frameworks have provided guidance for engagement on a range of topics, including support to National Security Policy and Strategy-Making Processes, Peace Processes and Security Sector Reform, and Gender-Responsive Security Sector Reform.

Against this background and the decade that has elapsed since the production of the first guidance document on an SSR approach, some of the lessons below may have been already identified through lesson identification exercises elsewhere, and indeed have led to changes in policies and approaches. Nonetheless, the lessons from UNMIL's work on SSR remain emblematic given the multidimensional mandate, the Mission's policy and structure setting, the national context in which it operated, and the timelines involved, highlighting that the process of adoption and implementation of new approaches, frameworks, and policies is beleaguered with challenges.

Lesson: Downplaying the importance of the SSR advisory position at the start of missions is likely to result in belated recognition of this function, leading to shortcomings in subsequent internal structure adaptation, and to diminished effectiveness in the support provided to the national counterparts.

During the lifespan of UNMIL two models were tried with regards to the SSR advisory function, namely an embedded Advisor in the Office of the SRSG, and a dedicated SSR Unit in the Rule of Law Pillar. However, the establishment of UNMIL preceded the adoption of a UN institutional approach to SSR in 2007,⁸¹ contributing to an official SSR advisory position being created tardily in the structure of the Mission. The need for such capacity was perceived by UNMIL leadership, which through alternative arrangements recruited a consultant/Advisor from late 2005 to late 2006.⁸² A gap in advisory support then occurred until late 2007 when a permanent SSR Advisor was recruited via UNDP through DfID funding support until the end of 2009.⁸³ This funding arrangement lasted during a significant part of the tenure of a third Advisor which occupied the position from 2010-2012.⁸⁴ Official recognition of the SSR Advisor position through funding by the Mission only occurred in 2011.⁸⁵

From a structural point of view the advantages of embedding an SSR Advisor within the Office of the SRSG lie in the possibility of the Advisor coordinating an integrated approach to SSR across the entire Mission, including political, governance (civil affairs) and gender sections which are usually placed outside the Rule of Law Pillar. The proximity of the Advisor to the SRSG is likely to ensure that the latter is continuously briefed and engaged through their Good Offices role to support the SSR process. UNMIL's experience unfortunately proved different for a variety of reasons. There was only one SSR Advisor for a wide range of intra-Mission coordination activities, who was also assigned a role in provision of strategic advice to national security institutions in the context of an ongoing SSR process. Whilst generally having been supported by successive DSRSGs Rule of Law - after the official endorsement of the position - the SSR Advisor was a middle tier professional category, which made it difficult to be recognized and entrusted with a coordination function by the security and Rule of Law Pillar leadership.⁸⁶ Importantly, proximity to the SRSG did not always translate into good offices proactively enhancing the SSR agenda; rather this was primarily influenced by the extent to which the SRSG was personally invested in the SSR agenda. In addition, the SSR advisor ended-up being involved in front office work or fulfilling other roles, detracting from a full focus on its main functions.⁸⁷

The creation of a SSR Unit in 2015 under the Rule of Law Pillar was sensible from a management streamlining perspective and also provided additional capacity to engage on SSR. However, given the lateness of this change in the life cycle of the mission it missed the opportunity to upgrade the post of SSR Advisor to better reflect the responsibilities of providing a coordination/integrative function of all Rule of Law sections/units, as well as to build credibility and effective receptiveness by peers. On a more positive note, the shift towards a dedicated SSR Unit, with access to funding lines, allowed for more direct engagement and implementation support to national entities that fell outside the purview of the other Rule of Law units. This included the National Security Council, the National Commission on Small Arms, the Ministry of Defense, civil society and academia. The legitimacy of the SSR Unit in the eyes of the national counterparts derived significantly from the fact that it was led

by the same Advisor which for a number of years had been previously positioned at the office of the SRSG. The limitation of the Unit model in comparison to the Advisor approach is that the SSR function becomes programmatic (with considerable time devoted to internal resource mobilization, management and reporting) and overly outward focused, relegating the important internal coordination role of the SSR Advisor. Furthermore, the Unit model tends to remove collective mission responsibility for SSR from other components. UNMIL's experience was inconclusive with regards to balancing of these functions given that the SSR Unit was still able to provide internally oriented contributions to cross-Pillar work. This was the case in the context of internal UNMIL planning for Security Transition, development of a Protection of Civilians Strategy for the Mission, and the internal UNMIL Gender and Security Task Force.⁸⁸

The timelier establishment of an appropriate SSR capacity or of the adaptation of this role during the life cycle of the Mission could have strengthened the adoption of a comprehensive and strategic approach to support to security and justice reforms, with improved implementation and integrated delivery by UNMIL.

Recommendations:

(43) The planning, mandates and budgeting of Peace Operations should factor-in an SSR advisory capacity within the mission structure from the start. For this advisory and coordination capacity to be recognized within the mission, and by national counterparts and international partners, it requires the adequate level of seniority in the grading of these positions, regardless of whether the capacity is in the form of the Advisor or of the Unit model. In addition, flexibility should be integrated into the planning so that the SSR advisory capacity can be adjusted to respond to the changing requirements of the SSR and Rule of Law mandates throughout the different life cycles of the mission.

A.2 SUPPORTING NATIONAL SECURITY POLICY AND STRATEGY DEVELOPMENT

Lesson: Opportunities to engage in overarching and strategic-level support to SSR through security policy-making processes should be seized by missions at early stages of reform, at a cost of otherwise risking a scattered approach to security and justice reforms, and forfeiting a coordination role.

UNMIL's mandate to engage in SSR was grounded on successive Security Council mandates, starting with S/RES/1509 (2003), which determined UNMIL engagement in police and military restructuring, as well as in the development of a strategy to consolidate government institutions - including judicial and corrections - and of a national legal framework. It also underscored the importance of gender as per S/RES/1325 (2000). The broad nature of these provisions meant that UNMIL was entrusted to engage comprehensively on national security and justice reforms, including in supporting the development and implementation of an overarching national security architecture. In hindsight, and despite the Mission's implementation of its mandate, UNMIL seems not to have capitalized on this opportunity from the point of view of adopting a comprehensive approach to security and justice reforms.⁸⁹ Also, it has not seized the potential to play a coordination role of the various international partners' support to SSR.⁹⁰

Military reform assistance was led by the United States (US) and supported by the Economic Community of West African States (ECOWAS) and other neighbor states as per the Comprehensive

Peace Agreement (CPA).⁹¹ Amongst the West African countries Nigeria, Ghana, and Benin contributed through the assignment of officers to command the new AFL, on an interim basis, during the early stages.⁹² The initial US support was channeled towards the creation and operationalization of the armed forces, focusing largely on the processes of vetting, recruitment, training and mentoring of the new Armed Forces of Liberia (AFL), complemented by refurbishment of military premises and supply of logistic services. This assistance was delivered by private military contractor companies, namely DynCorp International and Pacific Architects and Engineers (PAE). Support to defense sector reform was inconsistently pursued until later in the process – around 2010 – when the US assistance shifted from being a contractor-based basic training and capacity building program to one centering on military-to-military mentoring and advice.⁹³

Following good practice, from the very early years UNMIL developed a solid cooperation with the US as the lead bilateral country, and with ECOWAS as the regional grouping through the International Contact Group.⁹⁴ However, a strict interpretation of “division of labor” seems to have hindered potential complementarities and influenced the extent to which UNMIL disengaged from strategic level defense sector reform despite a clear mandate.⁹⁵ This also resulted in a missed opportunity for UNMIL to assist the Government (GoL) in fostering linkages between defense sector reform and the broader national security architecture, which was being revised simultaneously, with both the Defense Act and the National Security Strategy (NSS) being approved in 2008.

The revision of the national security architecture was led by Liberia’s Governance Reform Commission (GRC) established by the CPA, which undertook a stakeholder-inclusive consultation, resulting in a nationally owned national security strategy (NSS). UNMIL’s technical and political assistance to this process could have strengthened the outcome. However, it only marginally engaged, providing support through the development of a plan to operationalize the NSS, but which lacked subsequent monitoring and good offices’ follow-up, as well as assistance for resource mobilization. The fact that the GRC led process emphasized external oversight of the security forces and included consultation of the Legislature, where former warlords held legitimately elected seats, influenced the extent of UNMIL’s commitment to engaging in the process.⁹⁶

To a significant extent these beginnings, coupled with the absence of an official UN SSR strategic framework until 2007, and consequent lack of formal endorsement of the coordination/integrative role of the SSR Advisor in UNMIL (see lesson on Effectiveness of SSR Advisory Support), went on to influence the subsequent scattered UNMIL and GoL engagement on SSR. As an example, support to the development of legislative frameworks such as the National Security and Intelligence Act, which provided greater clarity to the national security architecture, only achieved results in 2011. Assistance to the National Security Council Secretariat entrusted with a coordination function of the security sector, with a mandate to decentralize the national security architecture, also started late in the life cycle of the Mission, around 2013. Assistance to capacity building of the legislature and of civil society on oversight of the security sector happened during the Mission closure stage.

In 2013 UNMIL, in partnership with Sweden, supported a broad-based process of institutional consultation on the revision of the 2008 National Security Strategy, led by the Office of the National Security Advisor.⁹⁷ The process was started through an SSR Retreat on 17-18 September 2013, and brought together adequate national⁹⁸ and international expertise to support the nationally-owned consultation (which included international partners). Participants discussed four thematic issues:

roles and responsibilities of the security sector institutions and coordination mechanisms, oversight and accountability, budgetary allocation and resource mobilization, and the way forward on SSR. This was complemented by an UNMIL supported workshop on threat assessment in June 2014, but the Ebola crisis stymied the process. It was revitalized again in the context of the security transition, and in September 2017 a revised draft of the National Security Strategy and Implementation Plan were submitted to the National Security Council by the National Security Advisor. Despite this significant support, UNMIL closed down with uncertainty surrounding the draft NSS given the approaching electoral cycle, and the choice of the Sirleaf-Johnson's government to defer the decision to the 2018 incoming administration.

Recommendations

- (44) Peace Operations should prioritize strategic-level support to sector-wide SSR from an early stage of their mandate. When such a process is planned or underway, missions should be explicitly mandated by the United Nations Security Council to raise the profile of such efforts internally across the mission, and to ensure that sufficient political, technical and financial resources are committed to the process.
- (45) Missions should advocate and assist the establishment and operationalization of national security executive coordination and management mechanisms, according to the guidance provided in the United Nations Integrated Technical Guidance Notes on Security Sector Reform. Concurrently missions should advocate for sequenced security policy-making process, and support national authorities in the formulation of a National Security Policy, enacted through a national security strategy and plan, and followed by sectoral development plans. However, where nationally owned security policy-making processes are already ongoing, missions should play a support expertise and coordination role, whilst advocating the principles of sound management and accountability of the security sector.
- (46) Peace Operations should substantively engage in fostering inclusive and comprehensive Security Sector Reform processes, including by deploying the good offices of the SRSG and playing a coordination role of international support, as established in Security Council resolution 2151 (2014). The effective carrying out of such role is likely to be facilitated by Security Council mandates specifying this provision.

A.3 BRIDGING GAPS IN ACCOUNTABILITY

Lesson: The establishment of Military Justice legal frameworks and systems are likely to involve mid to long-term efforts before operationalization, highlighting the relevance of interim oversight mechanisms to enhance internal and external accountability of the armed forces.

The Armed Forces of Liberia (AFL) have been established, trained and equipped for over a decade, within the context of post-war defense institution building. Support came mainly from the US Government, Nigeria, Ghana, ECOWAS, and to a lesser extent UN Mine Action Service (UNMAS) and UNMIL. Despite substantive assistance, the limits of support to enhance accountability became visible through the launch of Operation 'White Shield' by the AFL. This internal security operation aimed at reinforcing the LNP capacity to enforce medical quarantine in the West Point area of

Monrovia, in August 2014. It was legally justified under the 2008 Defense Act given the state of emergency declared due to the Ebola epidemic.⁹⁹ However, in one instance the deployment of troops led to confrontation with the local youth, and the AFL used live ammunition to restore order, resulting in injury and subsequent death (for lack of due hospital care) of a teenager.¹⁰⁰ Whilst overall the need for a military operation highlighted the deficient capability of the LNP to adequately perform crowd control, it also underlined that the AFL training focused mainly on conventional military threats, lacking a component on public order management.¹⁰¹ The incident raised concerns with regards to shortcomings on protection of civilians, human rights observance, public communication, and command and control.¹⁰² The AFL and the Independent National Human Rights Commission have subsequently established separate boards of inquiry, but the frailty of the AFL mechanisms for internal discipline and accountability were exposed, given that the Uniform Code of Military Justice (UCMJ) had not yet been approved by the Legislature.

The UNMIL SSR Unit has subsequently prioritized military justice within support to defense sector reform (DSR), and through facilitating coordination between the Ministry of Defense and the Ministry of Justice brokered the signing of a Memorandum of Understanding (MoU) between the two institutions.¹⁰³ The MoU determined clear procedures for submitting soldiers accused of specific crimes to the jurisdiction of the civilian justice system until the legal enactment of the UCMJ, and the operationalization of martial courts. The establishment of this interim accountability measure, which will be in force until the approval of the UCMJ¹⁰⁴ and the practical implementation of the military justice system, is especially relevant given the country-wide deployment of the AFL, in the context of UNMIL drawdown and the closure.

Besides fostering collaboration between national security institutions UNMIL's SSR Unit has also coordinated with the US Embassy, advocating for the latter's support to the AFL capacity to proficiently establish and implement the military justice system. It has done so by carrying out a preliminary assessment of the AFL's capability to operationalize a military justice system, which was built upon by a military justice scoping survey by the Defense Institute of International Legal Studies, at the request of the US Embassy.¹⁰⁵ The survey report recommended US programming on support to establish the military justice system upon approval of the UCMJ.¹⁰⁶ The complementarity of these assessments and the coordination between two major international partners paved the way for continuity of support in this crucial area of oversight and accountability.

Recommendations:

(47) Peace Operations should support the development of stop-gap measures to enhance oversight and accountability of the military, whilst military justice systems and internal discipline mechanisms are being established and operationalized. In instances where the UN lacks the advisory lead on defense and security reforms, the SSR Advisor/Unit should sensitize international partners, towards the need to, from an earlier stage, simultaneously support train and equip, institutional policy development, and oversight and accountability.

Lesson: Aligning SSR and management of SALW related processes at the strategic level of interventions, allows for investment in the development of national frameworks and institutions to control and oversee the use of weapons and curb illicit proliferation.

UNMIL's mandate to monitor the observance of the arms embargo under the United Nations Security Council sanctions regime¹⁰⁷ allowed it to seize an opportunity to go beyond and engage in capacity building of national institutions on weapons management. This was done as part of the transition process, whereby the need to prepare for the end of the arms embargo and sanctions regime became prevalent, comprising the handover of responsibility for monitoring of weapons and ammunition stocks from UNMIL to Liberian institutions. This comprised provision of technical advice by UNMIL Force and UNPOL to the AFL, LIS, LNP, NSA and ESS/EPS in order to enhance national capacity for safe and secure storage, maintenance and inventory management as well as operational issuing of weapons. It also involved acquisition of basic safety equipment for upgrading Government armories in 4 non-Hub LNP regions, in response to small irregularities detected by UNMIL firearms inspection teams over the years, and through support for the new LNP Small arms unit using QIP funds.¹⁰⁸

Importantly, this work was complemented by the UNMIL SSR Unit's provision of support to Liberia's National Commission on Small Arms (LiNCSA)¹⁰⁹ to improve its oversight capacity in 2015. This was done in the form of training, supply of equipment, and technical assistance in the development of regulations.¹¹⁰ The training on good practice in firearms management was delivered by UNMIL in conjunction with the United Nations Regional Centre for Peace and Disarmament in Africa (UNREC) and the Ghanaian Small Arms Commission. Besides LiNCSA, participants from the AFL, LNP, EPS, NSA and LIS took part, encouraging networking between national implementers and overseers, besides regional peer learning through the involvement of the Ghanaian Small Arms Commission. With support from a QIP, two arms marking machines were operationalized contributing to LiNCSA's achievement of marking 95% of government weapons in 2017.¹¹¹ The purchase of basic equipment will facilitate the implementation of a firearms database system in compliance with requirements from ECOWAS Convention on Small Arms and Light Weapons, their Ammunition and Other Related Materials, ratified by the GoL in 2009. Finally, support for development of internal regulations assisted with creating operational procedures for the Commission. The SSR Unit assistance to LiNCSA was complementary of other UNMIL strategic interventions contributing to a framework of oversight of SALW management in Liberia. These were in the form of technical support for drafting the Firearms and Ammunition Control Act (FACA), enhanced by active good offices for its adoption. Subsequently this was followed by providing LiNCSA with a platform for advocacy through public outreach programs to educate the citizens on the content of the law using UNMIL radio.¹¹²

UNMIL support in the area of SALW management and oversight highlights that mandates comprising sanctions monitoring may provide for unexpected openings for intra-Mission complementary work to strengthen national institutions capacity and their coordination, whilst at the same time contributing to the observance and implementation of regional frameworks. In hindsight, had this support been awarded earlier in the life of the Mission, a more solid LiNCSA could have been able to effectively perform its duties in collaboration with the state security agencies upon UNMIL's departure.

Recommendations:**(48)**

Peace Operations should consider aligning the portfolios of SSR and SALW management work for improved balance between support for capacity and oversight, strategic and operational assistance, and for a coordinated approach to the integrated use of technical advice, good offices, capacity building, advocacy, and supply of equipment and infrastructure improvement/development.

A.5 TRACK THREE DIPLOMACY TOWARDS OVERSIGHT OF THE SECURITY SECTOR**Lesson: Support to capacity building of national think tanks is an effective contribution to democratic oversight of the security sector and improved civil security relations.**

UNMIL engagements in Liberia revolved primarily around track 1 and track 2 diplomacy, privileging official and unofficial engagement with political authorities and security officials of the GoL. Recognizing that track 3 diplomacy plays an important complementary role by socializing peacebuilding efforts and democratic principles of security governance outside official frameworks, UNMIL supported the creation of a national space for enhancement of civil society capacity to represent their constituencies' interests in security reform debates. This was done through support for the establishment of an SSR Think Tank at the Kofi Annan Institute for Conflict Transformation (KAICT) within the University of Liberia.¹¹³

Albeit late in the process, this support has contributed to widen national ownership of SSR beyond the state, and to break down the distrust between society and the security sector, which developed as a consequence of police and military predatory actions prior to and during the war. The first substantive open and multi-stakeholder dialogue of the SSR Think Tank was convened in December 2016, with participation from senior security sector government officials, civil society representatives and university students. While the first meeting was dedicated to addressing the review of the 2008 National Security Strategy of the Republic of Liberia, subsequent events have dealt with democratic governance of the security sector, gender-responsive SSR, security institutional reforms, the role of informal security and customary justice actors generating, amongst others, media exposure and political and legal advocacy on security-related matters.¹¹⁴ Through successive QIP UNMIL support to the SSR Think Tank has led to the production of knowledge and policy research which is being used to inform policy-making processes and inter-institutional dialogues. These outputs also feed into a national SSR training initiative and resources center, designed to build the capacity of key actors to monitor progress and results in security and rule of law in the country.¹¹⁵

Thus far this track 3 initiative has proven important in: 1) generating a community around SSR that goes beyond formal government institutions; 2) providing a neutral framework in which the citizenry freely participates in SSR discussions with official representatives of the security sector; 3) raising awareness of the formal security sector agencies on how their actions affect the general population. Through these efforts to foster intellectual capacity on SSR thinking, UNMIL's SSR Unit has enhanced the capacity of civil society to critically engage with the government, including on demand for the effective and accountable presence of the formal security institutions outside urban centers in Liberia. Continuity of effort has been thought through with support for the SSR Think Tank being

ensured in 2018-2019, under the Joint Program for Rule of Law which is being taken forward by UNDP.¹¹⁶

Recommendations:

(49)

Peace Operations with peacebuilding mandates should provide support to the development of capacity of civil society, academia and research institutions to critically engage in SSR processes, since the inception of the missions. This contributes to building inclusive national ownership of SSR and democratic governance of the security sector, generating societal demand and monitoring to enhance sustainability of the process. Furthermore, the policy research products of national think tanks can contribute to inform mission interventions through contextually grounded sociological, anthropological, conflict and political economy analysis likely to impact the change process, or for example through citizen perception surveys.

