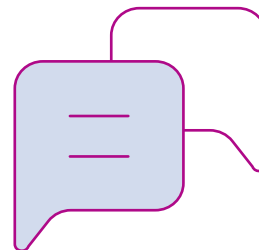# UNDP Implementation Tool for the UN Human Rights Due Diligence Policy

Decision-making Process

in Managing the Risks of Engagement

with the Security Sector

October 2017 (updated 2024)

Introduction

Background

The *Human Rights Due Diligence Policy on UN support to non-UN security forces* (HRDDP) was issued by the Secretary-General of the United Nations on 13 July 2011. The HRDDP applies to UNDP and all UN entities providing support to non-UN security forces, whether in peacekeeping operations, special political missions, or non-mission situations with the presence of UN Country Teams (UNCTs).

> **" Implementation of the HRDDP must take into account the specific mandates of the UN entity concerned, as well as the nature and extent of the support, and the political and operational context in which it is delivered "** (Para 20).
> **" Each UN entity providing support must develop an implementation framework in accordance with its management practices in order to ensure compliance with this policy. That framework should be clearly set out in a Standing Operating Procedure (SOP) or similar instrument [...] "** (Para 21 of the HRDDP).

The HRDDP is understood as risk management mechanism aimed at ensuring the Organization or its personnel does not provide support to entities committing grave violations of international humanitarian, human rights and refugee law ("grave violations") when engaging with the security sector. Such engagement can include support to the police, gendarmerie, military, oversight bodies, prisons in countries where those are managed by the Ministry of Interior, and any unit, department or office related to the security forces.

A 'grave violation' includes:

→ commission of war crimes or of crimes against humanity as defined by the Rome Statute of the International Criminal Court

→ gross violations of human rights, including summary executions and extrajudicial killings, acts of torture, enforced disappearances, enslavement, rape and sexual violence of a comparable serious nature

→ acts of *refoulement* under refugee law that are committed on a significant scale or with a significant degree of frequency (that is, they are more than isolated or merely sporadic phenomena)

→ a pattern of repeated violations of international humanitarian, human rights or refugee law committed by a significant number of members of a unit.

The HRDDP focuses on grave violations committed by a unit or by "civilians or military authorities that are directly responsible for the management, administration or command of non-UN security forces" (Para 7 and Para 12 of the HRDDP).

Due diligence means:

1. doing a risk assessment to identify, prevent, and mitigate actual and potential risks before giving support

2. being transparent with national partners about the legally binding nature and core principles governing provision of UN support

3. ensuring an effective implementation framework

The HRDDP does not bring a new set of obligations. UNDP should already operate within the framework defined by the policy. Nevertheless, the policy requires UNDP to ensure risks are assessed and managed at every stage of its programmatic engagement with the security sector. It also outlines certain actions that should be taken by the UN system in certain contexts.

Objectives of the Implementation Tool

The overall objective of the Implementation Tool is to enable UNDP managers to make risk-informed decisions when entering into a programmatic commitment with the security sector and provide a framework for the implementation of the policy.

The specific objectives of the Implementation Tool are to outline key elements of the due diligence:

→ challenges and opportunities to engage in supporting the security sector

→ prerequisites for UNDP to engage into the security sector

→ criteria for UNDP Country Offices and Headquarters to assess the corporate risk and handle new requests for programmatic involvement with the security sector

→ possible management responses

→ procedures for communication with the relevant authorities

→ procedures to report

→ applicability.

Accountability Framework for the Implementation of the HRDDP

UNDP considers the HRDDP as a risk management mechanism and planning tool. The HRDDP should not be understood as a vetting tool. UNDP developed its implementation framework in line with existing risk management mechanisms and the UNDP Programme and Operations Policies and Procedures (POPP).

The implementation of the policy follows existing UNDP accountability frameworks. See Procedural Flowchart, Figure 1.

In UNDP Country Offices (COs), the framework for implementation can be designed by the technical staff of the project, reviewed by the Programme Manager (quality assurance) and cleared by the Resident Representative (RR) of the CO. The implementation framework of the HRDDP should be executed under the general supervision of the most senior official of the CO and the direct supervision of the Programme Manager.

Depending on the risk assessment score achieved, decisions to engage may be escalated to the Regional Bureau - see section 3 on Risk-assessment & Criteria for Decision-making.

The accountability framework consists of 5 steps:

Step 1. Project information and overview

Step 2. Questionnaire on pre-requisites

Step 3. Questionnaire assessing the reputational risk for UNDP when entering the sector

Step 4. Measures aimed at mitigating the risks identified.

Step 5. Decision on engagement.

Procedural Flowchart
Figure 1
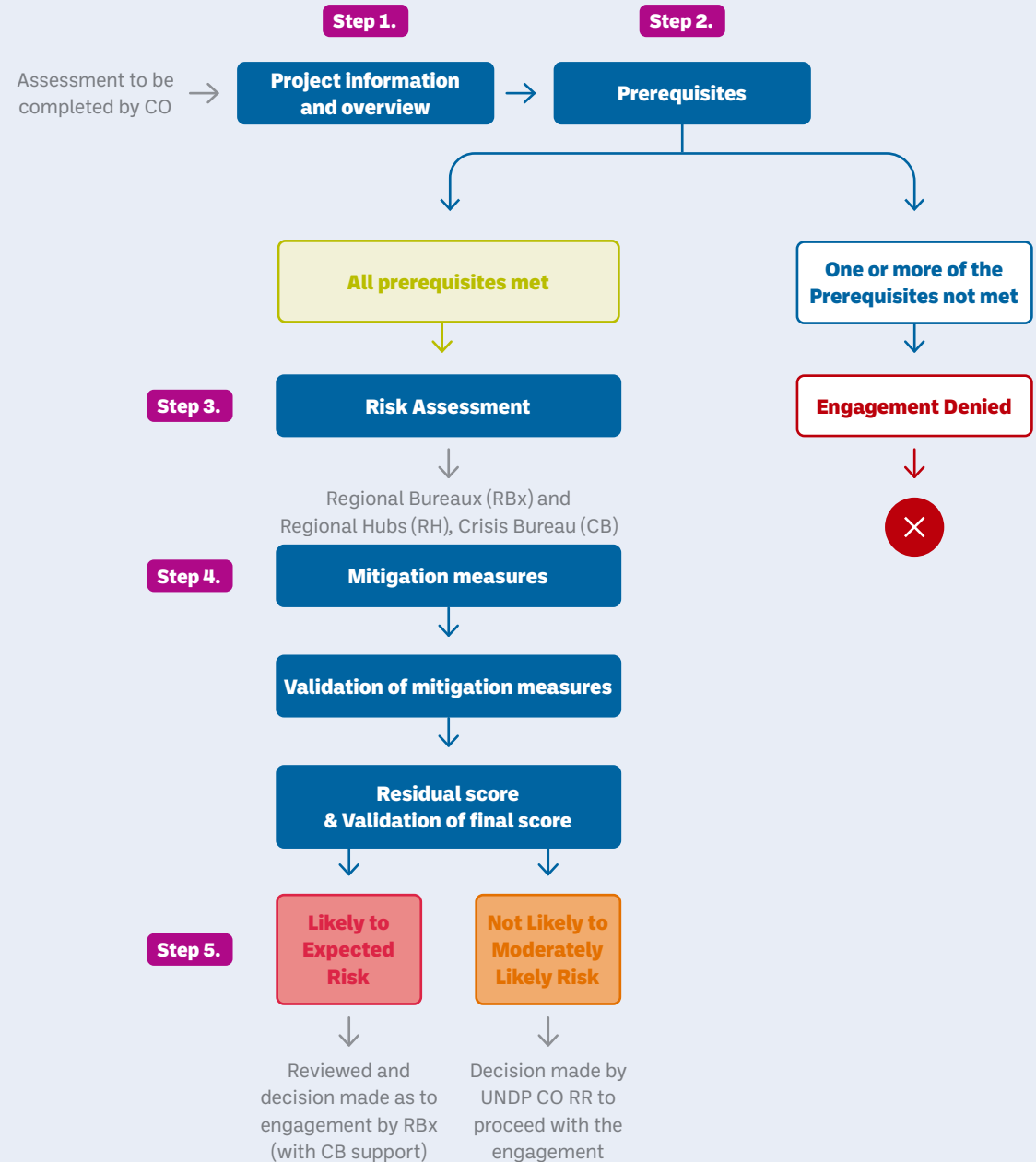
Challenges and Opportunities

In responding to a request, UNDP will consider the following challenges and opportunities:[1]

Challenges

Since security forces can play an active part in armed conflicts and violations of international human rights and humanitarian law, uninformed support to those actors may be politically sensitive and inconsistent with UN standards and principles.

UNDP can be accused of enabling military or security operations or accused of indirect support to enhance violent actions against the civilian population or neighboring countries. It can be argued that irrespective of the nature of the programmatic engagement, the security forces will benefit from reinforcement of their operational capacity.

Whilst this can assist in professionalizing a security force, if lethal capacities are strengthened it can also be a risk to populations.

Opportunities

Supporting the security sector (including procurement of goods and services for security forces) in post-conflict situations can contribute to mitigate conflict and prevent violence. For instance, an improvement in the living conditions of the military or their abilities to deliver professionally for populations can contribute to reduce tensions, create opportunities for dialogue and peacebuilding and provide entry points to work on the democratic governance of the sector (eventual goal of any programmatic engagement in the sector).

Requests for support may provide opportunities to strengthen the governance of security institutions, improve management capacities of civil authorities and oversight of the security sector. This, in turn, will enable support to improve democratic governance of security institutions, which is critical to restore the Rule of Law, and prevent instability, human rights abuses and disruption of democratic processes.

UNDP supports countries in crisis-affected and fragile situations
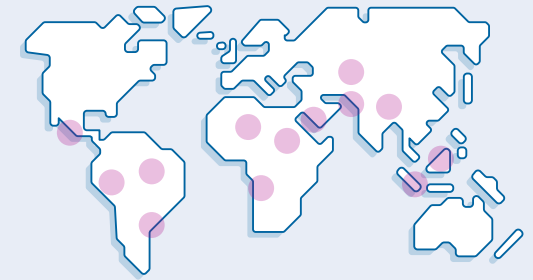
Working in crisis prevention and recovery is a core part of UNDP's development mandate for over two decades. We are currently working in all 60 countries categorized by the OECD-DAC as fragile on risk-informed development as a strategic contribution to sustaining peace and democracy.[2]

Step 1 & Step 2: Project Information and Overview & Prerequisites

When a request for UNDP involvement in a project or programme dealing with security forces is received, the CO verifies if the prerequisites are met using the criteria and risk assessment template in this tool before project or programme documents or cost-sharing agreements are signed. If any of the prerequisites are not met, UNDP cannot enter into a programmatic commitment with the security sector.

