

Talking Points for Zéphirin Diabré, UNDP Associate Administrator
Conference on Gender Justice in Post-Conflict Situations Co-Organized
by UNIFEM and ILAC (15-17 September 2004, NYC)

Panelist for Thursday 16 September, 3:00pm to 5:00pm on:

‘Is Gender Justice a Priority for the UN and What More is Needed for a Coordinated Institutional Approach?’

[Ten minutes speaking time]

Opening

- I am most pleased to participate in this conference on gender justice in post-conflict situations for a number of reasons, primary of which is that its focus and objectives converge with a number of principles governing UNDP’s vision and strategic approach to its work, particularly in such cross-cutting areas as support for democratic governance and crisis prevention and recovery.
- But, before elaborating on this convergence, let me congratulate our co-organizers, UNIFEM and ILAC, for taking the initiative to organize such a worthwhile and timely conference. Let me also pay special tribute to a group of participants here today who deserve our undivided attention: those women holding key legal and judicial positions from over 12 conflict-affected zones across the globe who have traveled here to share their views and engage in dialogue with us.
- As I mentioned, the focus and objectives of this conference converge with UNDP’s vision for how its programmatic work in crisis and post-conflict countries can maximize its role as a crucial partner to those countries in overcoming their development challenges to enable sustainable social and economic development -- for both women and men alike as beneficiaries. We recognize that that establishing equitable justice is an integral part of any peace-building and long-term reconstruction effort in the aftermath of conflict if there is to be a solid foundation for lasting peace, respect for human rights, and enduring democratic governance. Therefore, we must acknowledge that failing to address the inequities in the justice sector, and its discriminatory impact on women, threatens to jeopardize the chances

for achieving sustainable development, and increases the risks of violent conflict reoccurring in the future.

- This afternoon, I would like to briefly highlight some of the ways UNDP is seeking to operationalize our commitment to the important area of gender justice, working with our partners in the UN Family and beyond.

I. UNDP action on gender justice in post-conflict situations

- UNDP's critical work in the area of crisis and post-crisis situations is closely aligned with the reforms of the Secretary-General, which highlight the strong need for a holistic and integrated approach to development and implementation of conflict prevention, peacekeeping, and peace-building activities. There is therefore an enormous potential for UNDP to be a critical partner in promoting gender justice as it remains in a country before and after the deployment of any peace operation. UNDP's unique potential to promote gender justice is also linked to its global commitment to eradicating poverty and empowering the poorest and most vulnerable groups as an integral part of its development agenda, which contributes to breaking the destructive cycle of crisis, poverty and risk that fuels instability worldwide. This potential is reinforced by UNDP's lead responsibility, as Chair of the UN Development Group, for coordinating implementation of the Millennium Development Goals throughout the UN system and for preparing a core UN strategy at the country level.
- While I have just highlighted why UNDP, in its many roles, has an enormous potential to serve as an instrumental partner to promote gender justice on the ground, I realize that many of you may be thinking that such proclamations of support are not always matched by results, particularly considering the many women in conflict-affected regions who continue to be victimized, disenfranchised and excluded from critical institutions and processes and denied access to justice. So let me try to elaborate on how I think the UNDP vision for its strategic programmes in the democratic governance and crisis prevention and recovery areas will enable us to work jointly with UNIFEM and other actors to make advances on the gender justice front. And let me also address why I think it is so critical, in this

context, to listen to the views of women stakeholders, like those here today, in formulating such strategies and approaches.

II. Coordinating our approach to Gender justice

- The goal of UNDP's justice sector reform programmes is improved access to timely and effective justice for all, especially the poor, women and other disadvantaged groups. UNDP's justice sector programme is concerned with the independence, impartiality and fairness of judges, legal literacy, legal aid, pro-poor laws and civil society participation in legal and judicial reform.
- In focusing on justice sector reform, UNDP works with the judiciary, prosecutors and lawyers, but also recognizes the importance of quasi-judicial and informal mechanisms which often, for the majority of the poor, are the only accessible mechanisms. The challenge lies in strengthening, and if necessary reforming, such informal mechanisms to ensure that they fully comply with the rule of law and that they do not provide second-hand justice as the only available choice for those who are too poor to avail of the formal mechanisms of justice.
- Within this context, UNDP works to improve access to justice in such ways as incorporating NGOs into justice sector reform programmes; increasing the availability of legal and judicial information for judges, lawyers, prosecutors and public defenders and for the general public; strengthening national public defence systems and improving the quality and quantity of legal aid for the poor and other groups; promoting alternative dispute resolution techniques and reforming informal mechanisms; promoting international human rights instruments; and reducing institutional and cultural barriers to justice.
- Now, as emphasized in the Secretary-General's recent report on the rule of law and transitional justice in conflict and post-conflict societies, UNDP fully recognizes that any effective and sustainable justice reform programme must be comprehensive and integrated and, at the same time, driven by the needs and capacities of national stakeholders and utilize national expertise to the fullest extent. UNDP also recognizes, as raised in the Secretary-General's report, that any justice reform strategy should be formulated and carried out with the active and meaningful participation of the full range of national stakeholders, including justice sector officials, civil society,

professional associations, traditional leaders and such key but often vulnerable groups as women, minorities, displaced persons and refugees.

- On the other hand, I acknowledge that women across the spectrum -- justice sector professionals and victims alike -- are too often excluded from these processes. However, UNDP's policy of developing strategic partnerships in programme countries, together with UNIFEM's catalytic role and experience in fostering effective partnerships with grassroots women's organizations in such countries, provides great opportunities for involving women and other civil society groups, such as those attending this conference, in initiatives to promote access to justice and justice reform.
- Simply put, through developing such partnerships, UNDP is able, together with UNIFEM, to serve as a country platform for coalitions for change and national dialogue. The perennial challenge, though, is to identify and foster a sufficiently broad and strategic group of partners, including women's groups, to pursue such change and dialogue in the gender justice sphere.
- In view of UNDP's strategic partnership approach and its focus on promoting access to justice and justice sector reform, together with UNIFEM's catalytic mandate as the laboratory for the UN system on the "how to" of achieving gender equality, I feel that this conference provides a great opportunity for UNDP and UNIFEM to jointly foster an enlarged web of partnerships to accelerate progress on gender justice.
- I am proud for UNDP to align with both UNIFEM and ILAC at this conference which aims to respond to gender justice requirements in conflict-affected requirements through fostering and strengthening partnerships between, on one hand, women judicial and legal professionals from various conflict-affected countries that have serious gender justice concerns and, on the other, women legal and judicial professionals from conflict-affected countries that have made recent advances, with potential donor Member States; regional organizations; international NGOs that provide legal/judicial expertise and support globally; academic institutes; foundations; private entities; and, of course, the UN family. And, in addition to fostering

these partnerships, this conference will hopefully result in integrated networks of partnerships so that national and international actors pool their comparative expertise and capacities to accelerate the gender justice agenda in the countries concerned.

III. Concluding remarks

- Given UNDP's significant potential, in the context of its conflict prevention, peace-building and recovery programmes, to support gender justice goals, I look forward to receiving the recommendations of this conference on how UNDP, together with UNIFEM, can better engage partners, including the many here today, to collectively push this agenda forward.

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