A.6 SUPPORTING GENDER IN SECURITY THROUGH COORDINATION

Lesson: The establishment of the Gender and Security Sector National Task Force proved an effective way for UNMIL's internally coordinated support to national stakeholders, fostering collaboration and coherence of approach amongst gender units of national security institutions.

Gender has been part of UNMIL's mandate since its first Security Council resolution S/RES/1509 (2003) recognizing the importance of S/RES/1325 (2000), and reaffirming the importance of a gender perspective in peacekeeping operations. This includes the need to support the role of women in conflict resolution and post-conflict peace-building, the development of gender mainstreaming in national institutional building and policy-making, as well as the increased participation of women at every level of national policy-making and decision-making on justice, peace and security.

Responding to this mandate the SSR Unit played an instrumental role in supporting the establishment of the Gender and Security Sector National Task Force in March 2017. Its' membership comprises representatives from the Ministry of Justice, Ministry of Defense, Ministry of Gender, Children and Social Protection, LNP, BCR, LIS, DEA, LNFS, Coast Guard, AFL and EPS. National civil society partners and UNMIL, UN Women and USAID also took part in the bi-monthly task force meetings.

The Task Force stands out for allowing information sharing about general obstacles and specific institutional difficulties in advancing gender-sensitive policies and practices, and for fostering coordination between the gender units of the national security institutions in their attempts to address these challenges.¹¹⁷ The establishment of the Task Force has led to an increasingly coherent approach to gender mainstreaming across the Liberian security and justice sector, and resulted in a network where mutual support, training, and mentoring of new gender units/offices' representatives is being provided.¹¹⁸

Concrete successes have been the establishment of a gender office within the AFL, and reinforcement, in particular, of the LIS, DEA and BCR gender offices through the development of Terms of Reference for their operationalization.¹¹⁹ Other key activities of the Task Force have been

the development of an outreach program to encourage women to join security institutions and support for development and alignment of institutional gender policies and work plans. The National Task Force has been strategic in emphasizing the significance of establishing policies and practices that strive for gender equality across the security sector in Liberia.¹²⁰ It has underscored the importance of this agenda vis-a-vis national security policy and decision-makers, which overall do not prioritize gender mainstreaming in policies and implementation.¹²¹

Poignantly, before the establishment of the Task Force, implementation support on gender and security was not prioritized by international partners, nor was provided in a coherent or wide-reaching manner. UNMIL had only provided fragmented gender focused support to security institutions, and mainly targeting the LNP. A subgroup on gender and security had previously been established under a wider UN sponsored working group on gender, but the latter had a generalist focus, with the Ministry of Gender, Children and Social Protection as the main national interlocutor. Having wide representation of national security agencies in the Task Force under the lead of the Ministry of Justice provided for a more sustained and specialized gender and security focus, including a renewed impetus on working towards the implementation of S/RES/1325 (2000).¹²²

Albeit late in the SSR process, the SSR Unit coordinated the implementation of this initiative with QIP funding, and observed good practice by supporting through an initial assessment to take stock and identify gaps, the development of terms of reference, and an annual work plan for the Task Force.¹²³ This was followed by a conference with Liberian stakeholders and the delivery of a training/sensitization on the role of senior leadership in promoting gender equality. Central to this initiative has been the SSR Unit successful coordination of joined-up support from UNMIL's components such as UNPOL, Force, Corrections, Human Rights, the gender Advisory Unit and also UN Women, which form (the internal) UN Gender and Security Task Force.¹²⁴ An upcoming project by UN Women, built on a Memorandum of Understanding with the Ministry of Justice, is foreseen to continue support for the work of the Gender and Security Sector National Task Force,¹²⁵ ensuring that a holistic and integrated approach continues after UNMIL has formally closed down.

Recommendations:

(50)

Peace Operations should establish internal gender and security task forces and work through a coherent and integrated approach to the delivery of gender support to the respective national interlocutors. Furthermore, supporting the establishment of a national gender and security sector task force is advisable to foster a network of mutual collaboration and coordination in advancing gender equality efforts in the security sector.

⁷⁸ United Nations, (A/62/659-S/2008/39), Report of the Secretary General, “Securing peace and development: the role of the United Nations in supporting security sector reform”, 23/01/2008; United Nations, (A/67/970-S/2013/480), Report of the Secretary General, “Securing States and societies: strengthening the United Nations comprehensive support to security sector reform”, 13/08/2013.

⁷⁹ United Nations, S/RES/2151 (2014), Underscoring the Need for National Ownership of Security-Sector Reform, 28/04/2014.

⁸⁰ United Nations, Security Sector Reform: Integrated Technical Guidance Notes, UN SSR Task Force 2012.

⁸¹ United Nations, United Nations Department of Peacekeeping Operations, Executive Senior Management Team (ESMT) Decision to approve a “DPKO Position Paper on SSR”, 15/01/2007.

⁸² Interviews, December 2017 and January 2018, and email exchanges with experts who interacted with the Advisors at that point in time.

⁸³ Ibidem.

⁸⁴ Interviews, December 2017 and January 2018.

⁸⁵ Ibidem. This seems to be corroborated by the fact that at Headquarters, in OROLSI, records of reports from the UNMIL SRSG SSR Advisor start in 2011.

⁸⁶ Interviews, December 2017 and January 2018. Also United Nations, Office of Internal Oversight Services (OIOS) Audit Report of UNMIL Support to the Security Sector Reform Programme, 02/05/2012.

⁸⁷ Idem.

⁸⁸ Interviews and collective discussions with UNMIL Rule of Law Pillar and Heads of Units and Sections, as well as with DSRSG Rule of Law, December 2017.

⁸⁹ Interviews, December 2017. Despite this point being raised in an evaluation carried out by the Office of Internal Oversight Services (OIOS) in 2010, UNMIL seemed to have faced constraints in establishing an overarching framework for the coordination of security sector reform after the missed opportunity in the earlier days. United Nations, A/64/712, Paragraphs 37-43, 17/03/2010.

⁹⁰ Interviews, December 2017 and January 2018.

⁹¹ Comprehensive Peace Agreement between the Government of Liberia and the Liberians United for Reconciliation and Democracy (LURD) and the Movement for Democracy in Liberia (MODEL) and Political Parties, Part IV – Security Sector Reform, Accra, 18 August, 2003.

⁹² The first Liberian Chief of Staff of the new AFL, Major-General Daniel D. Ziankahn, was appointed by President Sirleaf Johnson in early 2014. He was subsequently retired and appointed Minister of Defence in January 2018 by President Weah.

⁹³ Cook, Nicolas, *Liberia's Post-War Development: Key Issues and U.S. Assistance*, 19/05/2010, p. 23-25. See also reference to the fact that only approximately 5% of the total US funds devoted to the program went towards restructuring of the Ministry of Defence. In McNerney, Michael et al, *Defence Institution Building in Africa*, Rand Corporation, 2016. p. 65.

⁹⁴ Interviews, December 2017 and January 2018. Also United Nations Interoffice Memorandum on Restructuring of the Liberian military, May 2004.

⁹⁵ Interviews carried out in December 2017 and January 2018. Furthermore, the evaluation report carried out by OIOS (see footnote 5 above) noted that UNMIL's role in supporting the AFL had not been clearly defined, and that its input towards the development of the AFL was limited. UNMIL's Force Commander Lieutenant General ATM Zahirul Alam had pointed out that an AFL/UNMIL Joint Training Steering Group for policy level guidance and a Joint Training Working Group were only constituted in May 2009. UNMIL's SRSG SSR Advisor was a member of this group, alongside other UNMIL representatives and AFL officers, counting as well with participation from US security and military advisors. He recommended that joint stakeholder consultation *fora* ought to be established at the outset in missions with a mandate in military training and defence reform, and noted that additional superior officers and training mentors were required so as to implement the mandate adequately. See United Nations, A/64/712, Paragraph 31, 17/03/2010, and End of Assignment Report Lieutenant General ATM Zahirul Alam 09/10/2009. Paragraph 2.11, p.13.

⁹⁶ Several parallel initiatives informed the process of development of the Liberian NSS. This included African-wide sharing of SSR experiences with support from ASSN-DCAF-Kings' College and the US National Defense Research Institute report “Making Liberia Safe: Transformation of the National Security Sector”, 2007. UNMIL collaborated extensively with the Rand team that produced the report. However, only selected recommendations seem to have been taken forward, with external oversight references being downplayed by UNMIL and the international community.

⁹⁷ United Nations Mission in Liberia, *Taking Stock: Security Sector Reform in Liberia*, General Report of the Liberia SSR Retreat, Monrovia 17-18 September 2013.

⁹⁸ An important factor in this process was UNMIL's ability to mobilise an adequate national consultant with appropriate national, regional and international SSR expertise, as well as with good facilitation skills, and legitimacy deriving from a neutral stance in the national political sphere.

⁹⁹ Government of Liberia, Defence Act of 2008, Section 2.3 (e), 21/08/2008.

¹⁰⁰ Front Page Africa, Liberia: 'No Shoot to Kill Order' - Defense Chief On West Point Riots, 20/08/2014.

¹⁰¹ Interviews carried out in December 2017.

¹⁰² Ibidem.

¹⁰³ Republic of Liberia, Memorandum of Understanding between the Ministry of National Defense and the Ministry of Justice – Enhancing accountability within the Armed Forces of Liberia through the Civilian Justice System, 06/06/2016.

¹⁰⁴ The UCMJ was approved in 9 October 2017, but practical conditions for its implementation are likely to take time, given that the AFL was still in the process of training its staff to acquire legal qualifications.

¹⁰⁵ UNMIL, Initial Assessment on the AFL's capacity to operationalise a Military Justice System, 21/02/2017.

¹⁰⁶ Military Justice Scoping Survey Trip Report, Defense Institute of International Legal Studies, 10/03/2017.

¹⁰⁷ United Nations, S/RES/1521 (2003), Paragraph 23, 22/12/2003, reinforced later by S/RES/1683 (2006), Paragraph 4.

¹⁰⁸ UNMIL QIP Proposal "Support to Government of Liberia in firearms marking and weapons management", 23/10/2014.

¹⁰⁹ LiNCSA was created through the approval of the Act to establish the Liberian National Commission on Small Arms, 15/08/2012.

¹¹⁰ Interviews carried out in December 2017.

¹¹¹ Interviews carried out in December 2017; [LiNCSA Press Release](#).

¹¹² Interviews carried out in December 2017.

¹¹³ Interviews carried out in December 2017 and UNMIL QIP Application Forms "Creation of a Liberian Security Sector Reform (SSR) Think Tank at the University of Liberia", November 2015 and "Liberia Security Sector Reform Think Tank", October 2017.

¹¹⁴ University of Liberia, Kofi Annan Institute for Conflict Transformation, Liberian Security Sector Reform Newsletters, January, 2017.

¹¹⁵ University of Liberia, Kofi Annan Institute for Conflict Transformation, Liberian Security Sector Reform Newsletters, January, February, March-April 2017.

¹¹⁶ Interviews carried out in December 2017; Kofi Annan Institute for Conflict Transformation, Project Document on Liberia Security Sector Reform Think Tank, November 2017, submitted to the UNDP/UNMIL/GoL Joint Programme Strengthening the Rule of Law in Liberia: Justice and Security for the Liberian People 1 October 2016 - 30 September 2019.

¹¹⁷ Interviews carried out in December 2017.

¹¹⁸ Idem.

¹¹⁹ UNMIL, Final report, Gender and Security Sector National Task Force, undated.

¹²⁰ Interviews carried out in December 2017; attested by discussions of the participants attending the meeting of the Gender and Security Sector National Task Force, 07/12/2017.

¹²¹ Interviews carried out in December 2017; Liberia Gender and Security Sector National Task Force Meeting Minutes, 23/11/2017; attested by discussions of the participants attending the meeting of the Gender and Security Sector National Task Force, 07/12/2017.

¹²² Interviews carried out in December 2017.

¹²³ UNMIL, Final report, Gender and Security Sector National Task Force, undated.

¹²⁴ Interviews carried out in December 2017.

¹²⁵ Idem.



ANNEX B. POLICE LESSONS

In the lifespan of UNMIL significant effort has been made in strengthening the UN Police Strategic Guidance Framework for International Police Peacekeeping (SGF) as well as conducting various reviews and studies to review and assess the work of UN Police components globally as well as in Liberia. Although many of the lessons outlined in this report have been identified elsewhere, and have to varying degrees been integrated into UN Police doctrine through the SGF (2014), as highlighted from the UNMIL experience there remain gaps in the extent to which policy effectively guides the work of peacekeeping missions or the extent to which the policy is and can be operationalized. The following section further reinforces some of the good practice instituted by UNMIL but also highlights some of the remaining challenges missions face in implementing provisions in the SGF.

B.1 ENVISAGING AN END STATE FOR A REFORMED POLICE SERVICE

Lesson: Missions must be able to set out a sustainable end state for a reformed police service. Focus on fleet management, human resources, and maintenance are critical elements of ensuring sustainability of reform efforts and support.

While there is no question that the LNP is a vastly more capable organization now than when the Mission was established, there remain significant questions about LNP sustainability. Two key issues are the size of the service that Liberia can afford, and the internal capabilities of that service to maintain operational readiness. More broadly, UN Police stand little chance of supporting effective, sustainable institutional reform without greater emphasis on developing supporting services, notably including maintenance but also internal monitoring, reporting, and effective human resource management.

Firstly, regarding the size of the LNP, initial planning in 2004 by UNMIL and the National Transitional Government envisioned a minimum of 3500¹²⁶ and maximum of 6000 LNP officers, the latter

depending on an assessment by LNP of budgetary capacity.¹²⁷ The 2004 LNP Manpower Establishment Needs Assessment, however, provided a more detailed estimate of 8717 officers. Various other studies and internal policies, including the 2012 Security Sector Public Expenditure Review or the 2013 LNP Baseline study, that were developed gradually referenced or reinforced the target of roughly 8000 police officers. In the security transition phase of UNMIL this figure became the key reference point for recruitment and capacity building in the LNP. The figure was based largely on the accepted international standard of police to population ratio of approximately 1 to 500. Yet, the focus on determining the desired police capability and manpower strength largely preceded discussions on the type of policing model and organization that should be developed, including how the increased capacity would be distributed across the country to ensure areas of Liberia outside of Montserrado County had increased police presence. By as late as 2014, the vision of what the future LNP would look like, including the structure and systems of how policing will be delivered, were still largely undefined. The focus on form over function of the LNP was to a certain extent reinforced through UNMIL reporting and advocacy efforts. Equally, the extent to which the target figure was affordable and realistic in view of the macroeconomic situation (eg. 2014-2017 budget shortfalls) or in line with existing training capacities of the LNP Police Academy was not periodically reviewed.

Secondly, police officers alone, without enabling equipment, do not result in effective policing. Without addressing core issues of LNP fleet management or infrastructure maintenance systems much of the UNMIL support eventually suffered from lack of sustainability. This includes poor efficiency, integrity and effectiveness in how such support was ultimately used by the LNP in its policing functions. Overall, both UNMIL and the GoL spent considerably greater resources and time on building capacity, and much less effort was devoted to administrative systems that could help to sustain the institutional capacity and performance¹²⁸. Part of this can be attributed to limited expertise within UN Police in critical areas of fleet management, maintenance and infrastructure development. Critically, UN Police struggled to maintain knowledge over what assets it had gifted or procured through QIPS and assessed funding to support the LNP as well as tracking the extent to which the assets were still in use¹²⁹. Even this represented a small component of the overall task, as many other donors were providing assets using processes that were not coordinated with the UN. The LNP itself demonstrated little interest in coordination of this donor support, and the UN proved unable to successfully support the development of management systems¹³⁰.

Recommendations:

- (51) The Police Division should develop and retain holistic expertise in building and/or re-establishing police organizations, including basic issues of affordability, structural options, and the importance of logistics for modern police operations. This knowledge should be held centrally by the Police Division, such that individual missions can seek guidance as required, and maintain focus despite staff rotations. The SGF should include specific guidance on supporting national police services in fleet management, maintenance, facility management, and record keeping.

B.2 FOSTERING INTERNAL AND EXTERNAL MONITORING SYSTEMS

Lesson: An integrated focus on development of internal accountability structures in the police, notably when matched with simple external monitoring systems, resulted in improvements in police accountability.

The rehabilitation and rebuilding of the LNP required a significant investment into reconstituting the internal accountability structures required to manage officers' behavior. The most overt method used by UNMIL to support this was the mentoring and support to the Professional Standards Division (PSD) of the LNP. Today, the PSD is capable of receiving and investigating complaints and assigning internal punishments for approval if relevant. The punishments can include, and have included, firing the officer and recommending criminal investigations in serious cases.

In the early stages of UN Police support, a key focus of the Mission was to establish a clear internal regulatory framework against which officers could be held to account for performance and conduct. By 2013 the LNP had over 30 internal regulations covering most aspects of policing and police procedures. Yet, the impact of the regulations was limited largely because of weak internal and external demand for accountability but also inadequate management systems. In many instances the fast-paced development and introduction of internal regulations exceeded the absorption capacity of the LNP to provide effective training, institute systems to monitor adherence, internalize the procedures but also promote effective senior management level ownership of the regulations.

Broadly speaking, the internal inspection system through the PSD by 2018 appeared to be functioning as intended, which represents a significant success. The PSD saw both a growth in submitted public complaints as well as a growing number of investigations that led to suspensions or dismissal of officers¹³¹. Part of this success can be attributed to gradually decentralizing the PSD capacity and ensuring that PSD offices were established in county commands, which ensured a higher capacity to collect and investigate the cases but also improved access for the public to register complaints. Outside of the PSD, some Inspectors General of Police (IGP) have demonstrated a willingness to approve the reports along with the recommended sanctions, enabling the process to provide the required accountability outcomes.

UNMIL has supported the development of internal accountability by buttressing the LNP process with several forms of external accountability. Firstly, all PSD reports were provided to both the IGP and the UN Police Commissioner, providing the Mission with an awareness of the recommendations, and an ability to monitor outcomes. While this system is not uncommon in UN missions, it has worked well in Liberia. Secondly, UNMIL's Human Rights and Protection Section (HRPS) successfully developed a monitoring system designed to detect human rights abuses at the police station level. The ability of civilian monitors to enter police buildings and request access to information is a significant success itself.

In contrast, efforts to develop a formal civilian oversight body have not met the same levels of success. Mission advocacy efforts to promote and develop civilian oversight started around 2008, with a 2009 study, undertaken in collaboration with the Government of Liberia, setting out options and recommendations for civilian oversight of the LNP. However, actual progress was not achieved until provisions for the Board were included in the Police Act (2016). Yet, despite legal provisions

mandating the establishment of such a Board, at the time of UNMIL's departure it was yet to be operationalized and political commitment to providing sufficient funding to cover operational expenses was unclear¹³². To some extent it was seen as an externally imposed solution that never generated sufficient ownership amongst senior Government representatives or with the Legislature. Comparatively less attention by UNMIL was given in using technical support and Good Offices towards empowering the role of the Ministry of Justice (see section 3.3), Legislature, media, CSO and NHRC in ensuring independent oversight of the police. Arguably, a more risk management oriented approach focusing on the system of external oversight, rather than a single institution, could have stimulated greater demand for accountability while ensuring some degree of external oversight irrespective of the extent to which the Civilian Oversight Board was empowered or capacitated.