Increasingly UNCTs are completing General Preliminary Risk Assessment Frameworks (GPRAFs)[3] as overall risk profiles of the security sector for UNCTs which can be beneficial to UNDP and the UNCT to understand the overall risk profile of the security sector in country, including for Common Country Analysis (CCAs).

However, the GPRAF or another common risk assessment of the non-UN security sector is not a replacement for the need for UNDP to undergo a specific risk assessment for UNDP interventions based on UNDP's development approach and programming and policy requirements.

Based on the level of risk identified, decisions related to high-risk initiatives that point to expected / high or likely risk – are not taken at country level but instead elevated to the level of UNDP Regional Bureaus.

It is not unusual for GPRAFs to be sequenced and followed by UNDP assessments. Sometimes when UNDP is prompted to conduct an HRDDP assessment for a specific project, this can prompt a broader UNCT GPRAF (or similar) process. Indeed, some of the GPRAF analysis and finding can be extremely helpful for a UNDP HRDDP assessment process and vice versa. However, this is not to be confused with replacing the UNDP assessment with the GPRAF.

Depending on the scope of the project and available capacities, CO's may have existing capacities to conduct an HRDDP assessment or may require additional capacities and / or a consultant.

The HRDDP specifically requires each UN entity providing support to develop an implentation framework noting that the UN entity *'directly concerned'* should conduct an assessment of the potential risks and benefits involved in providing support, taking into account the specific mandate of the UN entity involved.

Whilst accountability for implementation of the policy lies with individual entities, coordination across the UN in-country is required to promote consistency, with the most senior UN official kept informed and promoting coordination.[4]

The RR consults with the UNCT and with the most senior UN official in country - the Special Representatives of the Secretary-General (SRSG) / Deputy Special Representatives of the Secretary-General (SRSG) / Resident Coordinator (RC).

When activities with security forces are approved and implemented, for instance under the Peacebuilding Fund (PBF) or other trust funds, the management of the programmes does not always lie with UNDP. However, this does not mean that the corporate risk for UNDP is by definition lower than when UNDP is an implementing partner, since these nuances are difficult to explain to external stakeholders. For that reason, UNDP CO needs to respond to prerequisites and ensure the risk assessment is done for programmes / projects / activities for which UNDP is only Administrative Agent as well.

Table 1   Project Information and Overview

Country

Name

The completed questionnaire (in paper or electronic form) can be sent to the Deputy Director of the relevant RBx with copy to Crisis Bureau Deputy Director and Rule of Law, Security and Human Rights Team Leader and Human Rights Team Leader

Sign

Brief description of project or programme, including its objectives and the link with UNDP's strategic plan

Purpose of HRDDP assessment

Outline why the HRDDP is being carried out and the specific support envisaged to the non-UN security sector.

Short overview of human rights context

Include 1-2 paras on the current and recent (5 years) human rights context in the country and specifically whether there have been incidences of alleged grave or serious violations of human rights and 1 para on the situation of the non-UN security sector. General information could be gleaned from the GPRAF if one has been conducted. The GPRAF could also be added as an annex to the UNDP HRDDP assessment.

✎ Table 2   Prerequisites

Prerequisites	Answer	Describe how the request meets the prerequisite

Prerequisites are meant to ensure the CO is mindful of the conditions needed prior to engaging in support to the security sector
If any of the prerequisites are not met, UNDP cannot enter into a programmatic commitment with the security sector

1.   National ownership[5]

1.1 Has the host government (through the President, Prime Minister, Ministry of Defense, Ministry of Interior and / or UNDP's counterpart ministry) submitted any form of request (direct requests from security forces will not be considered)?	● Yes ○ No	
1.2 Does the request pertain to a project or programme that is, or is eventually expected to be, integral to the national recovery or development strategy (for example Peacebuilding Plan, Security Sector Reform, National Police Reform, any currently existing National Action Plan for Implementation of UNSCR 1325 on Women, Peace and Security etc)?	● Yes ○ No	

2.   Alignment with UNDP recovery or development strategy
(including UN Sustainable Development Cooperation Framework, Country Programme Document, etc)

2.1 Is the proposed intervention coherent with the rest of current / planned UNDP support in the country?	● Yes ○ No	
2.2 Are there other providers (UN and non-UN) that would be better suited for the proposed intervention?	○ Yes ● No	

2.3 Is the UNDP CO having or will the CO be recruiting the necessary technical resources to monitor the use and impact of the support provided during all of the programme cycle management phases (planning, managing, monitoring and evaluation)? For example, the presence / recruitment of a Chief Technical Advisor for the programmatic support (national and / or international)?

It is not advised that COs should engage in supporting the security sector through consultants only. The absence of technical capacity to the project increases severely the probability and the impact of the reputational risk since the CO may not be able to assess, monitor and respond to the risks identified in the project

● **Yes**
○ **No**

3. Donor and other stakeholders support

3.1 Do donors and other stakeholders supporting or partnering in the project or programme (including, when relevant, other UN agencies and the Peacebuilding Fund) have major objections to the programmatic engagement? Endorsement is to be achieved through the appropriate decision-making forum (LPAC, etc).

Support to the security sector in a fragile / crisis setting may generate initial skepticism among civil society representatives. In that case, the CO can take steps to communicate and explain the rationale for support clearly outlining how this support will address the needs of target populations

○ **Yes**
● **No**

4. Objective of the programme

4.1 If you are engaged in supporting the security sector, is the ultimate goal of the programme to contribute to sustainable development, through capacity development?[6]

If your engagement with the security sector aims at contributing to a humanitarian response and is very limited in time, please skip this question

● **Yes**
○ **No**

5. Nature of the goods and services that are to be provided as part of the programme

5.1 Does the nature of the goods or services improve military / defence forces' combat capacities, or in any way threaten states' security or the security of the civilian population?[7]

     ○ Yes
     ● No

5.2 Does the request entail purchase of lethal or non-lethal weapons, military combat equipment and military tactical communications equipment?[8]

     ○ Yes
     ● No

5.3 Does support for the intelligence services form part of an integrated approach to the security sector and aim to improve oversight or accountabilty of the intelligence services?[9]

     ● Yes
     ○ No

Pls complete if initiative includes support to intelligence services.
If not, please skip question.

To meet the prerequisites the answers to the above questions should be:

1.1	⟶	Yes
1.2	⟶	Yes
2.1	⟶	Yes
2.2	⟶	No
2.3	⟶	Yes
3.1	⟶	No
4.1	⟶	Yes
5.1	⟶	No
5.2	⟶	No
5.3	⟶	Yes

If answers differ from the above the necessary prerequisites for engagement have not been met.

Step 3: Risk-assessment & Criteria for Decision-making

A risk assessment shall take place at the earliest stages of engagement, preferably in the planning stages with the security sector, before project documents or cost-sharing agreements are signed, and thus preferably before project implementation – including procurement – is initiated.

The risk assessment is comprised of an analysis of eleven criteria. The objective of the assessment is to provide a baseline analysis of risks for engaging with the sector. When doing the assessment, it is important to keep in mind the dynamic nature of security.

Programmatic involvement with the security forces, including possible procurement of goods and services, is considered in light of the risk assessment. Any risks should be analyzed and management responses given within the present model prior to any engagement in the sector. Project / Programme Risk Logs should be used as a way of documenting the decision making process through use of the Implementation Framework.[10]

If likely to expected risk, the UNDP Country Offices should escalate the issue of management of the risk to the Regional Bureau. UNDP CO should always escalate the decision to headquarters in case of envisaged Direct implementation modality DIM projects engaging security forces. Implications of a misjudgment in these matters can have repercussions on UNDP's corporate credibility and image beyond the country level. A range of mitigation measures and how to apply them are proposed at the end of the questionnaire.

Definition of Reputational Risks from the HRDDP perspective

	Points	Level of risk
Highly likely to Expected		
There is a high risk of grave violations of human rights; the Rule of Law institutions are not covering the entire territory and / or needs of the population and / or are dysfunctional; the chain of command is non-existent or dysfunctional; functional civilian oversight structures and mechanisms are not in place yet.	126 – 154	5 → Expected
	125 – 105	4 → Highly likely
Likely		
There is a medium risk of grave violations of human rights; the Rule of Law institutions are not fully functional yet; the chain of command is disrupted or not functional; civilian oversight structures and mechanisms are in place but not functional.	104 –49	3 → Likely
Not likely to Moderately Likely		
There is a low risk of grave violations of human rights; the Rule of Law institutions are functional and responsive in the case of grave human rights violations; the chain of command of security forces is functional and corrective measures taken and implemented; civilian oversight is functional.	48 – 26	2 → Moderately likely
	25	1 → Not likely

Table 3

Reputational Risk

Factors of risk to consider for decision-making

Country situation		Probability		Impact		Total
1. Does the country situation allow the programme or project to be under national implementation (NIM)?*	○ **Yes**	**4** ⊗	**4** ═	**16**		
	○ **No**	**3** ⊗	**5** ═	**15**		

Rationale

YES

Probability
The probability of risk if lower is programmes/project under DIM implementation.
UNDP has better control over the activities of the national partners in such situations.

Impact
The responsibility factor is high for UNDP in both situations. UNDP considers the impact of risk as higher for DIM project and severe in this situation. Under national implementation modality (NIM) the responsible party is the national partners. But the corporate risk for UNDP is as high as under DIM modality.

