

Promoting the rule of law



During the interim period of the Comprehensive Peace Agreement, signed in 2005 to end two decades of civil war in Sudan, UNDP worked closely with the Government of Southern Sudan to strengthen the rule of law as a cornerstone of lasting peace. It is now also

one of the key tenets of the successful formation of the new Republic of South Sudan.

The rule of law is the essential framework for security, economic growth and the provision of social services in South Sudan. It provides mechanisms for the peaceful resolution of conflicts, the certainty that allows the private sector to develop and flourish, and the access to justice that ensures respect for the human rights of every individual, including women and marginalized groups.

The prolonged conflict severely eroded the core institutions of the State including rule of law infrastructure. There is a lack of fully trained and experienced judges, lawyers, police and prison staff. Much of the population has little confidence in these institutions, and they have little information about the formal legal framework. They rely instead on customary mechanisms, however the authority of these were damaged by the social upheaval during

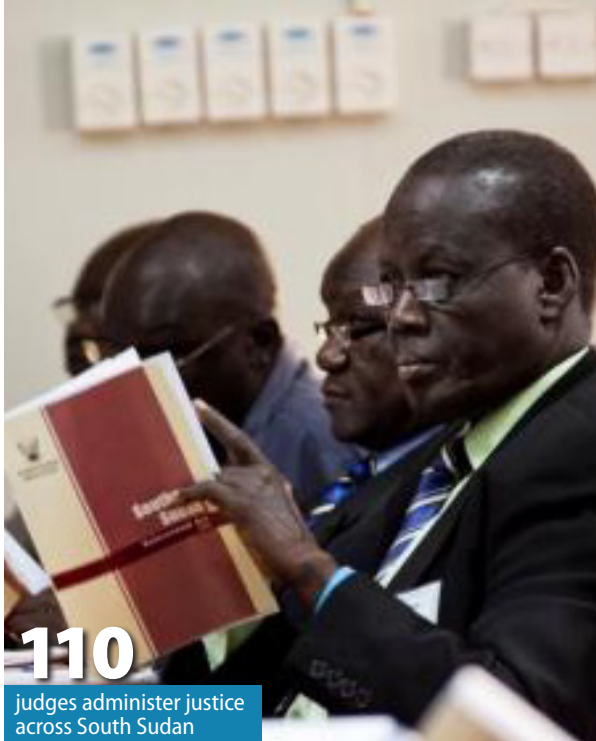
the war, and their fairness is not assured.

The UNDP rule of law portfolio aims to facilitate a more predictable, accountable and effective rule of law response in a fragile context that is prone to recurrent insecurity and localized conflict. UNDP seeks to support cohesive, integrated rule of law responses through advocacy, policy making and standard setting, and through capacity building and development of government and customary law institutions at all levels.

UNDP provides multi-faceted support to many of the key rule of law institutions. These include the Ministry of Legal Affairs and Constitutional Development, the Ministry of Internal Affairs (police and prisons), the Judiciary of Southern Sudan and the Southern Sudan Human Rights Commission.

International United Nations Volunteers who are rule of law experts have been embedded in State Ministries of Legal [▶](#)





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judges administer justice across South Sudan



80%

of South Sudanese use customary rather than formal justice mechanisms



5,550

new police officers, including 400 women, have been trained with UNDP support at the Unified Police Training Centre in Rajaf

Administration and State Ministries of Law Enforcement and Local Government.

UNDP's rule of law approach is also strongly rights based – incorporating an access to justice component that focuses on strengthening the capacities of communities to understand and use local justice mechanisms as well as supporting human rights awareness and education, in particular through civil society. This links to institutional development, as UNDP promotes human rights enforcement and accountability from those responsible in the new Republic of South Sudan. UNDP helps coordinate the development of customary law by traditional authorities alongside the development and implementation of statutory law by the State.

The core objective of UNDP's rule of law programme is to promote forms of governance in which all persons, institutions and entities, public and private, including the State itself, are accountable to laws that are publicly enacted, equally enforced and independently adjudicated, and which are consistent with international human rights norms and standards.

The programme also aims to promote justice as an ideal of accountability and fairness in the protection and vindication of rights as well as the prevention of and responsibility for wrongs. Justice should demonstrate regard for the rights of the accused, for the interests of victims and for the well-being of society at large.



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police stations and posts are under construction with support from UNDP

FOCUS AREAS

- Access to justice
- Customary law
- Human rights
- Institutional development
- Judiciary
- Legal education
- Legal awareness
- Police
- Prisons