Recommendations:

- (52) Future UN missions should prioritize police accountability an early stage of the mandate. UN missions should facilitate wide ranging consultations at national level to determine the functions required to improve independent police accountability and oversight. In the early stages of the mission, consideration should be given to mapping the various state and non-state institutions and mechanisms available to deliver independent external oversight of the police.
- (53) The role of the UN Police Commissioner to provide external oversight over the outcomes of internal accountability processes should be prioritized, and the UN should monitor how successful this oversight is as a key factor in the development of effective police accountability.
- (54) Improving accessibility and transparency of public complaints mechanisms related to conduct and performance of police should be a key element of UNPOL support to strengthening police accountability. The effective alignment between the Human Rights section and the UN Police serves as a good model for other missions.

B.3 RE-CAPACITATING A POLICE SERVICE FOLLOWING CONFLICT – FOCUSING ON FUTURE LEADERS

Lesson: When re-establishing and developing a police service following conflict, equal attention needs to be given to building a professional ethos in the policing structures as well as to building operational capability. Focus on operational policing skills needs to be balanced with support to strengthening managerial capacities and competence across the national policing structure from the start of the reform process, including at more junior levels with a view to these being the future leaders.

Following the end of the Liberian conflict, UNMIL and the Transitional Government agreed to conduct a comprehensive vetting of the LNP. The vetting resulted in a large scale turnover of police personnel, with the new LNP having few police officers with significant prior policing experience in management or leadership. A key lesson from the UNMIL experience is the need to ensure a level of transparency, while also balancing the need for expediency, integrity and national ownership of the process. While the vetting process served its primary function, suggestions were made that greater engagement and direct involvement of a wide range of national actors in the process may have on

the one hand slowed down the vetting process, but on the other ensured greater national ownership of the eventual outcomes.

One of the lasting lessons from the UN Police experience in supporting the comprehensive vetting process is the need to compensate for the lack of experience of newly recruited officers by investing considerable resources from the beginning in mentoring a cadre of mid and senior managers who could over time provide strategic direction in the reform process, as well as model a culture of professionalism across the organization. Part of the challenge, as noted in the 2010 OIOS Evaluation, was insufficient number of senior UNPOL advisers who could provide mentoring to senior managers in the LNP due to police contributing countries not providing sufficient number of experienced senior police personnel. Yet, delays in building up managerial competencies, including a management training system in the police academy, contributed to poor efficiency and limited accountability within the LNP. As an example, development of a wide range of internal policies and regulations from 2008 to 2010 proved to have little impact as mid ranking and senior managers did not have the experience in how to enforce a regulatory framework. By 2010, 50 percent of senior officers in the LNP had not attended a management course.¹³³ In this regard, the UN Police a shift from building operational level capacities through basic training towards mentoring of managers took place roughly in 2010.

A key lesson that emerged, nonetheless, was that in an environment where there is significant political interference in appointments, high absenteeism, and staff turnover, building management capacities requires a system approach, rather than simply a focus on a small pool of individuals. Thus, while peer-to-peer mentoring of existing managers at times contributed to immediate improvements, over time the positive outcomes were diminished when such staff were re-appointed or dismissed due to political pressure. UNMIL accepted the inevitable fluctuations in management and shifted its approach by providing training to both existing and potential future managers beyond just Commissioners and Deputy IGPs. Selection of candidates for management training was based on observed performance on the job, prior training needs assessment and included both UNPOL and IGP recommendations for individual participants, limiting the extent to which selection was based solely on patronage. From 2011 over 95 LNP officers of various ranks (namely Assistant and Deputy Commissioners) were supported by UNMIL, in collaboration with UNDP and with donor funding, to attend diploma and higher-level management education courses through the Ghana Institute of Management and Public Administration (GIMPA). The wide approach to management training ensured that when new appointments were made for mid and senior management positions, a significant number of the appointments had benefitted from some prior management training. In parallel, at mid-level management, where the turnover was relatively less, the capacities were retained and had to some extent influenced a more professional culture in lower ranks. The shortcoming of this approach, however, was that, as a result, training in the police academy did not include a robust training and professional development system for senior and middle managers until late in the Mission.

Recommendations:

(55) As part of UN Police capacity building mandates, sufficient resources and attention should be given from the beginning to mentoring existing and future managers, while also developing a national system of more advanced and re-current training for professional development of managers.

Lesson: Empowered reform expertise coupled with a programmatic approach is fundamental to successful UNPOL implementation of the police reform agenda.

UN police contingents in peace operations have consistently struggled with the institutional reform aspects of their role. Not only is organizational reform of security institutions inherently difficult after a crisis, the yearly rotational structure of UNPOL deployments encouraged short term perspectives on priorities and resource allocation. Expertise in organizational reform is not a common skill amongst police officers, and UN Police selection over the years had been focused on basic policing skills. This has meant that for most UN Police, their first UN deployment is likely their first experience with reform responsibility¹³⁴. This contributes to a focus on very basic forms of reform support, primarily the delivery of training and simple culturally-limited mentoring. The result was that the majority of police personnel in UNMIL had limited experience in reforming partner police organizations, and their rotational contracts incentivized short term aims.

The focus of the UNMIL police component changed in 2006, following a recommendation of an assessment mission in February of that year (set out in the tenth progress report of the Secretary-General on UNMIL) that the UNMIL role should evolve from policing to supporting institutional development, advising and mentoring and that, to facilitate such a transition, specialist skills would need to be brought into the Mission. Subsequent progress reports of the Secretary-General, in 2007 and 2008, reiterated the need for specialist skills in key areas such as management, administration, budgeting, forensics, immigration and border security, and professional standards, noting that the Mission was placing emphasis on such recruitments. The Security Council, in its resolutions S/RES/1838 (2008) and S/RES/1938 (2010) supported this approach, requesting efforts to ensure that UNMIL had the required specialist expertise to effectively fulfil its mandate. However, progress reports through to 2011 were still highlighting the need for highly specialized expertise, including civilian expertise, referencing gaps in, management, human resources, financial planning, project development, logistics and institutional planning and research. It was not until 2012 that it was noted that specialist personnel had been recruited, though even when UNMIL prepared to close, the Mission was still unable to recruit some of the key expertise profiles.

Despite this constraint, UNMIL succeeded in maintaining a focus on longer term reforms over the last phase of the Mission, and engaged in several other strategic reform efforts, albeit not consistently throughout the life of the Mission. Key to the consistency and the advanced reform support, from 2012 UNMIL had experienced civilians with programmatic experience in senior roles in the UNPOL structure. While limited civilian posts were included in the UNPOL structure from the beginning, such posts were often at P4 level or lower. The relatively low grade of such posts limited the extent to which the individual civilian staff were sufficiently empowered to influence leadership or strategic direction in UN Police. The addition of a P5 senior reform advisor in 2012 seems to be correlated with an increased level of focus on the broader strategic reform agenda.¹³⁵ The importance of the inclusion of civilian expertise in UN police contingents was recognized in UNMIT, but few following missions have fully adopted the model. It appears that even within Liberia it took some time for the increased civilian capacity to have a significant effect on the UNPOL focus and behavior.

The impact of the empowerment of civilian personnel by UNPOL leadership can be seen in the influence of several key activities, most notably the 2013 LNP baseline, and, from 2014, the joint development plan, the strategic use of QIPs beyond infrastructure, and adoption of the self-assessment process by the LNP. Such activities represented a move from an individual focused approach to a longer-term view of what UNMIL should aim to support regarding the national police development and developing local ownership over the command and control of the organization. This was complemented by a shift in 2011-2013 from a focus on mentoring of operational staff towards embedding mentors with more middle management and senior management staff.

A second example of the benefits of the right expertise was found in the engagement with the Liberian Immigration Service (LIS). UNMIL identified a need for border management skills, which are distinct from basic policing skills. Beginning with six immigration advisers in 2006, UNMIL recruited immigration and border management officers from targeted Member States in the West Africa Region, experienced in the types of issues that the LIS would need to address, reaching a total of 26 specialist advisers in 2014. This team of UNMIL mentors was strongly embraced by the LIS, and their influence on the development of this agency was fully acknowledged by their local partners.

Recommendations:

(56) UN missions should include non-seconded civilian staff members within UN police components to maintain a consistent vision on the police reform agenda over time, and provide guidance on the strategic institutional reform, particularly the use of an overall programmatic approach to joint development. Positioning senior civilian staff in empowered roles within the police component is fundamental to supporting longer term reform vision and a programmatic approach to reform and capacity building.

B.5 WOMEN IN THE POLICE SERVICE

Lesson: Gender balance and modelling good practice by UNPOL can have a direct influence on the extent to which national counterparts take effective steps towards promoting greater participation of women in policing.

UNMIL made improving the representation and treatment of women a key focus of its reform efforts within the police, using various approaches. In many senses this focus has been successful, with the percentage of female officers rising from 2% in 2003 to 17% by 2013.¹³⁶ The approaches used - which ranged from dedicated female recruitment drives, literacy support for female candidates, or focus on local level recruitment – proved to be important first steps towards improving gender balance in the LNP. These were inventive, but also demonstrated how hard it can be to remove entrenched bias.

One of the more successful endeavors at promoting greater recruitment of women in LNP ranks was simply UN Police modelling good practice in regards to ensuring gender balance. In this example, UN Police made more concerted effort at recruiting and deploying women UN Police personnel as commanders at regional level. In turn, the UN Police Commissioner challenged the IGP to take similar steps. This ultimately proved successful in getting the LNP to commit and deploy women as regional commanders. One of the challenges of this approach, however, was the inability of UN Police to recruit sufficient number of women at all levels, including senior management, which limited its ability to advocate for greater gender balance in the LNP.

Recommendations:

(57) Peacekeeping missions should continue to prioritize and advocate for more women peacekeepers. Particular attention should be given to recruiting female Commanders and Senior Officers who can play a positive mentoring role to their national counterparts. Data collection regarding UN Police gender balance should be further disaggregated by tracking the extent to which there is gender balance at senior and mid management levels of UN Police components.

B.6 STRATEGIC AND COORDINATED APPROACHES

Lesson: Strategic level steering groups can be important platforms for priority setting or coordination, as well as helping to create more structured and regular interactions between UN Police and national counterparts. Investing in such a steering group also provides an important structure to deal with crisis or monitor the extent to which the reform process is achieving results.

UN Police supported both LIS and LNP to develop Joint Steering Committees. These included the senior representatives and leadership of the institutions alongside their UN Police counterparts. While initial results from the steering groups remained underwhelming, a persistent commitment by UN Police to engaging and supporting the structure had a positive, yet incremental, influence on the quality of management and coordination in national policing structures. Over time, these committees were expanded to include other development partners and served as the main coordination platform for sharing and reviewing strategic priorities and work plans of key stakeholders and helping to resolve potential duplication of work in real-time.

These committees convened on a weekly basis. The regularity of the meetings helped to ensure that both operational and crisis matters could be systematically addressed, and the forum served as an important means for senior leadership to be informed of latest reform developments and provide corrective measures as needed on specific issues. The high frequency of meetings, which was partly enabled by a relatively limited number of representatives from UN Police, LNP, UNDP and INL, also meant that each week a handful of issues could be discussed in depth, rather than aiming to cover the full spectrum of needs in ad hoc meetings. The level of detail and oversight would not have been possible if meetings did not take place on a frequent basis.

The committees served to provide clear instruction to their respective Executive Committee, which was the subordinate working and technical level body that would convene on a weekly basis and implement the instructions given. The overall benefit of this structured approach was that it brought transparency to the work of UN Police, provided a direct opportunity for LNP/LIS leadership to assume ownership and to be systematically briefed on their own planned activities or to influence new UN Police priorities. Equally, the UN Police engagement became better aligned and coherent with the priorities of the LNP management as a result of continuous and structured dialogue, which otherwise would not have occurred through ad hoc bilateral meetings at different levels. Gradually, the committees became the dominant means of joint planning between UN Police and LNP/LIS, with a dynamic mechanism to adapt the activities as new opportunities emerged or priorities changed.

A key benefit of the structure was that a system was created for providing both strategic direction and having a subsidiary body to act on the recommendations. In this regard, the committees were fluidly transferrable to deal with exceptional cases or crisis when they occurred. In particular, during

the security transition or the 2017 elections, the committees served as the primary forum for organizing and coordinating the LNP/LIS engagement.

An important factor in the success of the steering committees was the internal monthly Progress Evaluation Meeting (PEM), a monitoring, information sharing and peer review mechanism convened by UN Police, which served to effectively inform steering committee discussions. The PEM, comprised initially of the UN Police Senior Leadership Team (Police Commissioner through to heads of section) and subsequently, as numbers reduced, of all members of UN Police, brought the police component together to jointly review progress against the work plan as well as look ahead to future activities, thus increasing understanding and opportunities for collaboration across the component, as well as highlighting for UN Police leadership those areas requiring engagement with LNP and LIS leadership.

Recommendations:

(58) UN Police engagement with national counterparts should include an element of structured coordination. Such coordination structures, which include both high level strategic decision making body and technical working groups, should serve to provide a framework for sharing information, discussing operational matters, setting priorities for reform, and reviewing progress on a regular and frequent (e.g., weekly) basis. To ensure that such structures serve both a strategic and operational purpose it is important to develop different layers of coordination. This includes a wider cross Government and CSO board to provide strategic guidance and direction on a periodic basis, complemented by a more operational focused senior management board (eg. National Police management and UN Police/Donors) that can focus on more technical and operational issues on a regular (eg. weekly) basis. These structures should be complemented by a mid-level management board which can follow up on recommendations coming from the top tier steering boards.

B.7 LINK COMMUNITY POLICING CAPABILITY TO LOCALLY ACCEPTED STRUCTURES

Lesson: The most effective community-oriented policing outcomes were achieved when UNMIL supported links between informal policing structures and the formal police system.

The development of democratic, community-oriented policing was an important aim of UNMIL.¹³⁷ Despite it being a priority, it proved difficult for UNMIL to determine how to effectively support the development of a policing system that focused on protecting and serving communities. In line with the capabilities of the UN Police deployed, much of this support involved tactical efforts such as joint patrolling and mentoring.

Interestingly, an element of engagement that sits outside of the UN Police defined approaches to community-oriented policing seems to have resulted in the strongest bonds between police and at least some communities. The development and empowerment of the “Community Watch Forums”¹³⁸ have been contentious issues in the international community, and also at times for Liberians. However, it appears that the Community Watch Forums provide a resource to the LNP with a link to community events and an intelligence capability that they would otherwise not have¹³⁹. The LNP continues to struggle with a weak capacity to respond to crimes, as noted in the 2013 baseline assessment. The link with the Community Watch Forums, while not without problems, seems to have resulted in the police being aware of more criminal issues, being contacted by some communities to

address them, and then being seen by those communities as responding appropriately. These positive police responses to community contact illustrate the type of relationship cycle the UN wants to see develop between police and community.

This example is a good illustration of the difficulty UN peacekeeping operations have in developing formal justice chains that are interlinked with and complemented by informal systems. As is to be expected, the Community Watch Forums have neither consistently understood their remit, nor been keen to stay within it. For example, they have taken on the role of the police in arresting and detaining individuals until the LNP arrive, and have also been otherwise reported to act inconsistently with human rights standards.

Recommendations:

(59) UN missions should monitor and assess the risks associated with linking formal and informal policing systems, however, the UN should adopt a relatively risk tolerant approach to developing these links.

B.8 DEVELOPING TRANSNATIONAL CRIME UNITS

Lesson: Developing capabilities to target transnational crime is expensive and difficult given its complexity. When attempting to do so, it is important that parallel structures and systems for transnational crime be avoided, and effort is rather focused on integrating such capability in existing structures and systems.

UNMIL, along with UNODC, devoted significant efforts to the development of a transnational crime capability in Liberia as part of the broader regional West Africa Coast Initiative (WACI). This initiative, launched in 2009, attempted to build transnational crime units in four countries to coordinate and facilitate the fight against drug trafficking and organized crime in the region. This capability, along with the Liberian Drug Enforcement Agency (DEA), received significant support and resources.

The outcome of this support as of today has been extremely limited, and a cost/benefit analysis does not appear to have justified the expenditure and diversion of resources. The 2015 UNODC report on the outcomes of the WACI program failed to point to specific examples of the Liberian TCU supporting a transnational crime investigation or contributing to prevention outcomes. The TCU does not appear to coordinate well with the LNP – where the National Central Bureau for INTERPOL (NCB) is located - nor does it seem to have significant government buy-in. While there are clearly transnational crime threats to Liberia, it is not evident that either law enforcement or the population considers them primary concerns.

The larger issue with the transnational crime efforts is their alignment, or lack thereof, with the core mandate of institutional reform of the LNP. A key lesson in this regard is the need to ensure that standard templates and structural approaches to tackling transnational crime are avoided. The TCU in Liberia in particular largely mirrored structures tried elsewhere in the region. It does not appear to have been influenced by existing Liberian systems and considerations of affordability. The overall investigation capability of the LNP, for all crimes, was assessed as weak in 2013, due to problems of manpower, logistical constraints, low detective capacity and poor casefile management. Attempting to build a complex investigative and intelligence capability into an organization with limited

investigative capacity is an unsustainable model. Furthermore, it may interfere with more basic capability development by diverting resources and attention away from those capacity development efforts.

The disrupting influence of the transnational crime agenda can be seen in the failure to amalgamate the DEA into the LNP. This rationalization was recommended in UNMIL's 2005 analysis of Liberia's Statutory Security Agencies and again promoted in the 2007 RAND Report on the LNP or subsequent attempts to draft the National Security and Intelligence Act (2011). The aim was to support further rationalization of security agencies as to improve efficiency and coordination. Despite UNMIL efforts, the integration never occurred. As a result, the policing role remained fragmented, and significant allocation of resources given towards enforcement of drug laws. This contributed to creating an expensive model of policing for a poor country.

Recommendations:

(60) Where transnational crime capabilities are being developed, the UN should advocate for solutions that are integrated into the national security architecture, and are grounded in the capabilities and requirements of the institutions involved. The UN should not create parallel systems and structures that could otherwise divert important attention and resources away from the core functions of the police.

¹²⁶ See, e.g., MOU between UNMIL and the NTGL on the LNP (including Duty Manual).

¹²⁷ As per the Strategic Development Plan for the Reform and Restructuring of the LNP of 8 November 2004.

¹²⁸ Analysis of QIP funding and interviews conducted in December 2017.

¹²⁹ Interviews carried out in December 2017. There are indications from some interviews that the UN Police were tracking what assets the UN had provided at some points in the mission, but this was not being maintained when the lesson team visited.

¹³⁰ Interviews carried out in December 2017.

¹³¹ Interviews and PSD reporting provided in December 2017.

¹³² Interviews carried out in December 2017.

¹³³ 2010 OIOS Evaluation, p 12.

¹³⁴ As noted in paragraph 19 of the Report of the Secretary-General on United Nations policing (S/2016/952) of 10 November 2016, in line with the external review, the Police Division “has adjusted its recruitment system by developing separate recruitment streams for command, operations, capacity-building and development, and administration.” The same report further called for “targeted recruitment based on identified field needs” (paragraph 57).

¹³⁵ While there were 7-8 civilian positions in UNPOL at this time, all these positions were held by police officers who had previously worked in UNMIL, and did not bring programme management experience.

¹³⁶ Bacon, L. (2015) “Liberia’s Gender-Sensitive Police Reform: Improving Representation and Responsiveness in a Post-Conflict Setting”, *International Peacekeeping* 22, Issue 4.

¹³⁷ The UNMIL Police Concept of Operations (2004) reflected the need to instill links between the LNP and traditional policing practices related to civil order maintenance.

¹³⁸ Not to be confused with the Community Policing Forums which were instituted by the LNP to interact with communities.

¹³⁹ Interviews carried out in December 2017.



ANNEX C: JUSTICE AND CORRECTIONS LESSONS

Since UNMIL was established, key changes to the work of justice and corrections components in United Nations peace operations have been introduced. These have included DPKO/DFS policies on prison and justice support in United Nations peace operations¹⁴⁰, a new and comprehensive judicial handbook for judicial officers (2013) and the integration of justice and corrections in OROLSI. The new policy and guidance framework, in addition to specific thematic studies, such as the 2017 Study on Legal Aid in Haiti, have brought together a wealth of lessons. While there is, to a certain extent, some overlap in the findings and recommendations made in this report with the guidance and recommendations made in the existing policy framework of Justice and Corrections Service (JCS)/OROLSI, this analysis of UNMIL support not only provides practical examples of how to effectively implement various elements of the existing JCS policy framework but also on how to overcome common operational and strategic pitfalls. The recommendations and findings may help guide and inform the work of other existing and future peace operations.