NIM does not mean that the corporate risk for UNDP is by definition lower than when UNDP is an implementing partner, since these nuances are difficult to explain to external stakeholders. The same applies for funds whose management does not lie with UNDP (for example: activities with military/defense forces approved and implemented under the Peacebuilding Fund or other trust funds).
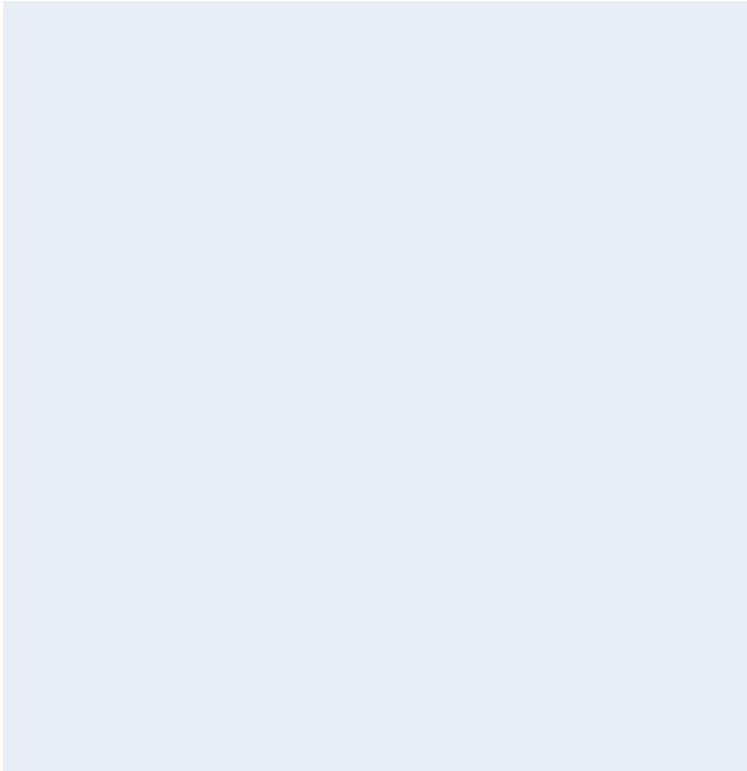
* UNDP CO should always escalate the decision to Regional Bureaux in case of envisaged DIM projects engaging security forces

2. Did the CO recruit / does the CO have the necessary technical resources to monitor the use and impact of the support provided during all the programme cycle management phases: planning, implementing and managing, monitoring and evaluation. (This could include the presence or recruitment of a (Chief) Technical Advisor for programmatic support?)

○ **Yes**   **1** ⟶ ⊗ **1** ⟶ ⊜ 1
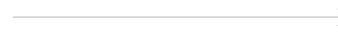
○ **No**   **5** ⟶ ⊗ **3** ⟶ ⊜ 15
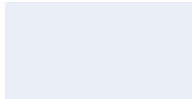
Rationale

NO

Probability
The absence of technical staff to the project increases severely the probability of the reputational risk since the CO may not be able to assess, monitor and respond to risks in the project.

Impact
The absence of technical staff to the project increases substantially the impact of the reputational risk since the CO may not be able to assess, monitor and respond to risks in the project.
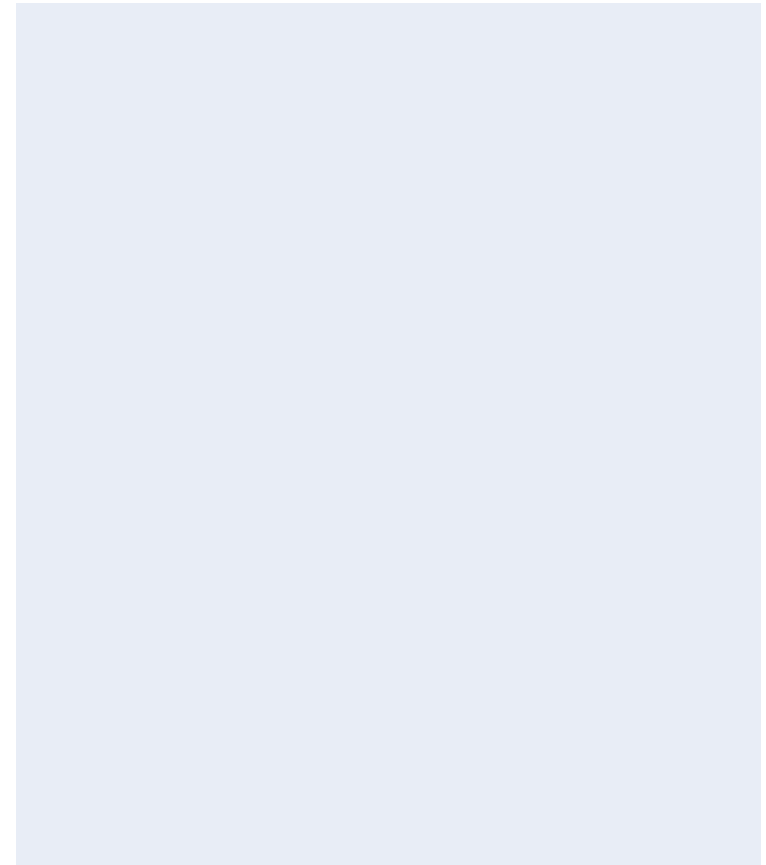
3. Is the country under any "state of emergency" and/or any form of international (UN or regional organization) sanction?

Yes   2 ⊗ 5 = 10

No   1 ⊗ 1 = 1
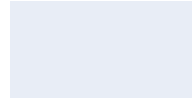
Rationale

Probability
The fact that a country is under any form of international sanction increases importantly the probability of the reputational risk. The existence of sanctions indicates the country situation is not respecting existing international commitments and standards. In such situations the Rule of Law may be at risk and there may be a greater risk of grave human rights violations.

Impact
The fact that a country is under any form of international sanction and/or state of emergency increases importantly the impact of the reputational risk for UNDP. A country under any form of international sanction may seek to develop and / or maintain relationships with the United Nations for political reasons. In such contexts, United Nations and UNDP will be under deep scrutiny by the international community.

The existence of a state of emergency means that rights and freedoms may be suspended (all rights that can be derogated are listed in the International Covenant for Civil and Political Rights). For example, a government can detain individuals and hold them without trial in certain limited circumstances. The absence of state of emergency does not mean an absence of risk.
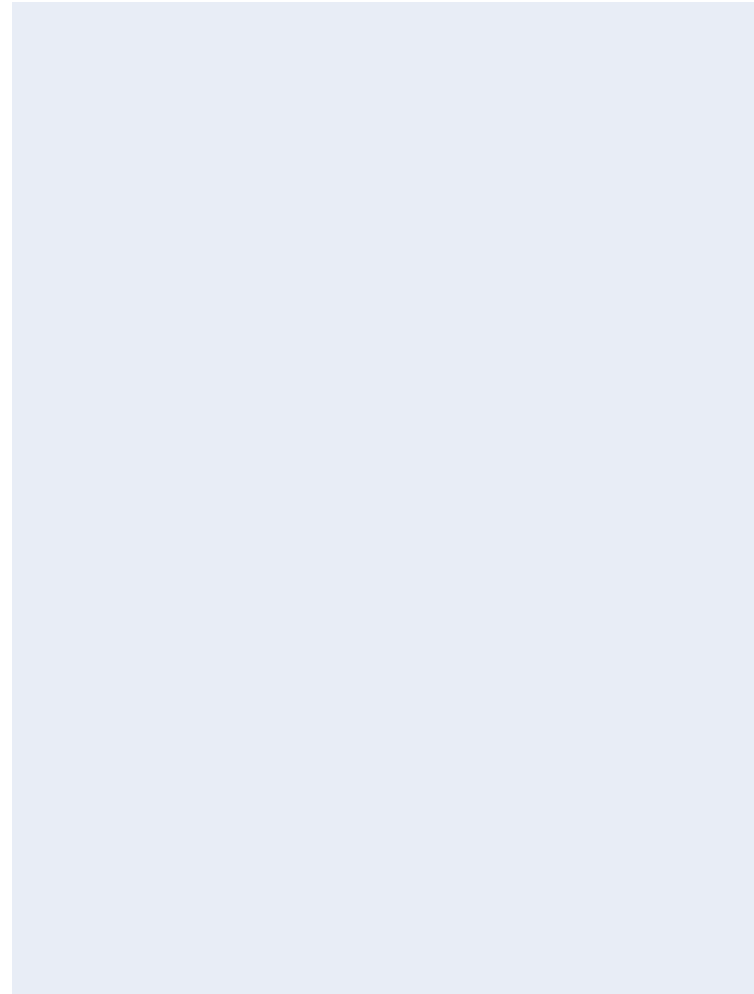
4. Are there functioning national and civilian oversight mechanisms of the security (police / gendarmerie / defense) forces (UNDP CO should always escalate the decision to headquarters in case there is no civilian oversight / elected government)?

○ **Yes** 1 ⟶ ⊗ 1 ⟶ ⊜ 1

○ **No** 2 ⟶ ⊗ 5 ⟶ ⊜ 10

Definition

→ **Functioning oversight mechanism** means that (i) such mechanisms are not only existing in legislation / regulations but have an administrative existence with reports and other being produced for civilian authorities; (ii) where there is an alleged breach of criminal, civil or human rights law, individual or corporate responsibility can be investigated and determined in a transparent process consistent with human rights standards; (iii) ombudsperson or National Human Rights Institutions or National Preventive Mechanisms carry out investigations, issue recommendations and draft monitoring reports.

→ **Oversight** includes internal (inspections, etc) and external (parliament, judiciary, etc) type of mechanisms.

Rationale

Probability
The existence of functional national and civilian oversight mechanisms does not mean that there are no risks related to the security forces and consequently to UNDP support. The absence of a functional national and civilian oversight mechanism increases the probability of the reputational risk. The absence of functioning oversight structures opens the door to grave human rights violations to occur and multiply since in such contexts, security institutions may have no civilian accountability framework.

Impact
The existence of functional national and civilian oversight mechanisms does not mean that there are no risks related to the security forces and consequently to UNDP support. The absence of functional national and civilian oversight mechanisms can have an important impact on the reputational risk of UNDP. In such situations, the security forces operate without a strong accountability framework to civilian authorities, leaving the door open for grave violations of human rights to occur with impunity (the absence of such a framework blurs the line between the gravity of human rights violations with a possible "no limits" perception). This is especially the case in countries without elected government or in political transition. In such situations, the chain of command may be even looser and the authority of civilian leaders (traditional UNDP interlocutors) on the security forces may be challenged or absent.