A key lesson from the UNMIL mandate is the direct contribution of justice, corrections and human rights elements to the sustainment of peace and security in post-conflict contexts. Improved security, meaningful stabilization and the restoration of state authority require effective and accountable justice and corrections institutions. In this regard, the support provided through the justice and corrections components of the pillar helped to develop the capacity of key institutions and enhance public trust and legitimacy. The strengthened capacity and perception of the judiciary proved essential in helping to resolve electoral disputes peacefully and in accordance with the rule of law through an established judicial process, as highlighted most recently during the 2017 elections. Likewise, the Mission, through its support, was able to help improve the rate of reporting of cases of sexual and gender-based violence (See Annex C: lesson C.6), another important potential driver of conflict. Moreover, there were, over time, gradual improvements in access to justice across the country, including a decrease of pre-trial detention figures from a peak of 90 percent in 2009 to 67 percent in 2018.

C.1 PRIORITIZATION – SEQUENCING

Lesson: When a mission is given a broad justice sector reform mandate, whether it is for supporting holistic reform of the sector or an individual institution, it is important to establish clear prioritization and sequencing of support through effective medium-term planning. A large number of parallel and disconnected initiatives can contribute to limited mission resources being spread too thinly, limiting the potential for achieving robust results in specific areas.

The mandate and areas of support of UNMIL's Justice component included a wide and extensive remit. This component was tasked with capacity building and support to the Judiciary (including Public Defenders), Prosecution, and National Bar Association. In parallel, the component was also asked to take the lead on a broad range of UNMIL support to law reform, as well as capacity building of the Law Reform Commission, Ministry of Justice and Legislature.

Based on the UNMIL experience, there is a need to ensure that reform expectations and ambitions are aligned to the extent to which resources are available. While the wide remit of the mandate allowed for flexibility to adapt to emerging demands and needs across the sector, in the absence of clear sequencing or prioritization through internal strategic planning processes, the justice component was often overstretched in capacity by attempting to respond to an overly broad range of requests for support. At the same time, one-off activities or engagements to satisfy the diverse demand for support often proved to have little overall impact on the effectiveness or efficiency of the recipient institutions. As an example, while some important steps were taken to strengthen the capacity of the Law Reform Commission (2011-12) and Legislature Drafting Bureaus (2010), the short duration of this engagement and the absence of follow up or complementary activities resulted in only a marginal impact in terms of empowering those institutions. The key lesson, in this regard, was that more impact was achieved when mission resources were focused or concentrated around a more modest number of expected outcomes or reform streams.

Achieving transformative results in improving the effectiveness or efficiency of institutions requires substantial resources. As an example, the dedication of significant human and financial resources to the Corrections Advisory Unit (CAU), which included, at its peak in 2013, 35 corrections personnel, enabled the Unit to provide support both at the central level and in most of the prison facilities at the County-level. The resources committed by UNMIL to the reform of the Bureau of Corrections (BCR) proved to be critical in achieving robust results in reforming internal management systems, providing basic training to staff, developing a system of training and basic internal accountability mechanisms. Arguably, such resources were made available to the CAU only because the UNMIL mandate had a clear and substantial element of prison reform. This helped to ensure that corrections support was not an afterthought in the reform efforts but rather a key component of the Rule of Law pillar. Ultimately, the clear commitment of UNMIL to corrections helped to raise the profile and awareness of the importance of corrections reform with the Liberian Government.

In contrast, deploying individual advisors to support holistic institutional reforms often proved ineffective and rarely resulted in transformative results. Individual justice advisors, co-located within the institutions, were often tasked with the responsibility to provide broad based support to individual institutions. In the case of the Judiciary, one Advisor was asked to take the lead on supporting reforms of the management systems, internal training systems, and capacity building

across the judiciary, including the Judicial Institute, Supreme Court, Court Administrator, and Office of the Public Defender. In most cases, the effectiveness of the individual Advisor was maximized when the focus of support was limited to a handful of specific tasks and target beneficiaries rather than aiming to work with all judicial components simultaneously.

In a developing context where internal capacities remained weak, it proved difficult for advisors to effectively focus on reform issues when continuously requested by institutions to also provide advisory support on basic operational issues as and when they emerged. The pressure to perform dual functions is common in such contexts and there is, therefore, a need to take this into account when planning support. Equally, there is a need to ensure that leadership to leadership dialogue takes place with counterparts to continually reinforce the main reform role of the advisor.

Recommendations:

- (61) The scope of support provided and the ambition should be commensurate to available resources. Clear sequencing and strategic direction is required to ensure limited resources are not spread too thinly. This includes limiting the number of parallel reform streams and standalone activities.
- (62) Mandates of peace operations should continue to have specific and clear provisions to support corrections reform to help ensure that sufficient resources are committed by the peace operation to support this critical area of reform.

C.2 LINKING MENTORING – COURT MONITORING – ADVISING

Lesson: Integrating mentoring, court monitoring and advisory functions contributes to more relevant capacity building efforts and helps inform the overall reform process by identifying weaknesses and deficiencies in the system. It is important that monitoring does not become an end in itself and over time the focus on conducting monitoring should be reduced in favor of deploying such resources to support capacity building and broader efforts.

Across justice and corrections sectors, UNMIL committed significant resources to monitoring the work of the national institutions. As an example, UNMIL judicial officers stationed in the counties were often tasked with performing monitoring, mentoring and advisory tasks simultaneously. Most counties had one judicial officer stationed there on a permanent basis until 2013/14. Having judicial officers in the counties ensured that the effectiveness and challenges in the judicial system were monitored on a daily basis and fed back to the central level to inform the overall reform process.

In the early stages of the Mission, having judicial officers observe trials or court proceedings on a regular basis allowed them to provide specific feedback and mentoring to judicial staff at the county level based on what was observed in court. In this regard, following trials judicial officers would periodically mentor prosecutors, court staff, judges and public defenders on procedural or substantive issues which were identified during court proceedings. The integration of the monitoring and mentoring functions ensured that such feedback was both instantaneous but also relevant to actual challenges. In the early stages of structuring the work of the UNMIL justice component, the work of judicial monitors proved essential to the Mission's understanding of the context, needs and opportunities for supporting reforms. When instances of more robust capacity building support were

identified, judicial officers could inform the development of training curriculum to address the capacity gaps through more structured trainings.

Equally, the deployment of Government Provided Personnel (GPP) to each of the prisons allowed UNMIL to monitor prison conditions on an ongoing basis as well as to evaluate the performance of BCR staff. The information collected by GPP not only served to inform central level reform efforts but also the mentoring of national counterparts directly in the prison facilities. The deployment of GPP in prisons not only proved an important accountability mechanism for ensuring the treatment of prisoners conformed to international standards but also to inform central level reforms and training requirements. The monitoring undertaken by GPP therefore played a dual monitoring and advisory function.

A key lesson emerging from UNMIL experience is that the duration of such a monitoring arrangement should be time constricted to the early phases of the mission to help identify challenges and deficiencies or, on a needs basis, to address a particular issue or concern. While full time monitoring was important in the early phase of the Mission to understand context and ensure relevance of reform support, the cost-benefit of full-time monitoring at the County level gradually diminished over time as the findings from monitoring reports provided little additional or new information.

A common challenge faced by the monitoring of justice and corrections officers in the field was cumbersome reporting requirements to central level. While such reports proved important to monitor performance of the officers themselves and inform headquarter based staff in Monrovia of the emerging challenges at County level, they often consumed significant time which could otherwise have been spent on engaging with their counterparts. The continuous reporting from the field often extended beyond the capacity of the central level to process and collate all the information, thus much of the reporting over time became largely procedural rather than reinforcing reform efforts. The stringent requirements to produce full reports, rather than simply flagging emerging issues, also influenced the extent to which staff committed time to monitoring rather than capacity building. In some instances court and prison monitoring and reporting became the dominant activity and exceeded the time spent on capacity building or mentoring.

The efficiency of the various monitoring efforts within the Rule of Law pillar was undermined by parallel and often overlapping efforts. In many courts, monitoring officers from the HRPS and the justice component would observe trials in parallel but produce separate reports. Similar overlap occurred between HRPS monitoring and GPP monitoring of prison conditions, though HRPS monitoring did not evaluate staff or institutional performance but was rather limited to monitor prisoner conditions and treatment. Towards the end of the UNMIL transition, when requirements for specific and detailed technical analysis of capacities or court procedures were no longer needed, court monitoring was exclusively handled by HRPS. In this case, reporting was slightly adjusted to also meet the requirements of the justice component to evaluate the progress of reform. The integration of the two monitoring efforts confirms that beyond the initial phase of the Mission, when robust data and analysis is required to understand context and challenges, over time largely similar outcomes can be achieved by having an integrated cross pillar approach to monitoring.

Recommendations:

- (63) Dedicated monitoring efforts of justice and corrections components should remain time constrained, with monitoring gradually progressing from being a continuous exercise to one that is more time-limited and targeted, focusing on specific justice and corrections reform issues.

C.3 DATA COLLECTION/ANALYSIS AND CASE MANAGEMENT SYSTEMS

Lesson: In a resource constrained environment, low-tech and incremental approaches to developing basic case tracking and case management proved effective in producing sustainable and effective systems capable of producing critical data on case progression, thereby increasing transparency and efficiency in the criminal justice system. In comparison, the institutions lacked the capacity to manage and maintain more complex, cumbersome and, therefore, less sustainable IT based systems.

UNMIL supported the development of various data information management systems across the justice and corrections sectors. The two systems that proved to be the most effective, namely the prison statistical database and the case filing methodology, highlight that basic systems can achieve a high degree of functionality and have the greatest impact. However, both examples demonstrate that even such basic data collection systems require significant effort to maintain and develop. In the absence of a strong accountability culture and related mechanisms, alongside a strong commitment from leadership, attempts at introducing more complex and comprehensive systems failed because few measures were in place to hold staff to account for using the systems.

The prison statistical database developed by UNMIL was commonly described as the “gold standard” for data management across the criminal justice chain. While providing only basic data on the prison population, pre-trial detention figures and disaggregation of the prison population by gender, it nonetheless was the only fully functional and systematically updated data system across the sector capable of systematically providing real time figures to all the criminal justice institutions. In 2017, this database was fully managed by the data department of BCR, updated weekly, with data being shared with all relevant institutions. The operational management of the system included a central unit in BCR which interacted by phone on a weekly basis with each prison to collect basic information on releases and new inmates, including the sentences given. The data was then collated into a central spreadsheet and case file registry managed in the unit. The reliance on phone communication proved to be both cost efficient and helped overcome the challenges of an unreliable power grid and costly and poorly maintained IT systems. This basic system, nonetheless, required significant efforts to develop. Four staff from the BCR data unit were co-located with UNMIL monitors at UNMIL HQ for two years and were further mentored on a periodic basis thereafter. In parallel, data officers in each prison were trained on how to systematically register and collate information regarding new inmates and releases.

Similarly, UNMIL supported the Court Administrator in the Supreme Court to create a new system for numbering case files. This system allowed judges to see where cases originated from and how they had progressed through the system. The entire system remained paper based. UNMIL provided advisory support in developing the system, drafting a handbook on its use, while also developing a dedicated training curriculum for clerks and court staff on using and maintaining the new system.

The relative ease of use of the system proved to be a determining factor to the extent to which judges assumed ownership of the system.

In contrast, other efforts that were tried over the years to develop more sophisticated case management systems fell into disuse shortly after roll out. This was largely because the progression from a full paper-based system to complete automation proved, in many instances, to be too radical for the institutions to absorb. Equally, the reliance on IT solutions which had substantial cost implications, significant requirements for IT staff to manage the system, and a large number of complex data input requirements, proved too cumbersome to manage on a systematic basis. In 2017, this problem was largely overcome by ensuring that follow-up training and mentoring on the use of the systems were provided by other development partners (e.g. US INL program providing mentoring on SGBV crimes unit case management system developed jointly with UNMIL support).

Recommendations:

(64) Developing case management and data information systems can be essential for increasing the effectiveness, efficiency and transparency of justice institutions. Peace operations should consider an incremental approach that involves support for the development of tools and systems that have low capacity and financial resource requirements but are able to deliver the basic data required to inform management or support case handling. Over reliance on IT solutions or complex case management or data generation systems should be avoided in contexts where institutions have limited human and financial resources to sustain or maintain such systems without external support. More complex IT solutions should only be developed when systems of accountability for ensuring data integrity and systematic data entry are in place. The development of such systems should follow a change management approach.

C.4 CAPACITY BUILDING – CORRECTIONS

Lesson: An incremental, robust and sequenced approach to building the capacity of national corrections institutions can be an effective strategy to not only ensure that institution is able to quickly perform basic functions but to also develop more sophisticated capabilities over time. This approach requires a balance between individual and institution capacity building support but also strategic medium to long-term planning.

In the early stages of the Mission, UNMIL engaged in training all new recruits on basic prison management and operations. Such basic training, which spanned almost a year for each training cycle, was continued for the first ten recruitment cycles. UNMIL taking the lead in the delivery of such training was an important factor in influencing the career development of the staff of Bureau of Corrections and Rehabilitation (BCR) in prisons as well as the strategic direction of the development of the central administration. The critical element of success for the Mission in supporting the BCR was long-term strategic planning and an incremental approach to capacity building instituted from very early on in the reform process which allowed for effective sequencing.

While, in the initial years, the lead role of UNMIL in defining and implementing the approach to BCR recruitment and training was, to a certain extent, at the expense of national ownership, it allowed the limited number of BCR staff at the central level to focus on developing other basic functions and structures. It also allowed BCR staff room to focus on strategic priorities without being inundated with the demands of organizing or delivering such basic training. Gradually as the internal training

department of BCR was established and greater resources and capability developed within the central administration of BCR, such training responsibilities were handed over from UNMIL to BCR. This highlights the need to ensure an appropriate balance between ensuring basic operations and fostering ownership of the process in the early years of a mission. As BCR continued to grow and establish key structures, on the basis of a comprehensive needs assessment and job descriptions, UNMIL provided more specialized training to a select number of staff. This included training on management, intelligence and inspections.

In addition, by co-locating UNMIL staff in most of the prisons on a permanent basis, UNMIL was able to provide more systematic mentoring and ensure that the skills acquired in initial training were appropriately applied. In an environment where a large percentage of national staff still lacked the skills and confidence to perform basic tasks, UNMIL mentors often performed operational roles in the prisons in which they were co-located instead of their national counterparts. While such capacity substitution could prove detrimental to efforts to empower BCR staff, it also served as an important tool to model behavior and coach counterparts in the early stages of the Bureau's development. Notably such operational engagement of UNMIL staff was phased out over time in favor of a monitoring and mentoring role.

In parallel, a system of continuous in-service training was gradually developed by UNMIL to ensure that each prison staff benefitted from continuous skills development. As part of this process, parallel support was provided to the internal training team to help organize and oversee the organization of the trainings. While initial in-service trainings were conducted and delivered fully by UNMIL staff, during the start of transition, such trainings were increasingly co-facilitated with staff from the BCR training department or with trainers from within the individual prisons. This co-facilitation approach ensured that skills were gradually transferred to national counterparts and an internal training capacity was developed. Ultimately, during the final stages of the transition such trainings were delivered entirely by national trainers with only quality control and advisory support provided by UNMIL staff on a periodic basis. Gradually the in-service training proved to be an important management tool for prison superintendents as they served not only as a platform to address emerging needs but also to communicate with staff. Notably the in-service training proved to be sustainable after UNMIL transition largely because it had little associated costs (e.g. no travel requirements) and the necessary skill sets for facilitation were well established in each prison. In addition, each prison was formally required to report to the central training department on what trainings have been delivered each month. The cumulative result of this diversified approach to training was the confidence of BCR that it could sustain its own training system and have sufficient capacity and expertise at all levels to deliver key internal in-service training without external support.

Recommendations:

(65) All capacity building efforts should be developed on the basis of a training needs assessment and a long-term sequenced training strategy that outlines how the mission will transition from basic training to more advanced training over time while, in parallel, empowering national institutions to assume responsibility for such training. Capacity building approaches should be diversified to include a combination of institution building (eg. building training capacity), specialized training, in-service training, and mentoring. The focus of a mission should be both on capacity building of individuals but also building institutional capacity to sustain the training.

C.5 SPECIALISED STRUCTURES TO DEAL WITH SGBV CASES

Lesson: Support for the development of specialized systems and structures to deal with SGBV cases can have a positive impact on raising public awareness, promoting political commitment to address the issue, ultimately increasing reporting rates for such crimes. However, the long-term impact of such structures on ensuring effective access to justice for both the victims and accused is limited in the absence of substantive reform of the broader criminal justice system.

Despite having one of the highest incidence rates of SGBV in the world, until 2008 as few as 11 cases of SGBV appeared before courts of Liberia in any single year. Prosecutors and courts did not give adequate attention to such cases due to their complexity and sensitivity, despite the existence of safeguards in the legal framework. As a response, UNMIL and development partners advocated for and supported the establishment of a SGBV Crimes Unit (prosecution), the Women and Children Protection Section (WACPS) in the LNP (first established in 2005), capacity building of specialized NGOs to support victims with legal aid, and the creation of a Special Court (Court E) in Montserrado County. Ultimately, the combination of these new structures and support contributed to improving reporting rates of such crimes year on year and by 2017 there were over 700 cases related to SGBV on court dockets. While UNMIL provided considerable support to the SGBV Crimes Unit, Court E and WACPS, the intensity of engagement of UNMIL in this area was not consistent across time.

The relative success of efforts to build the capacity and capability of the SGBV Crimes Unit can be largely attributed to the broad nature of the support provided by UNMIL and partners. This included developing a case prioritization system, specialized procedures for handling such cases, training on holding in-camera hearings, improving coordination with first responders, and conducting research into the prevalence of such crimes. Improved collaboration with first responders, including SGBV focal points in hospitals, proved to be a critical means for collecting essential evidence in SGBV cases and, to a certain extent, helped to compensate for the limited investigative capacities of the LNP.

Even the limited resources committed by UNMIL to the legal empowerment of victims proved to have a significant impact. The various SGBV specific institutions continuously benefitted from the air time made available on UNMIL radio. This platform was used effectively to provide information on what services were available to victims, basic human rights or even to directly reach out to witnesses or victims in individual cases who were otherwise out of reach of the institutions, due to missing contact or background information regarding their whereabouts.

The overall positive results in improving reporting rates were undermined, however, by the lack of corresponding progress in the reform of the overall criminal justice system. In this regard, the significant resources and time spent on developing dedicated structures and support for SGBV contributed to insufficient focus and attention by donors and national institutions on addressing broader procedural, capacity or management issues. This includes support to addressing systemic blockages that prevented the effective prosecution of SGBV cases. In this regard, a key lesson that emerged over time is to ensure an appropriate balance is developed in supporting the SGBV specialized structures alongside broader reform efforts. The key measure of success was the establishment of such structures in themselves, rather than the extent to which they contributed to more effective access to justice or the degree to which the structures were effective and

empowered. As an example, while the number of reported cases had substantially increased from 2008, the overall prosecution rates only marginally improved during the same period. In 2017, the Government was only able to prosecute 27 cases, most of which were resolved through plea bargaining procedures after lengthy stays in pre-trial detention and without an effective court hearing for the accused. In a system where access to effective legal representation for the accused was poor, there are questions as to the extent that plea bargaining was misused to compensate for the limited capacities of the public defender to engage in the process, rather than to serve as a means of speedy resolution of individual cases. This reaffirms the need to ensure that when such procedures are introduced, sufficient focus by Government and donors is given to building the capacity of legal aid and public defenders to perform their functions effectively as well as monitoring the extent to which they are used appropriately.