5. Are national policies or ongoing processes to reform / support the security sector participatory, inclusive, non-discriminatory and people-centered?

○ **Yes** **1** ⊗ **1** ⊜ 1

○ **No** **4** ⊗ **2** ⊜ 8

Definition

Participatory, inclusive and people-centered means that support to the security sector should follow the human rights-based approach and support confidence-building measures between civil society including women's organizations and the security sector. In the case of the security sector, such an approach should ensure that (i) civilians (including both men and women) are part of security sector reform process and production of national security policies and strategies and at the center of any type of support to the security sector; (ii) the reform of the security sector aims at providing improved security services to the population (taking into consideration the specific security needs of women and men), including to marginalized groups (including women, minorities, rural and urban populations, children, persons with disabilities, LGBTI minority populations etc); (iii) public outreach activities such as public perception surveys are carried out.

Rationale

Probability
The absence of participatory, inclusive, non-discriminatory and people-centered national policies / processes to reform the security sector is an indicator of a lack of understanding and possible interest from national authorities / relevant ministries of what Security sector reform (SSR) entails. It also indicates a weak civilian accountability framework. Such an absence increases the probability of grave human rights violations happening.

Impact
The existence of participatory, inclusive and people-centered national policies / processes to reform the security sector can have an important impact on the accountability framework. Their absence does not increase much the reputational risk since national policies / ongoing processes are unfortunately rarely participatory, inclusive and people-centered (baseline is low).
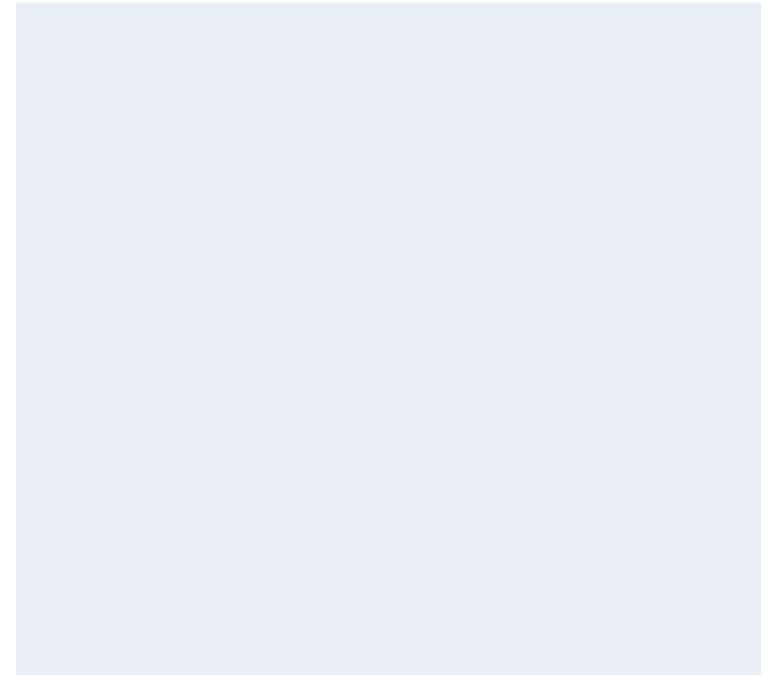
Intended Recipients Situation

Country situation	Probability			Impact			Total
6. Is / are the intended recipient(s) accused of grave human rights violations including any specific record of violations?	◯ **Yes**	**5**	⊗ **2**	⊜	10		
	◯ **No**	**1**	⊗ **1**	⊜	1		

Note

UNDP does not have a monitoring mandate in the area of human rights. Information on the record of the intended recipient with regard to compliance with international humanitarian, human rights and refugee law are made available by OHCHR and human rights components of peace-keeping operations (PKO) and special political (SP) missions and other reliable sources. UNDP CO may also consult existing human resources in the RCO such as Peace and Development Advisors (PDA) and Human Rights Advisors (HRA) – it is important to keep in mind that neither PDAs or HRAs have a monitoring role.

Sources of information relating to human rights violations include:
→ Reports produced by the Country Office of the Office of the High Commissioner for Human Rights or by the Human Rights Component of peacekeeping missions or special political missions as well as various types of reports of the Office of the High Commissioner for Human Rights to the Human Rights Council (HRC). These reports may be public or not.

→ Reports of UN Treaty Bodies and Special Procedures
→ Reports of the Secretary General to the Security Council on peacekeeping operations
→ Reports of other UN mechanisms or agencies (Monitoring and Reporting Mechanism (MRM) on children and armed conflicts, Special Representatives on Children in Armed Conflicts and Sexual Violence in Conflict, UNICEF, UNHCR, OCHA)
→ Reports of UN commissions of inquiry
→ Decisions and reports of UN treaty bodies including on individual cases
→ Reports from Joint Mission Analysis Cells in peacekeeping operations

Other sources include, but are not limited to: International or regional organizations (Inter-American Commission on Human Rights, Council of Europe, European Court of Human Rights, European Union, African Union)

→ Reports from National Human Rights Institutions such as commissions or ombudsman offices or National Preventive Mechanisms
→ Reports from international non-governmental organizations (International Crisis Group, International Commission of Jurists, Human Rights Watch, Amnesty International, etc.)
→ Reports from local non-governmental organizations
→ Information emanating from the intended recipient security forces or governmental sources
→ Media reports

Rationale

Probability

When the recipient(s) is / are accused of grave human rights violations including any specific record of violations, the probability of grave human rights violations is increased and the reputational risk for UNDP is severe. Such situation reflects a general lack of accountability within the security forces that open the doors to further grave human rights violations.

Such elements may likely lead quickly to further grave human rights violations and is therefore increasing highly the probability of such violations.

Impact

When the recipient(s) is / are accused of grave human rights violations including any specific record of violations, the impact on the reputational risk for UNDP is high. The overall country situation is usually understood by international partners as very challenging, including for UNDP. In such situations strong mitigation measures are extremely important in order to demonstrate that UNDP works to change such situations.

7. Is / are recipient(s) taking effective steps to hold perpetrators of any such violations accountable?

○ **Yes**   **1** ⟶ ⊗ **1** ⟶ ⊜ **1**

○ **No**   **5** ⟶ ⊗ **3** ⟶ ⊜ **15**

Rationale

Probability
In those cases where the recipient(s) is taking effective steps to hold perpetrators accountable of any grave human rights violations, the risk is low but needs to be monitored. It is important to ensure those steps eventually bring results.
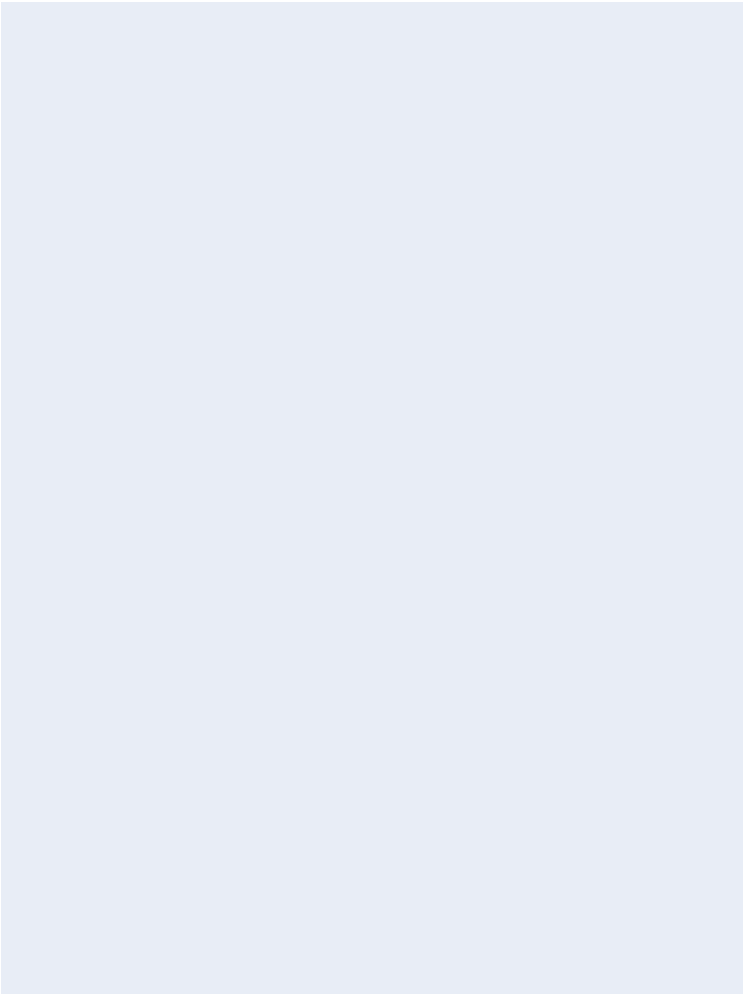
When the recipient(s) does not take effective steps to hold perpetrators accountable of any grave human rights violations, the probability of the reputational risk for UNDP increases importantly. Such a situation means national partners are not able and / or willing to make the security forces accountable for their deeds. It also could mean that national partners may not pay attention to international stakeholders, including UNDP (weak leverage from international partners, including UNDP, on national partners to respond to such grave human rights violations).

Such elements may likely lead quickly to further grave human rights violations and are therefore increasing highly the probability of such violations.

Impact
In those cases where the recipient(s) is taking effective steps to hold perpetrators accountable of any grave human rights violations, the impact on the reputational risk is low but needs to be monitored. It is important to ensure those steps bring results.

When the recipient(s) does not take effective steps to hold perpetrators accountable of any grave human rights violations, the impact on the reputational risk is substantial. It opens the door for grave human rights violations to occur or remain unaddressed.

8. Are corrective measures being taken or institutions, protocols or procedures put in place with a view to preventing the recurrence of such violations?

○ **Yes** \ ⟶ \ ⟶ **Go to question 9**

○ **No** **5** ⟶ ⊗ **3** ⟶ **Go to question 10** ⟶ ⊜ **15**

Rationale

Probability

When the recipient(s) does not take corrective measures or institutions, protocols or procedures are not put in place with a view to preventing the recurrence of such violations, the probability of the reputational risk for UNDP increases. Such a situation means national partners are not able and / or willing to make the security forces accountable for their deeds. It also could mean that national partners may not pay attention to international stakeholders, including UNDP (weak leverage from international partners, including UNDP, on national partners to respond to such grave human rights violations).