The low prosecution rates could be largely explained by: limited capacity of police to sufficiently collect evidence, cumbersome jury trial procedures, short-court terms, limited logistical capacity to bring witnesses and victims to appear in court, poor capacity of public defenders to hold peers to account, high absenteeism rates of judicial actors during court terms, rudimentary and flawed case management and tracking systems, and lack of accountability for performance, including the responsibility of prosecutors to effectively exercise prosecutorial discretion for bringing forth charges or applying prosecutorial discretion to dismiss cases due to lack of evidence. These challenges persisted across the broader criminal justice system, highlighting that even specialized systems are ultimately susceptible to the same challenges that plague the broader justice system.

Equally, the development of such structures needs to be integrated within the rest of the system. The SGBV Crimes Unit, once developed, was given considerably greater resources and support than the WACPS and Judiciary. Ultimately, its effectiveness was limited not only by the poor police investigation capacities, but also because Court E was only able to try a single case at a time and lacked effective systems to manage jury selection. The Unit was largely developed in the absence of consideration for what capacities and systems are required across the criminal justice chain.

Recommendations:

(66) Given the challenges and threats to peace and stability from the high incidence rate of SGBV in post-conflict environments, supporting the development of dedicated capacities, including structures where relevant, to deal with SGBV crimes and other serious crimes should be an integral part of peace operation mandates. However, such support needs to be preceded by, or undertaken in parallel with wider criminal justice system reforms that address the underlying procedural, accountability, coordination and management issues. A cross mission approach to SGBV should be applied.

C.6 PRE-TRIAL DETENTION / PRISON POPULATION

Lesson: Addressing prolonged pre-trial detention requires strong political engagement, a collaborative approach across the criminal justice chain and systematic monitoring and analysis of both its symptoms and causes. A failure to institutionalize effective diversion systems and to strengthen access to legal aid, while overly focusing on addressing the symptoms rather than the causes of pre-trial detention will result in mission support efforts having only a short-lived impact.

While in 2017, 67 percent of detainees in prisons were in pre-trial detention, this is nonetheless a considerable decrease from 87 percent in 2010. Namely, the system had year on year reduced the frequency and prevalence of cases of pre-trial related minor offences that languished in jail beyond a single year without a hearing. In comparison, less progress has been made in reducing excessive pre-trial detention for serious crimes. By 2018, it is common to find that those accused for serious crimes, including rape or burglary, are spending in excess of two years awaiting their first hearing.

Reducing pre-trial detention numbers requires a combination of technical and political approaches. In this regard, many of the examples where pre-trial detention numbers were drastically reduced in a short time span, including weeks, resulted from clear directives from senior leadership, including the Chief Justice, to act on the matter. The primary example of this was during the Ebola crisis when new cases of pre-trial detention were limited to serious crimes. Following a clear directive of the Chief Justice to all judges to apply diversion measures for petty offences to ensure that prisons were not contaminated with Ebola due to new arrivals, pre-trial detention numbers plummeted by 24 percent. In other circumstances it was through joint directives issued by the Solicitor-General, Minister of Justice and Chief Justice to convene special task forces to reduce pre-trial detention that provided the necessary impetus for judges and prosecutors to act on the matter. In 2017, such fast-track procedures managed to resolve 471 cases in a span of 15 days demonstrating that, where there is political will, the system is capable of taking the necessary action to address pre-trial detention. In these examples, national will to address the issue emerged only after the persistent leverage of the good offices of the Mission over several years, highlighting the need for political engagement to be sustained rather than one off, despite little initial indication of progress.

Example box: UNMIL's support to the Government helped to ensure that the **prison system remained Ebola-free**. This was achieved through a **holistic prevention approach** adopted by UNMIL and the GoL at the early stages of the outbreak. It firstly included action by the Judiciary to **limit new pre-trial cases entering the prison system resulting in a rapid drop in the overall prison population by 24 percent**. Through directives by the Chief Justice, all judges were requested to divert low and medium risk cases away from pre-trial. In cases of serious crimes, UNMIL supported BCR to establish an initial quarantine location whereby new inmates were housed for a specified duration to check for potential symptoms prior to release into the general prison population. Additional measures included training and sensitisation of all prison staff and inmates on detecting and recognising early symptoms of Ebola. All staff of clinics within the prisons were also tasked with more proactive and regular health checks of the general prison population. In parallel, all visitations from the public were prohibited for the full duration of the Ebola crisis. UNMIL radio was used to explain to the local communities why such drastic measures were taken.

A critical element of success was the coordinated and whole of pillar approach to addressing pre-trial detention. All UNMIL rule of law components participated in the Pre-trial Detention Task Force. In particular, the work of the HRPS to strengthen the capacities of the INHCR to conduct periodic prison

inspections was a means for ensuring that prisons were continually monitored by an external body to identify cases of prolonged pre-trial detention. Equally, the work of the CAU and Justice Section on building partnerships between the BCR, Judiciary and Prosecution facilitated regular dialogue and interaction. As a result of this approach it became common practice for Prison Superintendents to directly phone their counterparts at the County Attorney's office to resolve individual cases of overstay.

The establishment of fast-track mechanisms to review cases directly in prison compounds was another important initiative to address pre-trial detention. Placing fast track courts on the premises of the prisons largely circumvented the logistical challenges faced by institutions in processing such cases. Many cases were not being heard because the BCR lacked fuel or vehicles to transport inmates to trial. It is notable that UNMIL played a crucial role in the process by helping to establish or refurbish facilities for this purpose.

However, too much focus by UNMIL and the Government on addressing the symptoms of pre-trial detention resulted in the underlying causes of pre-trial detention remaining largely unaddressed. In practice, much of the UNMIL focus was on either the work of prosecutors or judges in case tracking and case management. Yet, there was a range of deficits throughout the criminal justice system that was contributing to prison overcrowding, including poor follow up to investigations following arrest or limited capacities and coverage by public defenders. For example, until 2016 public defenders lacked even basic case tracking and management systems.

A critical deficit in the system has been the absence of effective diversion or alternate dispute resolution (ADR) mechanisms. Such structures and mechanisms would have helped to ensure that many of the minor cases, which were contributing in pre-trial detention, could be resolved outside the court system. UNMIL engagement in strengthening ADR, including mediation, emerged only in 2010. UNMIL support included financing a 2010 study on the two systems and facilitating policy dialogue on developing a draft regulation and policy on ADR. With limited leadership engagement on ADR, however, little traction was achieved by the Mission in advancing this agenda, and by 2018 the policies remained in draft form. Overall, such efforts were largely limited and were not ranked amongst the key priorities of the pillar. The inability to create diversion measures meant that even when the courts became more efficient in dealing with individual cases, the efficiency could not compensate for the increase in the overall number of cases reaching the courts year on year. This was a key contributor to a case backlog that exceeded the capacity of courts to try all cases within two court terms (as mandated by law) even when increased capacity was developed (e.g. associated magistrates assigned to courts). In this regard, improving access to justice by only strengthening the formal system had limited results in addressing the justice needs of a large part of the population

The lack of availability of legal aid or assistance has also remained a critical gap that has negatively impacted efforts to address pretrial detention. Officially there is no organized system of legal aid in Liberia except the Office of the Public Defender which has had limited capacity. Albeit very late in the lifespan of the Mission, efforts to develop a National Legal Aid Policy for Liberia progressed following a three-day Legal Aid Policy Stakeholders Consultative Workshop, held in February 2016, organized by the Ministry of Justice supported by UNMIL and the Carter Centre.

Recommendations:

- (67) As part of broader mission efforts to reduce pre-trial detention, consideration should be given to integrating work on developing and strengthen ADR mechanisms and expanding access to legal aid as part of the efforts to address pre-trial detention and reduce the burden on the courts. The focus on case flow management and capacity building of prosecution, judiciary, corrections and the police to more effectively deal with growing case-loads should be balanced with effective attention to building the capacity of legal aid providers, including public defenders.
- (68) Prior to engaging in pre-trial detention, missions should conduct a thorough analysis of the causes and contributing factors to pre-trial detention. Such an analysis should be undertaken across the criminal justice chain and include political economy analysis.

C.7 LINKING FORMAL AND INFORMAL JUSTICE SYSTEMS

Lesson: Limited engagement with the traditional justice mechanisms undermined the relevance and effectiveness of the Mission in improving access to justice for a large part of the population. In the absence of a clear system of diversion, including linkages and referral mechanisms between the formal and informal justice systems, the effectiveness and efficiency of the justice system was hampered by a need to divert significant attention and resources to low level crimes or civil disputes that could have otherwise been settled out of court.

In Liberia, the role of traditional justice and security providers, namely Chiefs, is formally recognized by the Constitution and they are functionally integrated into the structures of the Ministry of Internal Affairs. By 2018, up to 60 percent of the Liberian population primarily relied on traditional justice mechanisms to resolve disputes or as an avenue to access justice. Such reliance on the traditional justice system was only marginally lower than during the immediate post-war period despite the number of functional magistrate courts increasing from 2 to 152. With limited financial resources, state institutions remained restricted to the extent to which they could roll out basic justice services to remote areas or even all districts. Traditional mechanisms therefore remained the only available remedy to seek justice in many communities. The significant cost implications of accessing legal representation or traveling to courts, combined with delays and lack of trust in the system were the principal obstacles to accessing justice through the formal system. Despite their importance for accessing justice for a large part of the population, especially in remote areas of the Country, the limited support that such traditional mechanisms received from development partners limited the extent to which they improved their effectiveness, integrity or collaboration with the judiciary through formal referral mechanisms or regulation on jurisdiction of cases. While traditional mechanisms continued to play an influential role in access to justice, the Mission's engagement with such mechanisms was largely limited to ad hoc consultations, studies or work on human rights sensitization conducted by HRPS. One of the limiting factors of UNMIL engagement was the lack of clarity and strategic guidance on how and whether engagement with traditional mechanisms should be pursued. Another factor was the limited expertise within UNMIL on traditional justice mechanisms. Formulation of mandates commonly emphasized justice sector reform, though in practice this was interpreted as focusing on the judiciary, prosecution and legal aid.

Recommendations:

- (69) Peacekeeping missions should develop a clear policy on engaging with traditional security and justice providers. Such policy should clarify how to engage as well as the circumstances and the extent to which peace operations should engage with those actors in line with each mission's strategic objectives and priorities that focus on the sustainment of peace and security.

¹⁴⁰ The most recent DPKO/DFS policies developed through the Justice and Corrections Service of DPKO/OROLSI are the Policy on Prison Support in United Nations Peace Operations (2015) https://peacekeeping.un.org/sites/default/files/prison_support_policy_1_september_2015.pdf and the Policy on Justice Support in United Nations Peace Operations (2016) https://peacekeeping.un.org/sites/default/files/2016_policy_justice_support_in_un_peace_operations.pdf



ANNEX D: HUMAN RIGHTS LESSONS

D.1 SUPPORTING EFFECTIVE NATIONAL TRANSITIONAL JUSTICE

Lesson: An appropriate balance between a mission’s political and human right priorities is critical for meaningful justice and reconciliation in fragile and complex post conflict situations

Liberia’s Truth and Reconciliation Commission (TRC) investigated abuses committed during the country’s fourteen year civil conflict and presented its final report in June 2009 containing findings and a set of recommendations, including accountability recommendations, aimed at addressing the root causes of the conflict, violations of international humanitarian law and international human rights law, as well as egregious domestic law violations, with the objective of supporting the development of peace, justice, security and genuine national reconciliation in Liberia.

Whilst the technical support provided by UNMIL helped the TRC implement its mandate in an independent and professional manner, most of the TRC recommendations, in particular those related to criminal prosecutions of perpetrators of human rights abuses and violations of international law, have not been implemented. A number of individuals holding public office in Liberia were named in the report leading to a significant lack of political will to progress meaningful implementation. Other factors such as fear of reprisal and traditional beliefs contributed to a lack of national impetus for implementation of the recommendations, creating a culture of impunity for human rights abuses and violations of international law, sending a distorted message to victims, perpetrators, and the broader population, and undermining the rule of law.

The Mission, following the International Community, also did little to support the advance of a holistic approach to Transitional Justice and good offices were not utilized to influence national

authorities to commit to pursuing criminal accountability and judicial redress. The primacy of politics to the detriment of human rights led instead to a general embrace of memorialization and other non-judicial mechanisms to facilitate Transitional Justice. Some countries have attempted to fill this widely recognized criminal accountability gap by exercising the Universal Jurisdiction principle in their national laws to indict some alleged perpetrators of violations of international law.

Almost nine years since the release of the TRC Report, and almost 15 years since the cessation of hostilities, there exists no sustainable national reconciliation process in Liberia. While fully acknowledging the political sensitivity of criminal accountability within the Liberian context, the Mission's position on this issue contributed to a missed opportunity; more robust and open support to the criminal accountability narrative could have resulted in a more meaningful process for national reconciliation.

Recommendations:

(70) In post conflict contexts, Peace Operations should support a holistic approach to Transitional Justice and ensure that the “primacy of politics” does not override accountability for human rights violations.

D.2 CREATIVE APPROACHES TO THE SUCCESSFUL IMPLEMENTATION OF PROTECTION OF CIVILIANS' MANDATES AND THE HUMAN RIGHTS DUE DILLIGENCE POLICY

Lesson: Prevention through “good offices” and developing an integrated and nationally owned preventive approach is essential in implementing the POC mandate

UNMIL adopted a preventive approach the implementation of its POC mandate, prioritizing Tier One - Protection through Dialogue and Engagement - and Tier Three - Establishment of a Protective Environment - in line with Mission priorities and the situational context. Significant attention was given to good offices engagement by senior leadership, resulting in several potential crises being averted through early and sustained engagement. An excellent example of how POC good offices can help de-escalate a situation is the intervention by UNMIL leadership to help mediate a dispute between the Government and members of a former security agency, disbanded following the end of the conflict in 2003, who threatened to disrupt the 2017 electoral process. A further example is the engagement by the SRSB to dilute tension during an operation aimed at beautifying Monrovia, Liberia's capital city, which led to the forcible eviction of thousands of Liberians accused of squatting on public land. In this regard, one lesson for good offices engagement with respect to POC, is that it could be enhanced by seeking to develop a more visible role for local actors, such as religious leaders and community-based organizations as this could serve to have a multiplier effect.

With respect to the Tier Three approach to POC - Establishment of a Protective Environment – UNMIL resources, human and financial, were directed to the enhancement of the capacity of national security agencies and relevant government officials to meet their POC responsibilities and ensure not only a unified vision to POC, but also a continuity of efforts when UNMIL exits. An Integrated POC Training Program was developed in accordance with the revised (2016) UN Protection of Civilians Strategy for Liberia incorporating Joint UN-Government POC TOT training. The objective was to enhance understanding within national security sector agencies with respect to POC concepts, responsibilities and crisis management and to develop POC training capacity within these

national agencies to ensure that POC training continues to be implemented post-UNMIL. Additionally, UNMIL utilized programmatic funding for a transition project for the Liberia National Police, supporting efforts to maintain a peaceful environment for the conclusion of the 2017 electoral process - given the tensions arising from the extended nature of the process - through reinforcing capacity building efforts with respect to public order and crowd management control with a POC focus. The LNP was subsequently widely commended for its approach and contribution to ensuring peaceful elections and the incoming LNP leadership have acknowledged the importance of building further on this approach.

With the intention of strengthening POC mandate delivery, and providing a framework for the change in POC engagement from a DPKO culture to a more traditional UNCT practice in preparation for UNMIL's departure, the scope of POC policy adoption and implementation was extended beyond the Mission to include the UNCT. A United Nations Strategy for the Protection of Civilians in Liberia was jointly developed by UNMIL and the UNCT, along with integrated Standard Operating Procedures and an implementation plan. The Integrated POC Training Program established under the Strategy provided for recurrent training on POC for UNCT staff to develop a sustainable pool of expertise within the UNCT to determine and implement a POC agenda. A POC working group provided for within the Strategy, has, in the course of UNMIL's final year, transformed into a Human Rights Working Group, which serves a dual role as a Protection Cluster for the UNCT, with responsibility for preparing a POC response in crisis situations.

Although generally applicable in mission settings, the scope of application of the Human Rights Due Diligence Policy (HRDDP) has been broadened in Liberia to include the UNCT. UNMIL and the UNCT have politically and technically rolled out HRDDP to international partners and, more importantly, to all national security agencies to ensure national ownership of its implementation. In addition, UNMIL developed Standard Operating Procedures on the implementation of HRDDP which referenced provisions of the integrated United Nations Strategy for the Protection of Civilians in Liberia. The UN in Liberia has sought to ensure that the two policies are mutually enforcing, with the HRDDP mandate being implemented in a POC context and vice versa. For example, during the Ebola Virus Disease crisis in Liberia in 2014, and following an incident during the period of a State of Emergency when the police and military used excessive force against unarmed civilians, recalling HRDDP imperatives helped the UN to address what was a clear POC issue¹⁴¹. This led to immediate, high level engagement with the Government, resulting in a re-direction of the military to a different role in Ebola-response and to the lifting of the State of Emergency.

This integrated, mutually enforcing, approach of HRDDP-POC and UNMIL-UNCT-national security institutions was innovative and led to a common understanding and application of HRDDP and POC in Liberia. Having HRPS as the lead on POC across the UN in Liberia, and embedding the POC senior advisory function within HRPS, significantly enhanced coherence in implementation across a multiplicity of actors. It also helped to create functional synergies with the Rights Up Front (RuF) initiative¹⁴².

Recommendations:

- (71) Whilst acknowledging the varying contexts in which peace operations are engaging, POC mandate implementation should include efforts to encourage and develop national ownership of POC responsibilities. This should be reflected in mission POC strategies and SOPs.
- (72) From the inception of a mission and throughout its life cycle, an integrated UN-wide, mutually enforcing approach to POC and HRDDP mandate delivery should be prioritized

D.3 ADOPTING EFFECTIVE CAPACITY BUILDING APPROACHES

Lesson: A focus on structural institutional development and a change in focus from capacity enhancement for leadership to mid-level management helped address chronic weaknesses in the national human rights protection system.

Following its establishment, the Independent National Commission for Human Rights (INCHR) struggled to effectively implement its core mandate despite significant efforts to develop capacity amongst its leadership. In the same vein, the Human Rights Protection Division (HRPD) of the Ministry of Justice (MOJ) was confronted with serious challenges with regard to the development of a vision and the management and capacity of its human resources. Recognizing the limited progress being made by both the INCHR and the HRPD, the two key state human rights protection mechanisms, HRPS reviewed its approach to the provision of support and adopted a more institution based-approach, targeting structural reform and middle level management, while keeping an ongoing dialogue with the political leadership.

With regard to support to the INCHR, this consisted of engaging middle level management personnel to focus on enhancing internal governance and management. Targeted efforts, including through projects supported by QIP or Programmatic Funding, brought about the development of a vision for the institution, improvements in planning methodology including a 5 year costed action plan, clear division of labor, and improved financial and staff management. There was also systematic training for mid-level management staff as well as INCHR field monitors, based in all of Liberia's counties. This in turn created the environment for a more structured and organized approach to mandate delivery, including the development of a public engagement strategy, streamlining of the INCHR complaint receiving mechanism, and the development of a human rights education curriculum. The Commission's public pronouncements improved qualitatively and field reporting from county-based monitors also significantly improved. This subsequently resulted in INCHR's accreditation with A status by the Global Alliance of National Human Rights Institutions.

A similar approach was taken towards the provision of support to the HRPD, with HRPS supporting the establishment of a new, thematic based, internal structure for the Division, and providing guidance to the Division in rationalizing the use of its limited resources. Capacity building efforts for HRPD staff also addressed how the Division could best advocate across government to ensure an understanding of the criticality of the Division's role in supporting the GoL to fulfill its regional and international human right obligations. Technical expertise was also developed across the Division with respect to engagement with international human rights mechanisms. As a result, the HRPD became more operational, coordinating the Liberia UPR review, leading for the GoL in Liberia's

engagement with the Special Procedures and its reporting to the Treaty Bodies, as well as taking an increasing role in monitoring the implementing the National Human Rights Action Plan.