Such elements may likely lead quickly to further grave human rights violations and are therefore increasing highly the probability of such violations.

Impact

When the recipient(s) does not take corrective measures or institutions, protocols or procedures are not put in place with a view to preventing the recurrence of such violations, the probability of the reputational risk for UNDP is severe. Such a situation means national partners are not able and / or willing to make the security forces accountable for their actions in the medium and long-term. It also could mean that national partners may not pay attention to international stakeholders, including UNDP (weak leverage from international partners, including UNDP, on national partners to respond to such grave human rights violations).

9. Are the corrective measures to hold any future perpetrators accountable adequate?

Yes   1   ⊗   1   =   1

No   5   ⊗   3   =   15

Definition

Adequate means that the corrective measures enable the prevention of a recurrence of such violations.

Rationale

Probability
In those cases where corrective measures are being taken or institutions, protocols or procedures are put in place with a view to preventing the recurrence of such violations, the probability of the reputational risk is low but needs to be monitored. It is important to ensure those steps bring results.

In a situation where corrective measures to hold any future perpetrators accountable are not adequate, the probability of renewed violations is high since existing measures / mechanisms are not efficient. Such inefficiency may also indicate weak capacity and / or insufficient willingness of national partners to avoid such violations to occur.

Such elements may likely lead quickly to further grave human rights violations and is therefore increasing highly the probability of such violations.

Impact
In those cases where corrective measures are being taken or institutions, protocols or procedures put in place with a view to preventing the recurrence of such violations, the probability of the reputational risk is low but needs to be monitored. It is important to ensure those steps bring eventual results.

In a situation where corrective measures to hold any future perpetrators accountable are not adequate, the impact of renewed violations on UNDP's reputational risk is substantial since existing measures / mechanisms are not efficient. Such inefficiency may also indicate weak capacity and / or insufficient willingness of national partners to avoid such violations to occur.
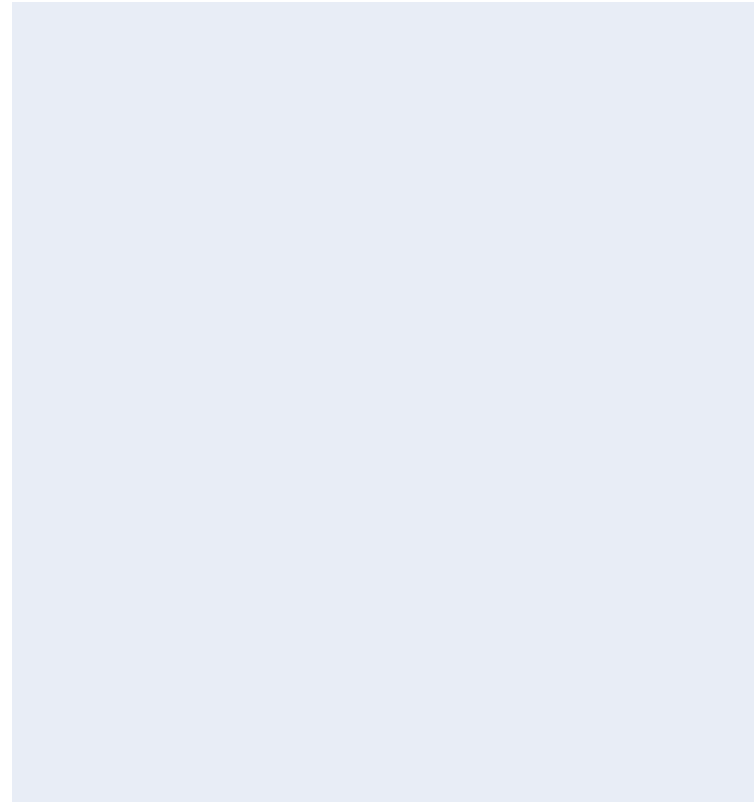
Security Forces Situation

Country situation	Probability			Impact			Total
10. Are security forces engaged in armed conflicts (currently or have they been within the last year)?	○ **Yes**	**5** → ⊗	**3** →	=	**15**		
	○ **No**	**1** → ⊗	**1** →	=	**1**		

Rationale

Probability
In a situation where security forces play an active part in armed conflicts, the probability of renewed violations is severe. In crisis-affected situations the Rule of Law is profoundly undermined, and injustice and insecurity are allowed to flourish. When security forces play an active part in an armed conflict, internal and external accountability mechanisms are not properly functioning while civilian oversight is undermined. In countries immersed in armed conflict, the population, and especially marginalized groups such as women and children are more likely to be subjected to grave human rights violations.

Impact
In countries where security forces play an active part in armed conflicts, there is an understanding that operating in such contexts is challenging for the United Nations and that any support from UNDP aims precisely to improve the governance of the security sector.
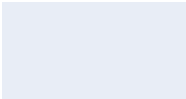
11. Do security forces commit (or have they committed within the last year) grave violations of international humanitarian, human rights and refugee law?

◯ **Yes**   5 → ⊗ 3 → ⊜ 15

◯ **No**   1 → ⊗ 1 → ⊜ 1

Rationale

Probability
In a situation where security forces play an active part in grave violations of international human rights and humanitarian law the probability of renewed violations is severe.

Such elements may likely lead quickly to further grave human rights violations and is therefore increasing highly the probability of such violations.

Impact
In a situation where security forces play an active part in grave violations of international human rights and humanitarian law the probability of renewed violations is substantial.

Note
UNDP CO should always escalate the decision to headquarters in case the security forces commit (or have committed within the last year) grave violations of international humanitarian, human rights and refugee law.
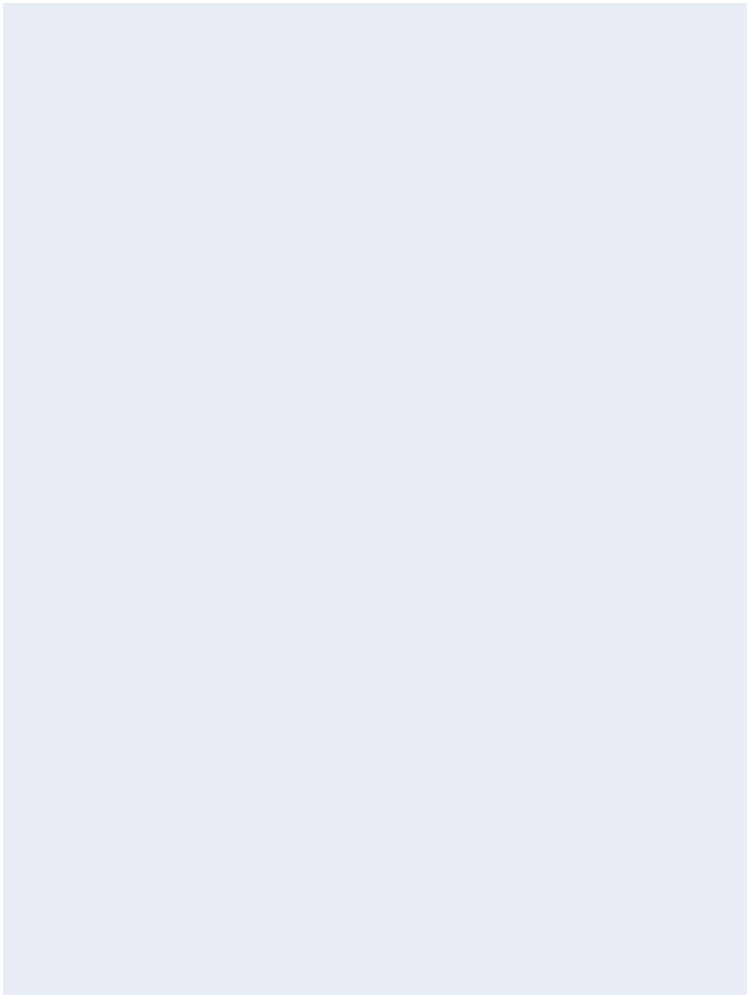
12. Can UNDP be accused of enabling military / security operations or indirectly supporting grave human rights violations against the civilian population or neighboring countries?

○ **Yes**   **5** → $\times$ **5** → $=$ 25

○ **No**   **1** → $\times$ **1** → $=$ 1
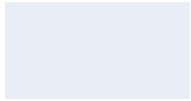
Rationale

Probability
In a situation where UNDP can be accused of enabling military / security operations or indirectly supporting or enhancing violent actions against the civilian population or neighboring countries the probability of UNDP to be affected is severe.

Impact
In a situation where UNDP can be accused of enabling military / security operations or indirectly supporting or enhancing violent actions against the civilian population or neighboring countries the impact on the reputational risk of UNDP is severe.
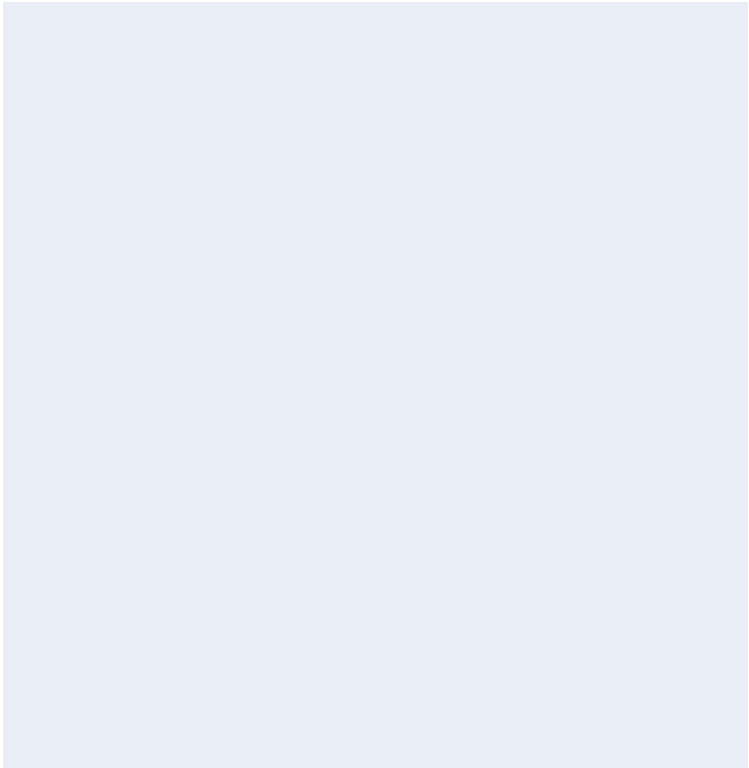
Total

Step 4. Possible Mitigation Measures to Reputational Risks

In order to mitigate the risks factors identified, the CO needs to adopt mitigation measures. Mitigation measures can be twofold: preventive and / or corrective measures. **Emphasis should be put on preventive measures since corrective measures may have limited impact on the reduction of risks**.