It must be acknowledged however that, while there has been considerable progress since the adoption of an institutional based-approach, concerns about the sustainability and effectiveness of national institutions in fulfilling their human rights mandate persist due to the weakness of the national human rights culture, limited allocation to resources to the INCHR and HRPD, and the magnitude of the challenges facing the country.

Recommendations:

(73) Peace Operations should develop strategies for capacity enhancement of national human rights mechanisms and invest in the enhancement of national HR institutional capacities, targeting middle management, to instill a systemic culture and practice of internal planning and effective budgeting.

D.4 EMPOWERMENT OF RIGHT HOLDERS' IN PROTECTING THEIR RIGHTS

Lesson: Right Holders' empowerment is an important tool for efficiency in mandate delivery.

The UNMIL Human Rights and Protection Section (HRPS), in line with the OHCHR 4 year work plan, proactively engaged in empowerment activities targeting right holders such as youth, women and persons with disabilities. Success achieved with respect to supporting persons with disabilities to take ownership in the promotion and protection of their rights is particularly notable, with more than 90% of the 60 initiatives/outputs planned within the work plan having been carried out by persons with disabilities themselves.

HRPS established a leadership development agenda targeting persons with disabilities and their established platforms such as the National Commission on Disabilities and the National Union of Organizations for the Disabled (NUOD). This involved capacity development and awareness raising, including for example on the Convention on the Rights of Persons with Disabilities (CRPD) but also, critically, support to the development of a vibrant advocacy strategy and implementation plan. This led to the systematic inclusion of persons with disabilities in key national processes such as the constitutional review process, elections, and the development of the National Human Rights Action Plan and the National Strategy on implementation of the CRPD. This led to the domestication of important provisions of the CRPD, such as mainstreaming the rights of persons with disability in the National Human Rights Action Plan and creation of focal points in State institutions to further enhance GoL mainstreaming efforts. Additional positive examples can also be noted. For instance, the CRPD places on States an obligation to carry out social, public perception and understanding surveys on disability issues; the GoL failed to take up this responsibility, but one of the NUOD organizations - Reach Out to Empower the Vulnerable Persons (REVUP) - took the initiative to develop and undertake such a survey themselves. Another example, with respect to elections, was the utilization of tactile ballot papers to facilitate the inclusion of visually impaired citizens in the 2017 Presidential and Legislative elections. While HRPS provided technical training for the use of such ballot papers, the initial advocacy for printing them was made by the disabled organization as

result of a capacity-building program conducted by HRPS on the rights of persons with disabilities in electoral processes.

While this vulnerable community requires continued support to enhance its capabilities it is clear that the empowerment of right holders' and the establishment of a national caucus is a positive mandate delivery tool.

Recommendations:

(74) Missions should reframe UN human rights engagement with national partners to ensure the inclusion of provision of support to right holders'.

D.5 SUCCESSFUL HUMAN RIGHTS TRANSITION DURING MISSIONS' CLOSURE

Lesson: A successful transition of the human rights agenda during the phasing out of the Mission requires early planning, qualitative analysis of the country's human rights priorities and challenges, and the active engagement of mission leadership.

Building on measurable progress, but also in recognition of the challenges to respect for and promotion of human rights in Liberia, agreement has been reached between the GoL and the Office of the High Commissioner for Human Rights (OHCHR) to establish an OHCHR Country Office in Liberia upon the closure of UNMIL. A 2016 assessment, conducted by the UN and involving discussions with key national actors, had found that Liberia's human rights challenges put at risk the country's peace and stability¹⁴³. Subsequently, the GoL, in the March 2017 Liberia Peacebuilding Plan, developed at the request of the United Nations Security Council in collaboration with civil society and international partners, identified human rights as a peace consolidation priority area and committed to requesting the establishment of an OHCHR Country Office.¹⁴⁴

Crucially, in line with a strategy supported by HRPS, national support for the establishment of the OHCHR Office was generated by the INCHR, which was at the forefront of advocacy up to and including the development of the Liberia Peacebuilding Plan, to encourage the GoL's understanding and acceptance of the importance of ongoing UN engagement in Liberia in the area of human rights. Subsequently, and in accordance with the UN's own commitment within the Liberia Peacebuilding Plan, to support the establishment of an OHCHR Office by 1 April 2018¹⁴⁵, robust engagement by HRPS created momentum for early planning towards a collective vision for the new office. This was taken forward by UN leadership in Liberia, who commenced a campaign of targeted advocacy, including a series of consultations between the Mission (including the DSRSG/RC) and OHCHR Offices in Geneva and New York and engagement with the international community in Liberia. This was strengthened by the commitment of PBF support to the implementation of the Liberia Peacebuilding Plan during the transition period, which resulted in the allocation of funding for the first year of operation for a country office. This culminated in a visit of the Assistant Secretary General for Human Rights to Liberia in 2017 to sign a Memorandum of Understanding with the GoL, confirming the establishment of an OHCHR office as of 1 April 2018.

The establishment of the OHCHR Office fulfils two objectives. Firstly, to reinforce progress and gains made in establishing a national protection system, including the development of a National Human Rights Action Plan, establishment and development of the Independent National Commission on

Human Rights (INCHR) and capacitation of civil society to undertake a watchdog and monitoring role. Secondly, to position the UN to ensure the provision of ongoing targeted technical support to national human rights institutions and to ensure sustainable relationships with regional and international human rights bodies.

The approach taken in Liberia helped to develop a transition vision and plan which spoke to national priorities and brought on board at an early stage all relevant national and international partners and UN leadership in country. The establishment of an OHCHR Country Office in Liberia is a successful UN endeavor towards a solid transition of its work on human rights, aligning in a timely way with the establishment of a new government.

Recommendations:

- (75) Missions should carry out early planning for the transition of the human rights' agenda with a view to working sequentially towards an exit strategy.
- (76) The creation of an OHCHR/DPKO framework for early human rights' transitions in the context of closure of Peace Operations is advisable to ensure continuity of engagement including consolidation of gains through quality analysis, reporting and political consensus building.

¹⁴¹ In August 2014 a teenage boy died after being shot by Liberian security agencies following the quarantine of the West Point area of Monrovia imposed under the state of emergency.

¹⁴² The Human Rights up Front (HRuF) is a Secretary-General's initiative to strengthen prevention of human rights violations. It came as a response to a review of the Sri Lanka crisis which concluded that failure by the UN to take preventive measures led to gross violations of human rights. It is an initiative which aims to improve the United Nations' response to the prevention of mass human rights violations. Originally envisaged to operate only in non-mission settings, HRuF or RuF is now rolled out for mission and non-mission settings. It places additional protective human rights responsibilities on RCs and fits well in the UNMIL POC and HRDDP implementation approaches. In one of her statements, Helen Clark, the former UNDG Chair cited that, "UN RC's and UNCTs are well placed to detect early warning signs of potential serious human rights violations. Human Rights up Front urges RCs and UNCTs to share such concerns with headquarters, and to leverage the capacities of the whole UN system to respond early, and to respond together".

¹⁴³ Strategic Assessment Mission's findings, as set out in the November 2016 Special Report of the Secretary-General on the United Nations Mission in Liberia (S/2016/968).

¹⁴⁴ Sustaining Peace and Securing Development: Liberia Peacebuilding Plan (Annex I).

¹⁴⁵ Sustaining Peace and Securing Development: Liberia Peacebuilding Plan (Paragraph 39).

ANNEX E: TABLE OF RECOMMENDATIONS

Section	Recommendation	Number
Mandate Evolution 1.1	A better structured mechanism should be developed for missions' regular engagement with Headquarters at the senior leadership level, including for instance, bi-annual discussions (via VTC). This should contribute to ensure greater coherence regarding priorities, progress and the desired end state, as well as allow missions to feed more effectively into the development of the mandate.	1.
Mandate Implementation 1.2.1	Strategic planning resulting in practical guidance should follow the adoption of mission strategic frameworks, so as to promote better mandate implementation and inform the scope of the mission as it enters new cycles. Missions should be encouraged and adequately accompanied by HQ to improve their use of the existing UN internal planning, implementation, and reporting mechanisms.	2.
Mandate Implementation 1.2.1	Peace Support Operations (PO) should have appropriate strategic planning capacity from the earliest stages through to closure. The strategic planning component within a mission must be empowered to effectively bring all components of the mission together behind a common plan for mandate implementation.	3.
Mandate Implementation 1.2.1	Mission planning should always go beyond annual cycles. Informal forecasting of support by the Mission should be developed for medium to long-term perspectives, to ensure planning for adequate capability, flexibility, sequencing of reforms and promotion of realistic timelines for achieving positive outcomes.	4.
Organizational Learning 1.2.2	Peace Support Operations and their various components should establish, from the beginning, a user-friendly information management system that can enhance institutional memory, and rapidly update new staff.	5.
Organizational Learning 1.2.2	Missions should be encouraged to carry out lesson identification exercises within intervals of at most three years, to be meaningful for learning within cycles of peace support operations, and to avail from existing institutional memory and documental records.	6.
Organizational Learning 1.2.2	Resources should consistently be made available for all Missions to incorporate best practices officers within their structures, and for allocating a specialised monitoring and evaluation officer within the Rule of Law Pillar. Should this capacity be based in the Strategic Planning Unit, it needs to be ensured that it can adequately respond to the needs of the Pillar.	7.
Assessments and Analysis 1.2.3	Missions should ensure that baseline assessments are carried out in an inclusive and nationally/institutionally owned manner at the start of each specific reform support, and that they envisage follow-on processes. Whenever viable, missions should encourage the participation of willing development partners, and ensure that assessment results are shared and made public to promote awareness, and facilitate	8.

eventual coordination between different national and international stakeholders.

Assessments and Analysis 1.2.3	Internal OROLSI operational guidance notes on monitoring, evaluation and assessments should be further strengthened. This includes defining a clear methodology for conducting assessments or monitoring of national reform processes.	9.
Risk Management 1.2.4	Mission leadership should be conscious and accommodating of the fact that some reform setbacks are likely to occur. To minimize the potential long term consequences of not addressing the underlying structural, and potentially difficult reforms, a risk management approach should be adopted. This includes integrating risk analysis in internal planning documents, and developing risk mitigation strategies for each reform stream. Resistance or poor results in critical areas should not be seen as an outright reason to withdraw support, but rather serve to re-evaluate the initial approach and corresponding support provided. To guide the work of missions, risk management guidelines for engaging in reforms in justice, corrections, police, defense, and human rights should be developed.	10.
Affordability of Reforms 1.2.5	Missions should undertake basic evaluations of the affordability of proposed reforms of strategic significance, such as support to the development of strategic plans, legal reforms, and costly infrastructure/capability development.	11.
Affordability of Reforms 1.2.5	In a resource constrained environment, periodic security and justice expenditure reviews should be undertaken to gauge opportunities and challenges in the financing of the sectors. This can help to better understand the affordability of the ongoing or planned reform process, and support prioritization. The reviews should also be utilized as entry-points to improve national public financial management and practices, within the justice and security sectors.	12.
Affordability of Reforms 1.2.5	Considering the specialized skills required for analyzing the financial implications of reforms and engaging on budgeting across security and justice reform efforts, a dedicated capacity to work on such issues should be integrated in the Front Office of the DSRSG. Such a position should have clear terms of reference, and remain available to support both Pillar wide strategic planning, but also operational planning of individual Pillar components.	13.
Quick Impact Projects as enablers of reforms 1.2.6	Analysis of implementation of QIP should be periodically undertaken to help forecast future use and review the extent to which the use of QIP is aligned to Pillar strategic priorities. Such analysis should also track the extent to which QIP are used for basic infrastructure, or to facilitate strategic level engagement, feeding into the adaptation of the use of QIP over time to broadly reflect changes in mandate and in reform focus areas.	14.
Mission Staffing and human resources 1.2.7	Personnel requirements and needed skill sets should be regularly and systematically reviewed throughout the life of a mission. In line with their mandate strategic priorities, missions should define both the expertise/skills required at each stage, the duration for which such expertise is needed, and the most appropriate modality through which it should be secured. Terms of reference for each staff position should be reviewed and updated following each change to mandate.	15.

Mission Staffing and human resources 1.2.7	For civilian posts, missions should play a more direct role in defining staffing requirements and recruitment of individuals. This could help to ensure that missions broaden searches for qualified and specific expertise that are otherwise inconsistently available through established rosters or secondments from Member States. This should be complemented by re-balancing professional, technical assistance and seconded staff in Corrections and UNPOL components.	16.
Mission Staffing and human resources 1.2.7	DPKO/DPA should continue to expand and formalize partnerships, including through the Global Focal Point for Police, Justice and Corrections, Member States, specialized rosters, NGO/IGOs and others in areas where there are expertise shortfalls to help ensure that such partners facilitate securing time-bound surge in capacity when required. The relevance and effectiveness of the various OROLSI rosters (eg. SSR, Justice) should be comprehensively reviewed with a view to dedicating resources to strengthening such mechanisms or discontinuing their use altogether.	17.
Mission Staffing and human resources 1.2.7	The use of specialized UN Police teams, that is, a group of experts in a particular policing specialty on secondment from a single country or group of Member States, should be further explored, including in areas such as addressing SGBV, forensics, and training.	18.
Mission Staffing and human resources 1.2.7	The SGF and other relevant UN, including DPKO/DFS policies and guidance, should be adhered to by UN staff members, associated personnel, and experts on mission, as applicable. The development/and or clarification of an associated accountability framework could be useful to promote adherence to implementation.	19.
RoL Pillar Structure Evolution 1.2.8	The configuration of the Rule of Law Pillar and its integrated strategy ought to be designed from the start towards the achievement of the goals set-up by the Mission in the delivery of its mandate. Concurrently, the specific strategies and planning of the Pillar components ought to be designed taking into account complementarities in their contribution towards the implementation of the Pillar strategy.	20.
RoL Pillar Structure Evolution 1.2.8	Missions should promote a balanced approach between: 1) institution specific support organized along Pillar component lines (e.g. supporting the police); 2) problem-based planning integrating work across the Pillar; and 3) engaging all components under joint activities. This requires parallel work plans at the Pillar (cross cutting issues) and component levels, with the DSRSG front office playing a lead role in reconciling potential conflicts.	21.
RoL Pillar Structure Evolution 1.2.8	A common set of indicators to measure performance at the Pillar level should be developed, and coordination pointers should be mandatory in performance review of staff, especially senior managers, to encourage implementation of integrated approaches and joint activities.	22.
RoL Pillar Structure Gender	Missions should adopt coherent and integrated Rule of Law Pillar approaches to the delivery of gender support and should be further supported in developing mission-wide capacity to ensure the effective application and implementation of UN Gender policy and guidance.	23.

1.2.9		
Sequencing Transition with National Police and Economic Cycles		24.
1.3.1	The need for early and integrated transition planning should be firmly embedded in the mission's strategy and work plan as determined in the Policy on UN Transitions in the Context of Mission Drawdown or Withdrawal. Monitoring of progress should refer to broader criteria than that of the narrower processes of drawdown and security transition, and ought to be jointly carried out by HQ and missions.	
Sequencing Transition and Economic Cycles		25.
1.3.1	Transition planning and timelines should entail scenario development and matching risk analysis and contingency plans, whilst carefully observing the underlying political cycle dynamics and fragility of the country at stake. Consideration should be awarded to the integration of development of Theories of Change as planning and monitoring tools leading to improved adaptability and risk management in different transition phases.	
Sequencing Transition and Economic Cycles		26.
1.3.1	Transition initiatives, should be designed through adequate consultation and conscious timelines as to the existing policy and planning frameworks, aligned with the country's own economic and financial cycles, as well as those of international partners. The UN should assess the viability of Multi-Donor Trust Funds as mechanisms for ensuring continuation of financial support in the context of transitions, and seriously consider strengthening the management and administration arrangements comprised in MDTF.	
Sequencing Transition and Economic Cycles		27.
1.3.1	Sequencing of transition processes needs to move beyond only considering centrally the requirements for UNCT continuation of assistance going forward into factoring-in the development assistance frameworks of the main international partners of the country at stake, and of regional organizations, so as to ensure support for taking forward the peace building agenda in an inclusive and integrated manner.	
Continuity Of Support Through Unmil/Undp Joint Programme On Rule Of Law		28.
1.3.2	Where relevant, transition planning by peace support operations ought to factor-in realistic time-frameworks for implementation of joint programs on Rule of Law between the Mission and UNCT. This is especially important as missions face a high turnover of staff, during these periods. Co-location and joint implementation and monitoring of progress towards transition outcomes with foreseen benchmarks, indicators and timelines are supportive of greater coordination.	
Continuity Of Support Through Unmil/Undp Joint Programme On Rule Of Law		29.
1.3.2	Assessed programmatic funding should be used as a tool to facilitate sustainable transitions by preventing gaps in delivery as the Mission draws down, and serve as a catalytic investment to enable the UNCT to scale up support and fundraising over time.	
Continuity Of Support Through Unmil/Undp Joint Programme On Rule Of Law		30.
1.3.2	Missions should identify a clear governance structure for the approval and oversight of programmatic funding implementation, as per the DPKO/DFS Guidelines on Mandated Programmatic Activities funded through Peacekeeping Assessed Budgets, to ensure that clear and effective decision-making processes are in place.	
Building-In Time For Monitoring And Trouble-Shooting		31.
	The transition process, including handover of projects and operational responsibilities, should be frontloaded, with a remaining period of the transition largely focusing on monitoring and troubleshooting support to ensure sustainability of the reform or capability. Efforts should be made to ensure that staffing in missions is secured in the waning years of the mandate even as the number of reform activities is	

1.3.3	decreased. Such a mandate transition should enable the mission to provide robust monitoring and troubleshooting, where necessary to help support institutionalization of reforms in the remaining years of the transition process.	
Managing Political Engagement And Good Offices 2.1	Peace Support Operations should have a clear strategy to inform and direct the use of good offices and political engagement behind agreed rule of law reform priorities. The strategy should clearly set out how the mission ought to accompany each reform process, and mission activities must be aligned with the strategy. The strategy must reflect the United Nations position and priorities, and seek to hold national actors responsible for the reforms which are in their hands to effect.	32.
Managing Political Engagement And Good Offices 2.1	Sustained political engagement/good offices by Mission leadership must be utilized in conjunction with technical support for meaningful sequencing of processes, and achievement of progress across time in human rights development and police, justice and security sector reform.	33.
Managing Political Engagement And Good Offices 2.1	Effective political engagement by the Mission leadership should involve all relevant actors beyond simply the national Executive, and should strive to foster and/or strengthen improved working relationships between the various actors.	34.
Coordination 3.1	Considering the significant resources available to peace support operations, mandates should clearly instruct, alongside the good offices' function, a coordination role of Missions in police, justice, corrections, human rights and SSR work, in the spirit of S/RES/2151(2014). Equal consideration should be given to missions' mechanisms to strengthen national level internal coordination systems, as well as their capacity to facilitate coordination with international partners.	35.
Coordination 3.1	As part of their transition strategy missions should advocate for the continuation of platforms of international partner coordination on work on police, justice, corrections,, Human Rights and SSR, to ensure continuity and coherence of efforts upon the closure of the mission. In this regard it is important to consider the capacity of regional mechanisms to play such role, supported by UNCT, and other prominent bilateral and multilateral partners in this area of work.	36.
Capacity Building of National Institutions 3.2	Peace Support Operations should target training of a wide range of junior and senior staff in the early stages, and as a means of achieving greater sustainability of capacity building support should gradually build internal institutional training capacity across the sector, to deliver both specialized trainings and continuous in service training and education. The aim should be to ensure that national institutions are able to deliver basic training with Missions gradually shifting resources and focus towards more specialized trainings, and capacity building efforts	37.
Supporting Management and Accountability Reform 3.3	Management and accountability reforms in the Rule of Law sectors should be made explicit in the mission mandate. Such a focus should be gradually developed, and expanded over the lifespan of the mission.	38.

Supporting Management and Accountability Reform 3.3	Missions' rule of law engagement should, from the outset, be strategically designed to achieve the goal of reducing systemic corruption in the justice system, building trust and confidence, and instilling a culture for respect of the rule of law, focusing more clearly on advancing the core objectives of integrity, transparency and accountability. This could include institution-specific corruption risk assessments that identify corruption risks and vulnerabilities to help guide reform efforts.	39.
Supporting Management and Accountability Reform 3.3	Transition processes should explicitly aim to ensure that the monitoring and accountability function of Peace Support Operations is effectively handed over. This includes mapping areas where missions play a leading role in monitoring and holding state institutions to account for performance and conduct, and identifying which internal and external accountability mechanisms will take over such functions over time.	40.
Supporting Management and Accountability Reform 3.3	Considering the central role of Line Ministries in strategy, oversight and management of core security and justice functions, strengthening the capacity and effectiveness of line Ministries should be integral parts of Rule of Law, SSR and Human Rights' reform efforts. Various OROLSI internal guidance notes (SSR, Police Division, Justice, Corrections), and similar OHCHR documents, should be reviewed and strengthened to provide more effective guidance to Rule of Law components on how to engage in supporting the development of capacities and mandates of line Ministries in their management, oversight, policy and budgeting roles.	41.
Improving Local Level Security And Justice Service Delivery 3.4	Context permitting, a gradual approach to deconcentration of capacity and services beyond the capital should be promoted and supported by missions from the beginning. Continuous analysis should be undertaken by the mission to help identify which systems or processes, including recruitment or oversight, can be devolved to local level. As staffing, services and resources are gradually increased at local level, missions should ensure that support is provided to strengthen accountability mechanisms, including capacitating external oversight bodies (e.g. Anti-Corruption Commission or Civil Society).	42.
Effectiveness Of Ssr Advisory Support Annex A.1	The planning, mandates and budgeting of Peace Support Operations should factor-in an SSR advisory capacity within the mission structure from the start. For this advisory and coordination capacity to be recognized within the mission, and by national counterparts and international partners, it requires the adequate level of seniority in the grading of these positions, regardless of whether the capacity is in the form of the Advisor or of the Unit model. In addition, flexibility should be integrated into the planning so that the SSR advisory capacity can be adjusted to respond to the changing requirements of the SSR and Rule of Law mandates throughout the different life cycles of the mission.	43.
Supporting National Security Policy And Strategy Development Annex A.2	Peace Support Operations should prioritize strategic-level support to sector-wide SSR from an early stage of their mandate. When such a process is planned or underway, missions should be explicitly mandated by the United Nations Security Council to raise the profile of such efforts internally across the mission, and to ensure that sufficient political, technical and financial resources are committed to the process.	44.

Supporting National Security Policy And Strategy Development Annex A.2	Missions should advocate and assist the establishment and operationalization of national security executive coordination and management mechanisms, according to the guidance provided in the United Nations Integrated Technical Guidance Notes on Security Sector Reform. Concurrently missions should advocate for sequenced security policy-making process, and support national authorities in the formulation of a National Security Policy, enacted through a national security strategy and plan, and followed by sectoral development plans. However, where nationally owned security policy-making processes are already ongoing, missions should play a support expertise and coordination role, whilst advocating the principles of sound management and accountability of the security sector.	45.
Supporting National Security Policy And Strategy Development Annex A.2	Peace Support Operations should substantively engage in fostering inclusive and comprehensive Security Sector Reform processes, including by deploying the good offices of the SRSG and playing a coordination role of international support, as established in Security Council resolution 2151 (2014). The effective carrying out of such role is likely to be facilitated by Security Council mandates specifying this provision.	46.
Bridging Gaps In Accountability Annex A.3	Peace Support Operations should support the development of stop-gap measures to enhance oversight and accountability of the military, whilst military justice systems and internal discipline mechanisms are being established and operationalized. In instances where the UN lacks the advisory lead on defense and security reforms, the SSR Advisor/Unit should sensitize international partners, towards the need to, from an earlier stage, simultaneously support train and equip, institutional policy development, and oversight and accountability.	47.
Management, Control And Oversight Of Salw Annex A.4	Peace Support Operations should consider aligning the portfolios of SSR and SALW management work for improved balance between support for capacity and oversight, strategic and operational assistance, and for a coordinated approach to the integrated use of technical advice, good offices, capacity building, advocacy, and supply of equipment and infrastructure improvement/development.	48.
Track Three Diplomacy Towards Oversight Of The Security Sector Annex A.5	Peace Support Operations with peacebuilding mandates should provide support to the development of capacity of civil society, academia and research institutions to critically engage in SSR processes, since the inception of the missions. This contributes to building inclusive national ownership of SSR and democratic governance of the security sector, generating societal demand and monitoring to enhance sustainability of the process. Furthermore, the policy research products of national think tanks can contribute to inform mission interventions through contextually grounded sociological, anthropological, conflict and political economy analysis likely to impact the change process, or for example through citizen perception surveys.	49.
Supporting Gender In Security Through Coordination Annex A.6	Peace Support Operations should establish internal gender and security task forces and work through a coherent and integrated approach to the delivery of gender support to the respective national interlocutors. Furthermore, supporting the establishment of a national gender and security sector task force is advisable to foster a network of mutual collaboration and coordination in advancing gender equality efforts in the security sector.	50.

Envisaging An End State For A Reformed Police Service Annex B.1	The Police Division should develop and retain holistic expertise in building and/or re-establishing police organizations, including basic issues of affordability, structural options, and the importance of logistics for modern police operations. This knowledge should be held centrally by the Police Division, such that individual missions can seek guidance as required, and maintain focus despite staff rotations. The SGF should include specific guidance on supporting national police services in fleet management, maintenance, facility management, and record keeping.	51.
Fostering Internal And External Monitoring Systems Annex B.2	Future UN missions should prioritize police accountability an early stage of the mandate. UN missions should facilitate wide ranging consultations at national level to determine the functions required to improve independent police accountability and oversight. In the early stages of the mission, consideration should be given to mapping the various state and non-state institutions and mechanisms available to deliver independent external oversight of the police.	52.
Fostering Internal And External Monitoring Systems Annex B.2	The role of the UN Police Commissioner to provide external oversight over the outcomes of internal accountability processes should be prioritized, and the UN should monitor how successful this oversight is as a key factor in the development of effective police accountability.	53.
Fostering Internal And External Monitoring Systems Annex B.2	Improving accessibility and transparency of public complaints mechanisms related to conduct and performance of police should be a key element of UNPOL support to strengthening police accountability. The effective alignment between the Human Rights section and the UN Police serves as a good model for other missions.	54.
Re-Capacitating A Police Service Following Conflict – Focusing On Future Leaders Annex B.3	As part of UN Police capacity building mandates, sufficient resources and attention should be given from the beginning to mentoring existing and future managers, while also developing a national system of more advanced and re-current training for professional development of managers.	55.
Empowering Expertise For Successful Police Reform Annex B.4	UN missions should include non-seconded civilian staff members within UN police components to maintain a consistent vision on the police reform agenda over time, and provide guidance on the strategic institutional reform, particularly the use of an overall programmatic approach to joint development. Positioning senior civilian staff in empowered roles within the police component is fundamental to supporting longer term reform vision and a programmatic approach to reform and capacity building.	56.
Women in the Police Service Annex B.5	Peacekeeping missions should continue to prioritize and advocate for more women peacekeepers. Particular attention should be given to recruiting female Commanders and Senior Officers who can play a positive mentoring role to their national counterparts. Data collection regarding UN Police gender balance should be further disaggregated by tracking the extent to which there is gender balance at senior and mid management levels of UN Police components.	57.

Strategic And Coordinated Approaches Annex B.6	UN Police engagement with national counterparts should include an element of structured coordination. Such coordination structures, which include both high level strategic decision making body and technical working groups, should serve to provide a framework for sharing information, discussing operational matters, setting priorities for reform, and reviewing progress on a regular and frequent (e.g., weekly) basis. To ensure that such structures serve both a strategic and operational purpose it is important to develop different layers of coordination. This includes a wider cross Government and CSO board to provide strategic guidance and direction on a periodic basis, complemented by a more operational focused senior management board (eg. National Police management and UN Police/Donors) that can focus on more technical and operational issues on a regular (eg. weekly) basis. These structures should be complemented by a mid-level management board which can follow up on recommendations coming from the top tier steering boards.	58.
Link Community Policing Capability To Locally Accepted Annex B.7	UN missions should monitor and assess the risks associated with linking formal and informal policing systems, however, the UN should adopt a relatively risk tolerant approach to developing these links.	59.
Developing Transnational Crime Units Annex B.8	Where transnational crime capabilities are being developed, the UN should advocate for solutions that are integrated into the national security architecture, and are grounded in the capabilities and requirements of the institutions involved. The UN should not create parallel systems and structures that could otherwise divert important attention and resources away from the core functions of the police.	60.
Justice and Corrections Prioritization/Sequencing Annex C.1	The scope of support provided and the ambition should be commensurate to available resources. Clear sequencing and strategic direction is required to ensure limited resources are not spread too thinly. This includes limiting the number of parallel reform streams and standalone activities.	61.
Justice and Corrections Lessons Prioritization/Sequencing Annex C.1	Mandates of peace operations should continue to have specific and clear provisions to support corrections reform to help ensure that sufficient resources are committed by the peace operation to support this critical area of reform.	62.
Justice and Corrections Lessons Linking Mentoring – Court Monitoring – Advising Annex C.2	Dedicated monitoring efforts of justice and corrections components should remain time constrained, with monitoring gradually progressing from being a continuous exercise to one that is more time-limited and targeted, focusing on specific justice and corrections reform issues.	63.
Justice and Corrections Lessons Data Collection/Analysis And Case Management Systems Annex C.3	Developing case management and data information systems can be essential for increasing the effectiveness, efficiency and transparency of justice institutions. Peace operations should consider an incremental approach that involves support for the development of tools and systems that have low capacity and financial resource requirements but are able to deliver the basic data required to inform management or support case handling. Over reliance on IT solutions or complex case management or data generation systems should be avoided in contexts where institutions have limited human and financial resources to sustain or maintain such systems without external support. More complex IT solutions should only	64.

	be developed when systems of accountability for ensuring data integrity and systematic data entry are in place. The development of such systems should follow a change management approach.	
Justice and Corrections Lessons Capacity Building - Corrections Annex C.4	All capacity building efforts should be developed on the basis of a training needs assessment and a long-term sequenced training strategy that outlines how the mission will transition from basic training to more advanced training over time while, in parallel, empowering national institutions to assume responsibility for such training. Capacity building approaches should be diversified to include a combination of institution building (eg. building training capacity), specialized training, in-service training, and mentoring. The focus of a mission should be both on capacity building of individuals but also building institutional capacity to sustain the training.	65.
Justice and Corrections Lessons Specialized Structures To Deal With Sgbv Cases Annex C.5	Given the challenges and threats to peace and stability from the high incidence rate of SGBV in post-conflict environments, supporting the development of dedicated capacities, including structures where relevant, to deal with SGBV crimes and other serious crimes should be an integral part of peace operation mandates. However, such support needs to be preceded by, or undertaken in parallel with wider criminal justice system reforms that address the underlying procedural, accountability, coordination and management issues. A cross mission approach to SGBV should be applied.	66.
Justice and Corrections Lessons Pre-trial detention/ Prison Population C.6	As part of broader mission efforts to reduce pre-trial detention, consideration should be given to integrating work on developing and strengthen ADR mechanisms and expanding access to legal aid as part of the efforts to address pre-trial detention and reduce the burden on the courts. The focus on case flow management and capacity building of prosecution, judiciary, corrections and the police to more effectively deal with growing case-loads should be balanced with effective attention to building the capacity of legal aid providers, including public defenders.	67.
Justice and Corrections Lessons Pre-trial detention C.6	Prior to engaging in pre-trial detention, missions should conduct a thorough analysis of the causes and contributing factors to pre-trial detention. Such an analysis should be undertaken across the criminal justice chain and include political economy analysis.	68.
Justice and Corrections Lessons Linking Formal And Informal Justice Systems C.7	Peacekeeping missions should develop a clear policy on engaging with traditional security and justice providers. Such policy should clarify how to engage as well as the circumstances and the extent to which peace operations should engage with those actors in line with each mission's strategic objectives and priorities that focus on the sustainment of peace and security.	69.
Supporting Effective National Transitional Justice D.1	In post conflict contexts, Peace Operations should support a holistic approach to Transitional Justice and ensure that the "primacy of politics" does not override accountability for human rights violations.	70.
Creative Approaches To The Successful Implementation Of	Whilst acknowledging the varying contexts in which peace operations are engaging, POC mandate implementation should include efforts to encourage and develop national ownership of POC responsibilities. This should be reflected in mission POC strategies and SOPs.	71.

Protection Of Civilians' Mandates And The Human Rights Due Dilligence Policy D.2		
Creative Approaches To The Successful Implementation Of Protection Of Civilians' Mandates And The Human Rights Due Dilligence Policy D.2	From the inception of a mission and throughout its life cycle, an integrated UN-wide, mutually enforcing approach to POC and HRDDP mandate delivery should be prioritized	72.
Adopting Effective Capacity Building Approaches D.3	Peace Operations should develop strategies for capacity enhancement of national human rights mechanisms and invest in the enhancement of national HR institutional capacities, targeting middle management, to instill a systemic culture and practice of internal planning and effective budgeting.	73.
Empowerment Of Right Holders' In Protecting Their Rights D.4	Missions should reframe UN human rights engagement with national partners to ensure the inclusion of provision of support to right holders'.	74.
Successful Human Rights Transition During Missions' Closure D.5	Missions should carry out early planning for the transition of the human rights' agenda with a view to working sequentially towards an exit strategy.	75.
Successful Human Rights Transition During Missions' Closure D.5	The creation of an OHCHR/DPKO framework for early human rights' transitions in the context of closure of Peace Operations is advisable to ensure continuity of engagement including consolidation of gains through quality analysis, reporting and political consensus building.	76.

ANNEX F: BIBLIOGRAPHY

Aucoin, L.M., *'Deputy Special Representative of the Secretary-General to Liberia for Rule of Law: End of Assignment Report'*, 2012.

Blaney, J., Klein, J-P., McFate, S., *'Wider Lessons for Peacebuilding: Security Sector Reform in Liberia'*, The Stanley Foundation, 2010.

Carparini, M.L., *'Extending State Authority in Liberia: The Gbarnga Justice and Security Hub'*, Norwegian Institute of International Affairs, 2014.

Da Costa, L.C., *'Deputy Special Representative of the Secretary-General for Operations and Rule of Law - UNMIL: End of Assignment Report'*, 2006.

Doss, A., *'Special Representative of the Secretary-General to Liberia: End of Assignment Report'*, 2007.

Defense Institute of International Legal Studies, *'Military Justice Scoping Survey Liberia'*, 2017.

Gender and Security National Taskforce, *'Final Report'*, undated.

Government of Liberia, *'National Strategy on Sexual and Gender-Based Violence and Traditional Practices'*, 2015.

Government of Liberia, *'Plan for UNMIL Transition'*, 2015.

Government of Liberia, *'The Economic Stabilization and Recovery Plan'*, 2015.

Government of Liberia, *'Agenda for Transformation: Steps Toward Liberia RISING 2030 – Liberia's Medium Term Economic Growth and Development Strategy (2012-2017)'*, 2013.

Government of Liberia, *'National Human Rights Action Plan 2013-18'*, 2013.

Government of Liberia, *'Law Reform Commission Strategic Plan 2011-16'*, 2011.

Government of Liberia, *'The Judiciary of the Republic of Liberia: Strategic Plan 2009-11'*, 2009.

Government of Liberia, *'National Security Strategy of the Republic of Liberia'*, 2008.

Government of Liberia, United Nations, Embassy of Sweden in Liberia, *'General Report of the Liberia Security Sector Reform Retreat'*, 2013.

Government of Liberia; United Nations Development Programme; International Security Sector Advisory Team; United Nations Mission in Liberia, *'Management and Accountability Review of the Police, Judiciary and Prosecution Department'*, 2013.

Griffiths, Cecil, *'Mapping Study on Gender and Security Sector Reform Actors and Activities in Liberia'*, DCAF, 2011.

Hinds, G., *'UN Police Commissioner - UNMIL: End of Assignment Report'*, 2016.

Liberia Independent National Commission on Human Rights, *'Annual Report 2014, 2015, 2016'*, 2014-16.

Liberia Independent National Commission on Human Rights; Office of the United Nations High Commissioner for Human Rights, *'Conditions of Prisons and Prisoners in Liberia'*, 2016.

Løj, E.M., 'Special Representative of the Secretary-General to Liberia: End of Assignment Report', 2012.

International Crisis Group, 'Liberia: Uneven Progress in Security Sector Reform', Report n°148, 2009.

International Monetary Fund, 'Liberia: Poverty Reduction Strategy Paper', IMF Country Report No. 08/219, 2008.

Isser, Deborah H., Lubkemann, Stephen C. and N'Tow, Saah, "Looking for Justice: Liberian Experiences with and Perceptions of Local Justice Options', United States Institute of Peace/George Washington University', 2009.

Klein, J.P., 'Special Representative of the Secretary-General and Coordinator of UNMIL: End of Assignment Report', 2005.

Kroeker, M.A., 'Deputy Special Representative of the Secretary-General for Rule of Law - UNMIL: End of Assignment Report', 2015.

Landgren, K., 'Special Representative of the Secretary-General to Liberia: End of Assignment Report', 2015.

Liberia Civil Society Working Group on SSR, 'Recent Developments - Liberia Security Sector Reform Process', SSRWG Newsletter 1:1, 2017.

Liberia National Law Enforcement Association, 'LINLEA Observes 23rd Anniversary: Prexy Calls For Improved Communications by Security Institutions', LINLEA Newsletter 5:1, 2017.

Liberia National Police; United Nations Missions in Liberia, 'LNP Baseline Report', 2013.

Liberia Ministry of Internal Affairs - Peacebuilding Office, 'Concept Note: Justice and Security Perception Survey', 2016.

Liberia Ministry of Internal Affairs - Peacebuilding Office, 'Public Perception Survey on Justice and Security in Bong, Lofa and Nimba Counties', 2014.

Liberia Ministry of Internal Affairs - Peacebuilding Office, 'Public Perception Survey on Justice and Security in South-East Liberia', 2013.

Liberia SSR Retreat, 'Taking stock: Security Sector Reform Liberia', 2013.

Mangan, F., England, M., Ker, M. and Durch, W., 'Understanding the impact of Police, Justice and Corrections Components in Peace Operations', Stimson Center, 2012.

Malan, M., 'Security Sector Reform in Liberia: Mixed Results from Humble Beginnings', Strategic Studies Institute, U.S. Army War College, Pennsylvania, 2008.

Mbadlanyana, T. and Onuoha, F.C., 'Peacekeeping and post-conflict criminality: Challenges to the re-establishment of rule of law in Liberia', ISS Africa Paper 190, 2009.

Mensa-Bonsu, H., 'Deputy Special Representative of the Secretary-General to Liberia for Rule of Law: End of Assignment Report', 2011.

National Security Council Liberia, 'Final Draft Revised National Security Strategy of the Republic of Liberia', 2017.

National Security Council Secretariat, Office of the National Security Advisor, 'National Security Strategy of the Republic of Liberia – Implementation Plan Matrix', 2017.

Nielsen, J., *'UN Police Commissioner - UNMIL: End of Assignment Report'*, 2013.

Overseas Development Institute, *'Liberia: Security against the Odds'*, 2015.

Office of the United Nations High Commissioner for Human Rights, *'Addressing Impunity for Rape in Liberia'*, 2016.

Office of the United Nations High Commissioner for Human Rights, *'An Assessment of Human Rights Issues Emanating from Traditional Practices in Liberia'*, 2015.

Peacebuilding Commission, *'Report of the PBC Delegation Mission to Liberia'*, 2010.

Protection Partners Forum Liberia, *'Community Responses to Ebola in Liberia - Report Drawing on Community Engagement and Empowerment Dialogues (CEED) and Key Informant Interviews across Liberia'*, 2015.

Samuel, T., *'Deputy Special Representative of the Secretary-General to Liberia for Rule of Law: End of Assignment Report'*, 2015.