A list of preventive and corrective measures are indicated below by cluster. Suspension / withdrawal of support puts at risk UN peacebuilding and development measures in the country. In such cases, suspension of support may be considered for its deterrent effect above all with efforts put on sensitization and prevention.[11]

For mitigation to be effective, measures related to intended recipients' situation and security forces situation should include at least 2 elements of category (A) and one of categories (B) and (C).

Preventive measures

A

Institutional reforms type of programmatic support aimed at improving the democratic governance of the security sector

Definition

Reforms that relates to the legal and institutional framework (mission of security forces; status of security personal; etc); to the institutional management, i.e. the capacities of central command to manage security forces (human resources; internal control; strategic planning; financial planning; etc); but also to democratic oversight. Such reforms should be participatory, non-discriminatory and inclusive in order to ensure civilians are part of security sector reform process and the production of national security policies and strategies and contribute ultimately to improve confidence between civil society and the security sector.

Stand-alone training-type of activities, sensitization activities and provision of equipment / rehabilitation of infrastructures are not sufficient per se and cannot be considered as mitigation measures.

Ensure support addresses reform of the institutional framework (legal framework; mission of security forces; status of security personnel; etc) and captures accountability issues of security forces of such framework.

A1. Support addresses institutional reforms that improves the accountability of security institutions – i.e. revising the legal and institutional framework that improves the accountability of security forces, improving the capacities of central command to manage security forces (human resources management; trainings architecture; strategic planning; financial planning; etc;

A2. Programmatic support to strengthen civilian stakeholders and / or external oversight capacities on the security sector is developed (Ministry of Justice, Ministry of Finances, Audit Court, Parliament, Civil society, National Human Rights Institution, Media, etc);

A3. Internal control mechanisms are strengthened (inspection bodies, etc);

A4. The production of protocols, procedures and any other relevant tools that strengthen internal accountability mechanisms is supported.

B

Provision of security services to the population and / or inclusion of protection of victims and witnesses activities

Definition

Support to the security sector should follow the human-rights-based-approach and contribute to improved confidence and accountability between the civilian population and the security sector. Such an approach should ensure the reform of the security sector aims at providing improved security services to the population (taking into consideration specific security needs of women and men), including to marginalized groups (including women, minorities, rural and urban populations, children, persons with disabilities, LGBTI and minority populations etc). Services could include, for example, setting up an operational "green line" where populations can call security forces and receive support in a responsive manner; centers that provide specialized support for youth, IDPs, refugees, women victims of violence and children; community security and arms violence reduction type of activities that do not involve support to security forces per se; cooperation with CSOs including women's organizations, victim support measures within access to justice programmes; public outreach activities, including public perception surveys; etc.

B1. Outreach activities, provision of services to the population (community policing; etc) and protection type of activities are supported (shelters for Sexual and Gender-Based Violence (SGBV) victims; etc);

B2. Judiciary or other accountability mechanisms are supported (military / civilian justice institutions);

B3. Inclusive and participatory processes are supported, by engaging as a priority with marginalized populations and also civil society including women's organizations, interim legislative bodies, relevant line ministries, local governance bodies, the justice sector and the media in the security sector reform and production of national security policies and strategies;

B4. Public outreach activities and public perception surveys are developed.

C

Operational measures strengthening technical capacity of UNDP to implement the project and ensure the quality assurance of it.

Definition

Such measures entail ensuring the CO has at its disposal the necessary technical resources to monitor the use and impact of support. This may involve recruitment and / or effective deployment of technical staff, such as Technical Advisors, National Technical Advisors and any additional relevant technical staff

C1. The necessary technical resources exist to monitor the use and impact of support whether international and / or national. Strong gender expertise should be available within the team;

C2. A mapping of the security sector and a human rights-based analysis and a stakeholders' analysis is conducted in order to be aware of security sector stakeholders' rights, interests, strengths and weaknesses and the capacity of the security sector to meet their obligations and to capture power relations is clear. This should then provide a roadmap for the capacity development support required both for stakeholders and the security sector (separate or as part of existing tools; for example, within a Conflict and Development Analysis);

C3. An analysis of the origins of failure to hold future perpetrators accountable and develop programmatic measures accordingly is produced;

D

Corrective Measures

UNDP should assess the degree to which providing or withholding support would affect the UN's ability to influence the behavior of the receiving entity in terms of its compliance with international humanitarian, human rights and refugee law.
The CO may consider whether (i) suspension / withdrawal of support puts at risk UN engagement in the sector; (ii) suspension / withdrawal of support puts at risk UN peacebuilding measures in the country.[12]

Corrective D1.
Request appropriate authorities through official correspondence to take effective steps with a view to putting an end to grave violations of one or other of those bodies of law mentioned in the HRDDP (Corrective);

Corrective D2.
Limit support through an official correspondence to the departments of the institution that do not have staff accused of grave human rights violations (Corrective).

Corrective D3.
Suspend temporarily part of the programme through an official correspondence (Corrective);

Corrective D4.
Withhold support to the sector at large through an official correspondence. This measure is a last-resort measure that should be considered for its deterrent effect (Corrective / Preventive). [13]

Insertion of Mitigatory Measures
Please, indicate mitigatory measures for every risk factor and be precise as to whether the measure is planned or implemented.

For mitigation to be effective, measures related to intended recipients' situation: (Risk factor 6,7,8,9) and security forces situation: (Risk factor 10, 11, 12) should include at least 2 elements of category (A) and one of categories (B) and (C).

Maximum number of points for every mitigatory measure	**5**
Maximum number of points of all mitigatory measures	**112**
Maximum number of points for mitigatory measures initiated but not yet fully in place	**25% of the total points.** This includes if the necessary technical resources required to monitor the use and impact of support are in place or in the process of being recruited.

Mitigatory Measures Calculation Table

The maximum number of points for mitigatory measures initiated but not yet fully in place is 25% of the total points. This includes if the necessary technical resources required to monitor the use and impact of support are in place or in the process of being recruited.

Risk factor	Mitigatory Measure and points	Planned 25% of points	Implemented	Points by mitigatory measure	Points by risk factor → table 3
1. Does the country situation allow the programme or project to be under national implementation (NIM)?					
2. Did the Country Office recruit / does the CO have the necessary technical resources to monitor the use and impact of the support provided during all the programme cycle management phases, planning, implementing and managing, monitoring and evaluation. (This could include the presence or recruitment of a (Chief) Technical Advisor for programmatic support?)	○ **C1** → Points **5**	○ **Yes** ○ **No**	○ **Yes** ○ **No**		

Justification. The existence of a project / programme to support the security sector in countries where UNDP operates carries an intrinsic risk that can be properly managed only with the necessary technical resources in the Country Office.

3. Is the country under any "state of emergency" and / or any form of international (UN or regional organization) sanction?

Mitigatory Measure		Planned		Implemented	
○ **A1** ⟶ Points **1**		○ **Yes** ○ **No**		○ **Yes** ○ **No**	
○ **C1** ⟶ Points **5**		○ **Yes** ○ **No**		○ **Yes** ○ **No**	
○ **C2** ⟶ Points **1**		○ **Yes** ○ **No**		○ **Yes** ○ **No**	
○ **C3** ⟶ Points **1**		○ **Yes** ○ **No**		○ **Yes** ○ **No**	

Justification. The existence of international sanctions increases mportantly the probability of reputational risk and requires a solid analysis of the political dimension of the support to the security sector, including a human rights and a stakeholders' analysis of the sector; it also requires a good planning of the support to the sector. Necessary technical resources are required to monitor the use and impact of support.

4. Are there functional and effective national and civilian oversight mechanisms of the security (police / gendarmerie / defense) forces (UNDP CO should always escalate the decision to headquarters in case there is no civilian oversight / elected government)?

Mitigatory Measure and points	Planned	Implemented	Points by mitigatory measure	Points by risk factor
◯ A2 ⟶ Points **2**	◯ Yes ◯ No	◯ Yes ◯ No		
◯ A3 ⟶ Points **1**	◯ Yes ◯ No	◯ Yes ◯ No		
◯ A4 ⟶ Points **1**	◯ Yes ◯ No	◯ Yes ◯ No		
◯ B2 ⟶ Points **1**	◯ Yes ◯ No	◯ Yes ◯ No		
◯ B3 ⟶ Points **1**	◯ Yes ◯ No	◯ Yes ◯ No		
◯ B4 ⟶ Points **1**	◯ Yes ◯ No	◯ Yes ◯ No		
◯ C1 ⟶ Points **1**	◯ Yes ◯ No	◯ Yes ◯ No		

Justification. In a country where oversight mechanisms of the security sector are not functioning, priority should go to reinforce both the internal and external control mechanisms. The presence of necessary technical resources to monitor the use and impact of support is required.

5. Are national policies or ongoing processes to reform / support the security sector participatory, inclusive, non-discriminatory and people-centered?

Mitigatory Measure and points	Planned 25% of points	Implemented
◯ **B1** ⟶ Points **2**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**
◯ **B3** ⟶ Points **2**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**
◯ **B4** ⟶ Points **2**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**

Justification. In order to have national policies and SSR to be participatory, inclusive processes and people-centered, specific measures enabling the identification of such needs (perception surveys, etc) and activities to make such participation happen are necessary.

6. Is / are the intended recipient(s) accused of grave human rights violations including any specific record of violations?