Sawang, G., *'UN Police Commissioner - UNMIL: End of Assignment Report'*, 2012.

Sherif, A. and Maina, G., *'Enhancing Security and Justice in Liberia: The Regional Hub Model'*, African Centre for the Constructive Resolution of Disputes (ACCORD), 2013.

Swedish Development Advisers AB, *'Restoring Trust in the Trust Fund: A Report on the Mid-Term Evaluation of Liberia's Justice and Security Joint Programme'*, 2013.

The Law and Development Partnership, *'Liberia Justice and Security Sector – Final Report'*, 2014.

United Nations Department for Peacekeeping Operations - Office of Rule of Law and Security Institutions, *'Observations and Recommendations for the UNMIL Legal and Judicial Systems Support Division'*, 2008.

United Nations Department for Peacekeeping Operations - Office of Rule of Law and Security Institutions; Office of the United Nations High Commissioner for Human Rights, *'Review of Corrections'*, 2008.

United Nations Department for Peacekeeping Operations: Policy and Best Practice Service, *'Recommendations for the UNMIL Legal and Judicial Systems Support Division'*, 2005.

United Nations Development Programme; United Nations Mission in Liberia, *'Strengthening the Rule of Law in Liberia: Justice and Security for the Liberian People'*, 2016.

United Nations Development Programme, *'Rule of Law and Human Rights Country Support Mission to Liberia'*, 2015.

United Nations General Assembly, *'Budget for the United Nations Mission in Liberia: Report of the Secretary General'*, 2004-2017.

United Nations Human Rights Council, *'Universal Periodic Review - Report'*, 2015.

United Nations Human Rights Council, *'Universal Periodic Review - Recommendations'*, 2015.

United Nations Mission in Liberia, *'Sustaining Peace and Securing Development, Liberia Peacebuilding Plan'*, 2017.

United Nations Mission in Liberia, *'Protection of Civilians Contingency Plan'*, 2017.

United Nations Mission in Liberia, *'Protection of Civilians Strategy'*, 2016.

United Nations Mission in Liberia, *'Sector Reform Fact Sheet - Liberia'*, 2016.

United Nations Mission in Liberia, *'Common core document forming part of the reports of States parties - Liberia'*, 2016.

United Nations Mission in Liberia, *'UNMIL's Justice and Security Components: Summary of Priority Areas for the Implementation of SCR 2019'*, 2014.

United Nations Mission in Liberia, *'Human Rights Due Diligence Policy'*, 2014.

United Nations Mission in Liberia, *'Human Rights Due Diligence Policy Assessment'*, 2014.

United Nations Mission in Liberia, *'Ebola Human Rights Due Diligence Policy Assessment'*, 2014.

United Nations Mission in Liberia, *'One Programme: Annual Progress Report 2013'*, 2013.

United Nations Mission in Liberia, *'United Nations Development Assistance Framework [UNDAF] 2013-2017 - Liberia'*, 2013.

United Nations Mission in Liberia, *'UNMIL Draft Discussion Paper: The next phase of police reform in Liberia'*, 2012.

United Nations Mission in Liberia, *'Final Summary Report: A Workshop on Lessons Learned from the Regional Justice and Security Hub in Gbarnga'*, 2012.

United Nations Mission in Liberia, *'Paper on Coordination Structures in Liberia'*, 2012.

United Nations Mission in Liberia, *'Legal and Judicial System Support Division Work Plan 2012-13'*, 2012.

United Nations Mission in Liberia, *'A common vision for uncommon results - An overview of UN integration in Liberia'*, 2009.

United Nations Mission in Liberia, *'United Nations Development Assistance Framework [UNDAF] 2008-2011 - Liberia'*, 2008.

United Nations Mission in Liberia, *'Report of Prevalence and Attitudes to Rape in Liberia'*, 2008.

United Nations Mission in Liberia, *'Human Rights in Liberia's Orphanages'*, 2007.

United Nations Mission in Liberia, *'Administration of Justice'*, Legal and Judicial System Support Division, Inception Paper No.11, 2006.

United Nations Mission in Liberia, *'Human Rights in Liberia's Rubber Plantations: Tapping into the Future'*, 2006.

United Nations Security Council, *'Special report of the Secretary-General on the United Nations Mission in Liberia (S/2016/968)'*, 2016.

United Nations Security Council, *'Statement of Mutual Commitments on Peacebuilding in Liberia'*, 2016.

United Nations Security Council, *'Resolution 1509'*, 2003. ; *'Resolution 1561'*, 2004. ; *'Resolution 1626'*, 2005. ; *'Resolution 1638'*, 2005. ; *'Resolution 1667'*, 2006. ; *'Resolution 1712'*, 2006. ; *'Resolution 1750'*, 2007. ; *'Resolution 1777'*, 2007. ; *'Resolution 1836'*, 2008. ; *'Resolution 1885'*, 2009. ; *'Resolution 1938'*, 2010. ; *'Resolution 2008'*, 2011. ; *'Resolution 2066'*, 2012. ; *'Resolution 2116'*, 2013. ; *'Resolution 2176'*, 2014. ; *'Resolution 2190'*, 2014. ; *'Resolution 2215'*, 2015. ; *'Resolution 2239'*, 2015. ; *'Resolution 2333'*, 2016.

United States Defence Institute of International Affairs, *'Military Justice Scoping Survey'*, 2017.

University of Liberia: SSR Think Tank of the Kofi Annan Institute for Conflict Transformation, *'Newsletter n°1'*, 2017.

University of Liberia: SSR Think Tank of the Kofi Annan Institute for Conflict Transformation, *'Newsletter n°2'*, 2017.

University of Liberia: SSR Think Tank of the Kofi Annan Institute for Conflict Transformation, *'Newsletter n°3'*, 2017.

Vera Institute of Global Justice/CLEEN Foundation, *'UN Rule of Law Indicators Report – Liberia'*, 2011.

Vera Institute of Global Justice/CLEEN Foundation, *'UN Rule of Law Indicators Report – Liberia'*, 2009.

Vinck, P., Pham, P., and Kreutzer, T., *'Talking Peace: A Population-Based Survey on Attitudes about Security, Dispute Resolution, and Post-Conflict Reconstruction in Liberia'*, Human Rights Center, University of California, Berkeley – School of Law, 2011.

Von Carlowitz, Leopold, *'Local Ownership in Practice: Justice System Reform in Kosovo and Liberia'*, Geneva Centre for the Democratic Control of Armed Forces, Occasional Papers No.23, 2011.

World Bank; United Nations Mission in Liberia, *'Liberia Public Expenditure Review Note: Meeting the Challenges of the UNMIL Security Transition'*, 2013.

World Bank; United Nations Development Programme, *'Report of the Technical Mission to Liberia on State Building in Fragile and Post-Conflict Contexts'*, 2009.

INTRODUCTION

With the adoption of its resolution 2333 (2016), the Security Council authorised a final extension of the substantive mandate of the United Nations Mission in Liberia (UNMIL) to 30 March 2018, and its subsequent liquidation by 30 June 2018. By that time, UNMIL will have been deployed in Liberia for some 14 years having gained a wealth of experience across its mandated areas. Principal amongst these mandate areas has been UNMIL's extensive engagement in support of rule of law – reform of the justice and security sectors, being the lead international actor supporting these areas since the mission's establishment in 2003. A primary focus was placed on Protection of Civilians, restoration of state authority, the consolidation of institutions and institutionalization of the national security architecture, and human rights, including through the reform of the national police, and justice and security sectors, in addition to the promotion, protection and monitoring of human rights, PoC, restoration of state authority and the consolidation of institutions, with UNMIL committing significant technical, financial and political resources.

An exercise will therefore be conducted to identify lessons and capture best practices and innovation, providing a frank and objective assessment of mandate successes and failures, with a particular focus on impact, identifying strengths, weaknesses, and missed opportunities in the UNMIL Rule of Law Pillar approach. UNMIL has requested close collaboration from the International Security Sector Advisory Team (ISSAT)¹⁴⁶ to carry out the lesson identification exercise, including responsibility for preparation and drafting of the final report. The exercise will be conducted jointly between UNMIL, DCAF-ISSAT and DPKO/OROLSI, under the lead of the UNMIL DSRSG for Political and Rule of Law. The coordination team will be comprised of staff from O/DSRSG Political and Rule of Law, and ISSAT. This endeavour will be implemented, *inter alia*, as an activity of the indicative UNDP/UNMIL Joint Programme on Strengthening the Rule of Law in Liberia.

The target audience for the findings of the report are as follows: the UN Security Council; the UN Secretariat, including DPKO, DPA, PBSO; UN Agencies, Funds and Programmes; other UN peace operations; the Government of Liberia; other national stakeholders; and international partners based in Liberia. This methodology plan explains the approach adopted in order to meet the different objectives of this exercise, based on ISSAT's methodology for conducting lesson identification of justice and security reform programmes. ISSAT's methodology is aligned with guidance for review and evaluation and is coherent with evaluation norms and standards for the whole UN System. This plan addresses the lesson identification objectives, scope, lesson framework (including approach, criteria, questions, mission support areas, data collection methods and limitations, structure of the report), phases of work, timeline, proposed list of interviews, structure of the report, and expected outputs.

OBJECTIVES

The aim of this lesson identification is threefold:

- To provide a valuable resource for current and future UN peace operations and serve to inform ongoing reform within the United Nations;
- To positively influence the UN systems approach to lesson identification from peace operations, and so improve how the UN learns from missions;
- To provide a tool for Liberia, the UNCT and other international partners to inform future engagements to sustain peace and stability in the country, beyond UNMIL's withdrawal.

Overall, and having in mind UNMIL's mandates and priority objectives based on them, the lessons identification will highlight areas of innovation that proved to lead to successful results, review how internal structures and processes influenced the effectiveness of UNMIL support, and document examples of "what works" from the UNMIL experience in supporting national reforms in a post-conflict context, including with regard to gender equality, and human rights.

A key aim is to ensure that the lessons identified are appropriately documented and disseminated to ensure that they inform future UN and partners support to justice and security sector reform in Liberia, as well as feed into improvements in the UN peacebuilding approaches and the emphasis on prevention in coherence with the Sustaining Peace agenda. The report will also serve to identify potential shortcomings of UNMIL support that will need to be further addressed during the UNMIL transition and drawdown process as well as by the UNCT and other partners in Liberia after the exit of UNMIL. While the current process is focused on UNMIL and Liberia, this lesson identification can also assist as a pilot of the type of process that could become embedded into UN approaches to assessing long-term mission outcomes, learning and improving mission doctrine and planning, and approaching transition phases from peacekeeping to peacebuilding and development.

SCOPE

The lesson identification exercise will seek to identify best practices and areas of innovation – with a focus on service delivery at both central and county level, citizen security and justice, efficiency, integrity, public trust, local ownership and sustainability - from the key outcomes of the support provided by UNMIL's Rule of Law Pillar. It will do so according to the following four key areas:

- (i) capacity building of state institutions (mentoring, training, and human resources);
- (ii) management and regulatory frameworks (law and policy reform, strategic direction, leadership, planning, and various elements of institution building);
- (iii) accountability (support to internal, state, and non-state level accountability mechanisms; and
- (iv) coordination (support to state level coordination (between institutions in the sector), support to coordination between the state and development partners.

The mission's mandated good offices in these key areas will also be examined in this context.

The exercise will consider the strengths and shortcomings of the UNMIL approach, including:

- Assessing the evolution of the mandate and strategic Mission priorities,
- Analyzing how the internal organization of UNMIL and the UN (e.g. structures, planning, resource allocation (including programmatic funding), monitoring, analysis coordination and capacity, and relevance of gender) influenced the effectiveness and efficiency of UNMIL support.

The exercise will attempt to document lessons at various stages of the mission: immediate post-conflict (re-establishment of state authority) to the drawdown and transition processes.

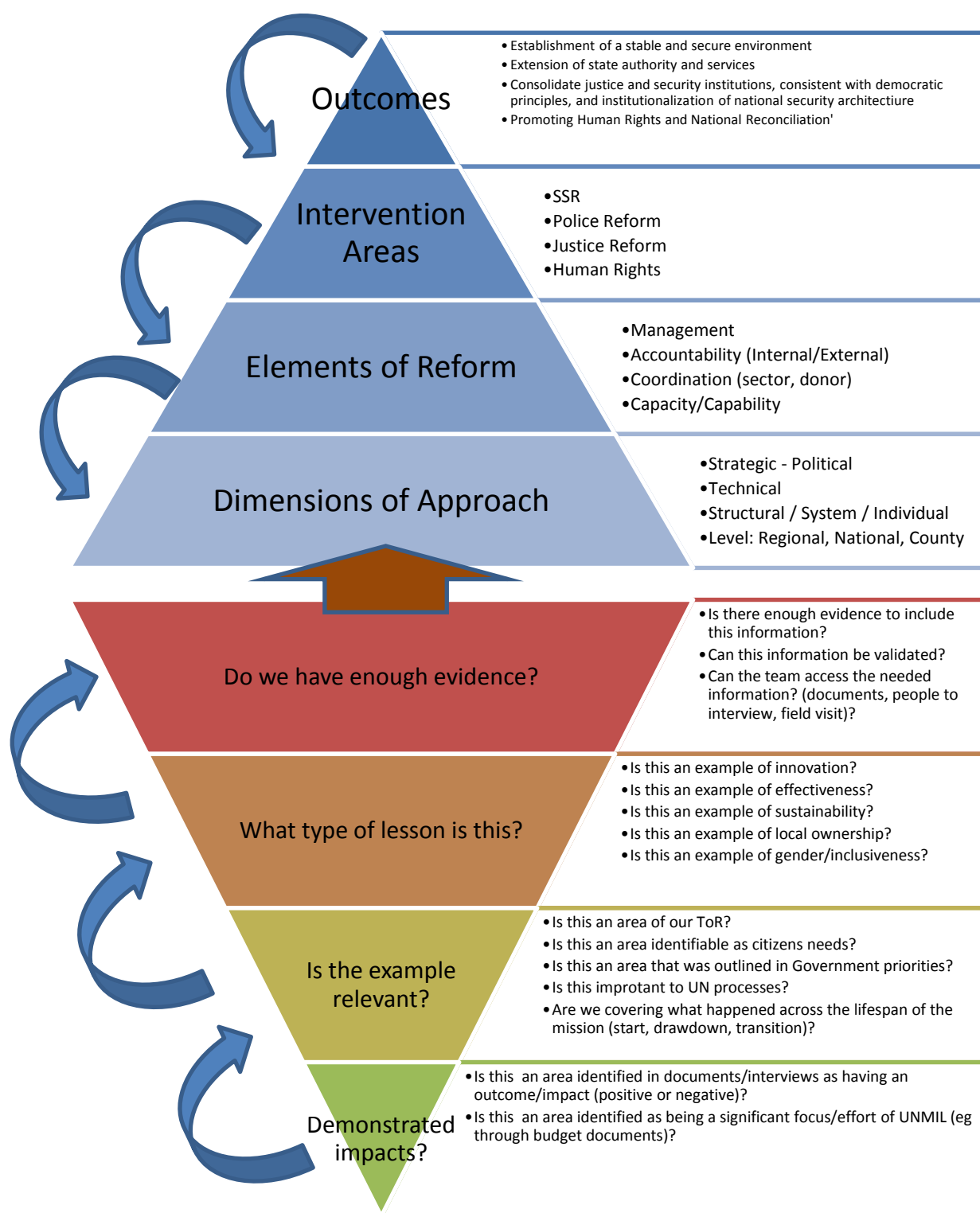
LESSON FRAMEWORK: APPROACH

A participatory and iterative approach is adopted involving UNMIL, DCAF-ISSAT, OHCHR, and OROLSI components (JCS, SSR, PD) throughout the design and implementation of the phases of the lesson identification exercise. The lesson identification team will engage with the different Liberian state and non-state peacekeeping and peacebuilding stakeholders and beneficiaries, and with relevant UN and non-UN international partners in SSR and Rule of Law, through semi-structured interviews and focus groups. This will be complemented by a reconstruction of UNMIL's Theory of Change, with the purpose of building the team's collective understanding of what, at each moment of its lifecycle, the Mission RoL pillar was intended to achieve. Positive outcomes from UNMIL RoL Pillar support are in all likelihood the result of concurring factors and broader set of contributions; an adequate analysis of these is crucial to extract meaningful and credible lessons that can be used in future UN peace operations. Attention will therefore be given to context, in terms of actors, process of conflict and peace, and Liberian politics given their impact on UNMIL's work.

CRITERIA AND QUESTIONS

The core aspect of this process is the identification, selection and validation of lessons that are sufficiently important to be documented. The method that will be used by the lessons team is to select specific lessons on the basis of a hierarchy of guiding criteria and questions, and then analyze and report on them in terms of the different categories they sit within. The structure the lessons team will use to support this process is detailed in the below diagram.

AREAS THE REPORT WILL TRY TO EXAMINE/ANALYZE/DOCUMENT



CRITERIA FOR SELECTING “EXAMPLES” TO INCLUDE AS LESSONS

As the lower half of the diagram shows, selection of potential lessons starts with identification of the main or most significant issues holding lessons for the UN. These are then considered to insure that the lesson would be relevant to citizen needs, government priorities, and UN processes. They are then analyzed in terms of how they fit into the key aid concepts for good development outcomes. Finally they will be developed in terms of the quality of information available to understand and articulate the specifics of the lesson. At each stage some potential examples will be selected, and others will not be developed further, on the basis of focusing the process on the most important lessons for UNMIL, the UN, and other partners.

The top part of the diagram sets out the categories under which the identified lessons will be organized. This is necessarily complex, given the scale of UNMIL, the different approaches taken to achieve reform effects, and the different dimensions under which reform could be classified. The report will not necessarily identify lessons under all possible combinations of these categories.

Each specific lesson will be described according to a standard template, in order to maximize its utility to other contexts and missions. The lesson template includes:

- ✓ a clear statement of what the lesson is,
- ✓ the phase of UNMIL it occurred in (immediate post conflict, reconstruction, transition)
- ✓ the context that it surrounded the lesson (what was done, how, and what influenced the outcome)
- ✓ the evidence that validated the lesson, and
- ✓ recommendations on what should be done with this lesson

Each lesson should be able to stand on its own as a self-contained example that could be useful to inform other actors or missions, and should provide enough detail and information to enable readers to assess the extent to which the lesson is relevant to their context and issues.

The aim is to capture a balanced set of lessons at strategic (pillar), programme (SSR, Justice, Police, HR), and project levels (eg. support to development of NSS). The strategic level will in particular look at how the pillar was organized/coordinated, the programme level will analyze the extent to which there was a balanced approach to supporting reform at programme level (eg. capacity building vs. strengthening management systems), and the project level lessons will look at methodology and approaches applied to implementation (eg. process to develop legal framework). All levels will contain a mix of lessons that examine inward (UNMIL efficiency – coordination - methodology) and outward (UNMIL effectiveness) perspectives.

While due to time and resource constraints the team will not be able to develop a detailed theory of change that will show how the programme has supported the outcomes over time, the structure of the methodology would enable some analysis of the UNMIL intervention logic. Namely, the study will examine some of the issues related to sequencing of interventions, balance of efforts between sub-sectors (eg. justice vs. policing), and relevance of the engagement strategy (eg. projects and intervention areas selected) to achieving the expected outcomes. Contextual analysis will underpin all analysis related to individual “lessons identified”.

DATA COLLECTION METHODS AND ANALYSIS TOOLS

The following methods will be used to collect, structure, and analyse data:

- Document Review and Analysis (UNMIL documents as well as other potentially relevant studies, surveys and reports).
- Semi-structured interviews, undertaken with informed consent, and ensuring anonymity and confidentiality.
- Focus groups sessions.
- Direct observations (especially through visits to counties outside Monrovia, including to one with a Justice and Security Hub, and others without such structure, in a remote area).

The use of the abovementioned different methods will allow for triangulation of the information, contributing to the validity of the findings and recommendations.

¹⁴⁶ ISSAT is a division of the Geneva Centre for Democratic Control of Armed Forces (DCAF).