Mitigatory Measure and points	Planned	Implemented
A1 → Points **2**	◯ Yes ◯ No	◯ Yes ◯ No
A2 → Points **2**	◯ Yes ◯ No	◯ Yes ◯ No
A3 → Points **2**	◯ Yes ◯ No	◯ Yes ◯ No
C1 → Points **2**	◯ Yes ◯ No	◯ Yes ◯ No
C2 → Points **1**	◯ Yes ◯ No	◯ Yes ◯ No

Justification. When members of the security forces are accused of grave human rights violations, programmatic support should target institutional reforms of the security institutions, in order to promote / support systemic changes; but also external oversight institutions to ensure that such violations are being identified and responded to at the national level. Any work on SOP and internal procedures should be linked to institutional reforms; to support sustainable change. A human rights-based analysis should be undertaken with the support of the necessary technical resources in order for UNDP to have its own assessment of the situation and be able to respond to it programmatically. Gender related concerns should be an integral part of this analysis.

7. Is / are recipient(s) taking effective steps to hold perpetrators of any such violations accountable?

Mitigatory Measure and points		Planned 25% of points		Implemented	
○ **A1** → Points **2**		○ Yes ○ No		○ Yes ○ No	
○ **A2** → Points **2**		○ Yes ○ No		○ Yes ○ No	
○ **A3** → Points **2**		○ Yes ○ No		○ Yes ○ No	
○ **A4** → Points **2**		○ Yes ○ No		○ Yes ○ No	
○ **C1** → Points **5**		○ Yes ○ No		○ Yes ○ No	
○ **C2** → Points **1**		○ Yes ○ No		○ Yes ○ No	
○ **Corrective D1** → Points **5**		○ Yes ○ No		○ Yes ○ No	

Justification. When members of the security forces are accused of grave human rights violations, programmatic support should target institutional reforms of the security institutions, in order to promote / support systemic changes; but also external oversight institutions to ensure that such violations are being identified and responded to at the national level. In addition to this work, there is also a need to support specific SOP and internal procedures enabling institutions to respond to cases of graves human rights violations committed by the security forces through internal disciplinary mechanisms. Necessary technical resources are required to monitor the use and impact of support.

In such a situation, an official communication by the CO to the security institutions could be made to request them to take necessary action to hold perpetrators of any such violations accountable (corrective)

Risk factor	Mitigatory Measure and points	Planned 25% of points	Implemented	Points by mitigatory measure	Points by risk factor → table 3
8. Are corrective measures being taken or institutions, protocols or procedures put in place with a view to preventing the recurrence of such violations?	◯ **A1** → Points **2**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**		
	◯ **A2** → Points **2**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**		
	◯ **A3** → Points **2**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**		
	◯ **A4** → Points **2**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**		
	◯ **C1** → Points **5**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**		
	◯ **C2** → Points **2**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**		
	◯ **Corrective D1** → Points **5**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**		

Justification. When members of the security forces are accused of grave human rights violations, programmatic support should target institutional reforms of the security institutions, in order to promote / support systemic changes; but also external oversight institutions to ensure that such violations are being identified and responded to at the national level. In addition to this work, there is also a need to support specific SOP and internal procedures enabling institutions to respond to cases of grave human rights violations committed by the security forces through internal disciplinary mechanisms. An analysis of the origins of failure to hold future perpetrators accountable should be produced and programmatic response designed accordingly. Necessary technical resources are required to monitor the use and impact of support.

In such situations, an official communication by the CO to the security institutions could be made to request them to take necessary action to hold perpetrators of any such violations accountable (corrective)

9. Are the corrective measures to hold any future perpetrators accountable adequate?

		Planned	Implemented		
○ A1 ⟶	Points 4	○ Yes ○ No	○ Yes ○ No		
○ A2 ⟶	Points 3	○ Yes ○ No	○ Yes ○ No		
○ A3 ⟶	Points 1	○ Yes ○ No	○ Yes ○ No		
○ A4 ⟶	Points 1	○ Yes ○ No	○ Yes ○ No		
○ B2 ⟶	Points 3	○ Yes ○ No	○ Yes ○ No		
○ C1 ⟶	Points 5	○ Yes ○ No	○ Yes ○ No		
○ C3 ⟶	Points 1	○ Yes ○ No	○ Yes ○ No		
○ **Corrective D1**	Points 5	○ Yes ○ No	○ Yes ○ No		

Justification. When members of the security forces are accused of grave human rights violations, programmatic support should target institutional reforms of the security institutions, in order to get systemic changes; but also external oversight institutions to ensure that such violations are being identified and responded to at the national level. In addition to this work, there is also a need to support specific SOP and internal procedures enabling institutions to respond to cases of graves human rights violations committed by the security forces through internal disciplinary mechanisms. An analysis of the origins of failure to hold future perpetrators accountable should be produced and programmatic response designed accordingly. Necessary technical resources are required to monitor the use and impact of support.

Measures to support the judiciary to investigate, prosecute and adjudicate cases of grave human rights violations by security forces should be taken.

In such a situation, an official communication by the CO to the security institutions could be made to request them to take necessary action to hold perpetrators of any such violations accountable (corrective).

10. Are security forces engaged in armed conflicts (currently or have they been within the last year)?

Mitigatory Measure	Points	Planned	Implemented	Points by mitigatory measure
A1	Points 3	○ Yes ○ No	○ Yes ○ No	
A2	Points 3	○ Yes ○ No	○ Yes ○ No	
B1	Points 4	○ Yes ○ No	○ Yes ○ No	
B3	Points 2	○ Yes ○ No	○ Yes ○ No	
B4	Points 2	○ Yes ○ No	○ Yes ○ No	
C1	Points 5	○ Yes ○ No	○ Yes ○ No	
Corrective D1	Points 5	○ Yes ○ No	○ Yes ○ No	

Justification. In a country where security forces are engaged in armed conflicts, UNDP should engage only in reforms that seek to improve the accountability of security institutions and strengthen civilian control over those institutions. Likewise, UNDP should develop a programmatic engagement that engages heavily with the population and support to the populations' protection needs. Necessary technical resources are required to monitor the use and impact of support.

In such a situation: (i) an official communication by the CO to the security institutions should be made to request them to take necessary action to hold perpetrators of any such violations accountable; (ii) UNDP could limit its support through an official correspondence to the departments of the institution that do not have staff accused of grave human rights violations (corrective).

11. Do security forces commit (or have they committed within the last year) grave violations of international humanitarian, human rights and refugee law?

Mitigatory Measure	Points	Planned	Implemented
A1 → Points **4**		◯ Yes ◯ No	◯ Yes ◯ No
A2 → Points **2**		◯ Yes ◯ No	◯ Yes ◯ No
B1 → Points **2**		◯ Yes ◯ No	◯ Yes ◯ No
B2 → Points **4**		◯ Yes ◯ No	◯ Yes ◯ No
B3 → Points **1**		◯ Yes ◯ No	◯ Yes ◯ No
B4 → Points **1**		◯ Yes ◯ No	◯ Yes ◯ No
C1 → Points **5**		◯ Yes ◯ No	◯ Yes ◯ No
Corrective D1 → Points **5**		◯ Yes ◯ No	◯ Yes ◯ No

Justification. In a country where security forces are engaged in armed conflicts, UNDP should engage only in reforms that seek to improve the accountability of security institutions and strengthen civilian control over those institutions. Likewise, UNDP should develop a programmatic engagement that engages heavily with the population and support to the population protection needs, ensuring that both women's and men's security needs are taken into account. Such work can take place only with the necessary technical resources required to monitor the use and impact of support.

In such a situation: (i) an official communication by the CO to the security institutions should be made to request them to take necessary action to hold perpetrators of any such violations accountable; (ii) UNDP could limit its support through an official correspondence to the departments of the institution that do not have staff accused of grave human rights violations (corrective).

12. Can UNDP be accused of enabling military / security operations or indirectly supporting grave human rights violations against the civilian population or neighboring countries?

Mitigatory Measure and points	Planned 25% of points	Implemented
◯ **C1** ⟶ Points **5**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**
◯ **Corrective D1** ⟶ Points **5**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**
◯ **Corrective D2** ⟶ Points **5**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**
◯ **Corrective D3** ⟶ Points **5**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**
◯ **Corrective D4** ⟶ Points **5**	◯ **Yes** ◯ **No**	◯ **Yes** ◯ **No**

Justification. In a situation where UNDP can be accused of enabling military / security operations or indirectly supporting grave human rights violations against the civilian population or neighboring countries, the Country Office needs to have a Chief Technical Advisor able to advise the senior management of the country office. No programmatic support can mitigate such a situation that must be addressed at political level with the support of necessary resources / capacities.

In such a situation: (i) an official communication by the CO to the security institutions should be made to request them to take necessary action to hold perpetrators of any such violations accountable; (ii) UNDP should suspend its support to the security sector at large through an official correspondence (corrective).

Totals		

Table 5

Conclusion

No. of points from calculation of risk factors

No. of points from calculation of mitigatory measures

Total risk assessment score after taking into account mitigatory measures

Definition of Reputational Risks from the HRDDP perspective

Highly likely to Expected

Points	126 – 154	Level of risk	5	→ Expected
Points	125 – 105	Level of risk	4	→ Highly likely

Likely

Points	104 –49	Level of risk	3	→ Likely

Not likely to Moderately Likely

Points	48 – 26	Level of risk	2	→ Moderately likely
Points	25	Level of risk	1	→ Not likely

Results & Example

Example CAR	No. of points from calculation of risk factors	No. of points from calculation of mitigatory measures	Total risk assessment score after taking into account mitigatory measures
Country Situation **July 2013**	153	0	148
Country Situation **July 2014**	128	26	102
Country Situation **April 2015**	106	58	48
Country Situation **January 2017**	97	58	39

Step 5: Decision on Engagement

Highly likely to Expected Risks

At CO Level:

→ Due to the high risk classification the CO must escalate the risk for consideration of the Regional Bureau.[14]

→ The RR shall in such cases escalate the risk to the Regional Bureau. The CO shall initiate discussions with the Regional Bureau to ensure a timely response.

→ Project or programme activities, including procurement of goods and services, shall not be initiated before the pre-requisite review and risk assessment are cleared by the RR and relevant HQ units as needed.

→ Factors of risk to consider for decision-making and mitigations measures need to be reviewed.

At HQ Level:

→ The Regional Bureau shall, in consultation with the Crisis Bureau, review the risk assessment. The Bureau's assessment considers the risk assessment and risk mitigation strategy together with the planned benefits (objectives) of the project or programme at the country level.

→ The Regional Bureau then takes one of the following decisions:
a. concludes that the risk is acceptable and approves UNDP's involvement,
b. concludes that the risk is not acceptable and denies UNDP's involvement or
c. further escalates the risk to the Associate Administrator who will make a decision on whether to approve or deny UNDP's involvement.

→ The RB informs the CO of the decision.

→ In case of a positive decision, agreements can be signed and project or programme activities including procurement of goods and services can be started.

→ In case of a negative decision, the CO will be asked to revise the project or programme so that the pre-requisites are met, after which the same process starts again.

→ The risk assessment underpinning the approval to proceed with the project or programme will be part of the submission to the Advisory Committee on Procurement (ACP) in case of large scale procurement exceeding the delegated authority of the CO.

Highly likely to Expected Risks after Mitigation Measures:

Where UNDP concludes that there are substantial grounds for believing that there is a real risk of the intended recipient committing grave violations of international humanitarian, human rights or refugee law, notwithstanding any mitigatory measures that the United Nations might take, then UNDP must not engage in the provision of support to that intended recipient.[15]

Likely Risk

At CO Level:

→ Due to the high risk classification the CO must escalate the risk for consideration of the Regional Bureau.[16]

→ The RR shall in such cases escalate the risk to the Regional Bureau and initiate discussions with the Regional Bureau to ensure a timely response.

→ Project or programme activities, including procurement of goods and services, shall not be initiated before the pre-requisite review and risk assessment are cleared by the RR and relevant HQ units as needed

→ Factors of risk to consider for decision-making and mitigations measures need to be reviewed.

At HQ Level:

→ The Regional Bureau shall, in consultation with Crisis Bureau, review the pre-requisites and risk assessment form provided in the annex, in those cases where UNDP's programmatic involvement in projects or programmes dealing with security sector is escalated to HQ. The Bureau's assessment considers the risk assessment and risk mitigation strategy together with the planned benefits (objectives) of the project or programme at the country level.

→ The Regional Bureau then takes one of the following decisions:
   a. concludes that the risk is acceptable and approves UNDP's involvement,
   b. concludes that the risk is not acceptable and denies UNDP's involvement or
   c. further escalates the risk to the Associate Administrator who will make a decision on whether to approve or deny UNDP's involvement.

→ The Regional Bureau informs the Country Office of the decision.

   → In case of a positive decision, agreements can be signed and project or programme activities including procurement of goods and services can be started.
   → In case of a negative decision, the CO will be asked to revise the project or programme so that the criteria are met, after which the same process starts again.

→ The risk assessment underpinning the approval to proceed with the project or programme will be part of the submission to the ACP in case of large scale procurement exceeding the delegated authority of the CO.

Likely Risk after Mitigation Measures:

Where UNDP concludes that there are substantial grounds for believing that there is a real risk of the intended recipient committing grave violations of international humanitarian, human rights or refugee law, notwithstanding any mitigatory measures that the United Nations might take, then UNDP must not engage in the provision of support to that intended recipient.

Not likely to moderately likely risk

At CO Level:

→ Due to not likely to moderately likely assessment, the CO can proceed with the engagement.

→ The RR shall approve the assessment and make the decision to engage with the non-UN security sector.

At HQ Level:

→ The Regional Bureau shall be informed of the human rights due diligence assessment and the decision taken by the CO to engage with the non-UN security sector.

Not likely to moderately likely after Mitigation Measures:

Where UNDP concludes that there are limited grounds for believing that there is a real risk of intended recipient committing grave violations of international humanitarian, human rights or refugee law, then UNDP can engage in the provision of support to that intended recipient.

Procedures for communication with the relevant authorities

→ **For communication with the relevant authorities**

It is recommended to explain to national partners the UN normative framework and specifically the policy prior to any engagement with the sector.[17] This is important since the policy should be considered first of all for its preventive dimension with communication procedures designed accordingly. Those procedures should be set out by Country Offices on an *ad hoc* manner and be embedded in the larger political dialogue.

Prior to any engagement

The legal obligations of the UN, and specifically the normative framework for engagement to the sector, should be communicated to the relevant authorities (host government, line-ministries and concerned entity at technical level). According to the policy "the responsible senior UN official [s] (e.g. SRSG, Resident Coordinator) should inform in writing the recipient authority / ies of the UN's core principles for support to non-UN security forces under this policy. In particular, recipients should be notified that UN support cannot be provided to units that fall under the command of individuals against whom there are substantiated allegations of grave violations of international, human rights or refugee law. The recipient authority should also be advised of procedures or mechanisms to implement the HRDDP […]. It should be made

clear to the recipient that, in order to sustain the support, the UN is obligated to continuously assess whether or not the recipient's actions are consistent with the Organization's obligations under the relevant bodies of law".[18]

Responsible senior UN official(s)	
In mission countries	SRSG
In non-integrated mission countries	SRSG and RC
In UNCT countries	RC

Important

While advocacy and communication may be undertaken by a specific UN entity, the policy recommends coordination and consistency across the UN in-country. The most senior United Nations official should be kept informed of such steps.[19]

During the engagement and in case grave violations are committed by bodies of law

Reporting of grave violations may be communicated to UN entities with a monitoring and / or political mandate. Communication to national authorities of management responses should be made on a case-by-case basis.

Procedures for monitoring and reporting

→ Existing UNDP monitoring and reporting architecture should be used to report on the risks, problems and management responses taken prior to, and during the implementation of the support;

→ Relevant information on HRDDP implementation should be included into appropriate UNDP reports;

→ Experience on implementing the policy should be included in reports when relevant and shared with relevant UN entities.

In the case of integrated missions, Mission-UNCT consultations should be part of established procedure.

Applicability

The implementation tool is prescriptive when COs consider engaging with security forces in all country situations, whether post-conflict or regular development situations.

This implementation tool applies to:

→ All projects or programmes implemented by UNDP in any country setting, including joint programmes and programmes administered through trusts funds and the Peacebuilding Fund.

→ All projects or programmes administered / managed at the country level with no specific programmatic UNDP involvement (for instance through country based MDTFs).

This implementation tool does not apply if:

→ UNDP is only involved administratively at headquarters. In those situations, the office administering the fund (MDTFO) informs the Associate Administrator of UNDP's administrative involvement, through the Regional Bureau and Crisis Bureau if applicable, before funds are transferred to the implementing agency / agencies.

Annexes

HRDDP Guidance Documents

→ Guidance note on human rights due dilgience policy on UN support to non-United Nations security forces, October 2015

Guidelines and Tools to support the Security Sector

→ Securing Peace and Development: the Role of the United Nations in supporting Security Sector Reform, Report of the Secretary General, A/62/659–S/2008/39, 2008
→ Guidance Note of the Secretary-General, UN Approach to Rule of Law Assistance, 2008
→ Concept Note, Supporting Democratic Governance of Security Institutions, UNDP, 2010
→ Democratic Governance of the Security Sector, IASSRTF, 2011
→ UNDP and Security Sector Reform (DRAFT), UNDP, 2011
→ UN Inter-agency SSR Task Force, Integrated Technical Guidance Notes (2011) Guidelines for Gender Sensitive Policing with a focus on Recruitment, Selection and Professional Development of Women in Police Services, SEESAC, 2012
→ Gender Training Manual, SEESAC, 2016
→ A Practical Tool for Integrating the Gender Perspective in Small Arms and Light Weapons legislative frameworks, SEESAC, 2016

Guidelines and Tools for Risk Management

→ Enterprise Risk Management
→ Risk Assessment (POPP)
  → https://intranet.undp.org/global/documents/rma/Guidance%20for%20decision-making%20in%20regards%20to%20risks.doc
  → https://intranet.undp.org/global/popp/rma/Pages/enterprise-risk-management-cycle.aspx
  → http://content.undp.org/go/prescriptive/Enterprise-Risk-Management-Documents/download/?d_id=1495240

Endnotes

1   Table from the Decision-making Process, Managing the risks of engagement with military/defense forces (UNDP, 2009)

2   UNDP Crisis Offer 2022: https://www.undp.org/crisis/publications/undps-crisis-offer

3   General Preliminary Risk Assessment Frameworks: https://unsdg.un.org/sites/default/files/Inter-Agency-HRDDP-Guidance-Note-2015.pdf

4   Para 19, HRDDP.

5   UNDP Strategic Plan and The UNDP Accountability System, Accountability framework and oversight policy (2008), DP/2008/16/Rev.1.

6   UNDP Concept Note "Supporting Democratic Governance of Security Institutions" for more information (2012).

7   In case of doubt on how to interpret the nature of the goods, guidance can be found at OECD/DAC Statistical Reporting Directives, DCD/DAC(2007)34, http://www.oecd.org/dataoecd/28/62/38429349.pdf.

8   "There are some areas of security sector reform in which the United Nations would not normally be involved, such as the provision of military armaments and other equipment [...]". SG Report Securing peace and development: the role of the United Nations in supporting security sector reform (2008) A/62/659–S/2008/39

9   "There are some areas of security sector reform in which the United Nations would not normally be involved, such as [...]the reform of intelligence services". SG Report Securing peace and development: the role of the United Nations in supporting security sector reform, (2008) A/62/659–S/2008/39.

10 Atlas Project Risk Logs enables to identify and manage risks at the project level. ERM Unit risk management builds upon this process by capturing broader risks that go beyond the project level and affect the overall objectives of a Unit. Considering any support to the security sector is by definition sensitive, risk identification / assessment should go beyond the project level and include risks affecting the Unit through the ERM policy.

11 Support to be suspended does not include "training or sensitization regarding international humanitarian, human rights and refugee law; standard-setting and capacity support directly related to the implementation and promotion of compliance with human rights laws and standards and to foster democratic governance of security institutions; engagement to promote compliance with humanitarian, human rights and refugee law or to negotiate humanitarian access and carry out relief operations; mediation and mediation-related support; MEDEVAC and CASEVAC. Decision No. 2011/18 Human Rights Due Diligence Policy, §9.

12 Paragraph 28

13 There may be a preventive effect in the early communication to national partners of this measure

14 Decision No. 2011/18 – Human Rights Due Diligence Policy, § 16

15 Ibid.

16 Ibid.

17 Ibid.

18 Ibid.

19 Ibid.