



**LIBERIA PEACEBUILDING FUND
PROJECT DOCUMENT COVER SHEET**

Recipient UN Organisation: United Nations Population Fund (UNFPA)	Liberia PBF Priority Area: 3.3 Strengthening state capacity for peace consolidation 3.3.1 Strengthening and expanding state authority
Project Manager: Name: Arto Immonen Address: LISCO Building, Mamba Point Telephone: 06-828482 E-mail: immonen@unfpa.org	Implementing Partner(s): Name: Eva Mappy Morgan, Deputy Minister of Justice Address: Ministry of Justice, Ashmun Street, Monrovia, Liberia Telephone: 077958863, or 06-905033 (Chelsea Payne)
Project Number: Ref. #: PP/R3/A3/05	Project Duration: 18 months
Project Title: Strengthening Prosecution of SGBV Offenses	Project Location: Office based in Monrovia with responsibilities of supporting prosecution of sexual offences cases nationwide.
Project Description: <i>Sentence identifying issue/problem tackled and people affected</i> The proposed Ministry of Justice SGBV Crimes Unit is a specially trained unit to provide a rapid investigative and prosecutorial response to complaints of sexual assault, abuse and exploitation in order to justly and fairly hold perpetrators accountable and provide support to victims in order to reduce the incidence of sexual violence in Liberia, especially sexual violence against children and adolescents.	Total Project Cost: USD 1,046,827 PBF: USD 792,857 UNFPA: 20,000 UNDP: 105,570 UNHCR: 39,400 Government Input: 89,000 Total: USD 1,046,827 Project Duration: 18 months
Peacebuilding Impact and key outcomes: Peacebuilding Impact: Improving prosecution services targeting SGBV crimes, with a focus on vulnerable women, girls and children, will contribute to a functioning and credible criminal justice system capable of ensuring that perpetrators of sexual offenses are fairly prosecuted, and victims have fair and effective redress through the formal justice system, with a view towards enhancing public trust, promoting public safety and justice to achieve consolidated peace. Key Outcomes: 1. The MOJ's internal structures are reformed to allow for targeted and efficient prosecution of SGBV cases by a specialised team of prosecutors, investigators and victim support officer. 2. The SGBV Crimes Unit prosecutors, investigators and victim support advocate are effectively trained in procedural and substantive areas in order to enhance justice delivery to the community. 3. SGBV Crimes Unit works with partners, through its Outreach and Training Coordinator, on public education in relation to SGBV and the Unit's work, enhancing public trust, promoting engagement with the formal justice system in cases of SGBV, and thereby reducing resort to violence or alternative practices to formal justice, e.g. trial by ordeal/Sassywood.	
Outputs and Key Activities: Outputs: 1. Operational plan for prosecution of SGBV crimes developed by the MOJ 2. SGBV Crimes Unit physically established and staffed. Information collection system is established. Prosecution by the Unit commences	

- 3. SGBV Crimes Unit prosecutors, investigators and victim support advocate are effectively trained further in procedural and substantive areas to enhance prosecutorial effectiveness
- 4. Public Education and Awareness of the SGBV Crimes Unit's work enhanced, in coordination with partners

Key Activities:

- 1. Formulation of the Operational Plan of the SGBV Crimes Unit
- 2. Physical refurbishment and equipping of the SGBV Crimes Unit
- 3. Training seminars and workshops held for SGBV Crimes Unit prosecutors and legal professionals
- 4. Coordination, data-collection and information-sharing
- 5. Public awareness-raising

Technical Advisory Panel Review Date: 13/Nov/2008
 PBF Secretariat Review Date: 17 JAN/2009
 Joint Steering Committee Approval Date: _____

On behalf of:

Signature

Date

Name/Title

Recipient UN Organization
 Co-Chair PBF SC
 Co-Chair PBF SC

SC

THE LOGICAL FRAMEWORK

PEACEBUILDING IMPACT	Measurable indicators	Means of verification	Important assumptions
<p>Improving prosecution services targeting SGBV crimes, with a focus on vulnerable women, girls and children, will contribute to a functioning and credible criminal justice system capable of ensuring that perpetrators of sexual offenses are fairly prosecuted, and victims have fair and effective redress through the formal justice system, with a view towards enhancing public trust, promoting public safety and justice to achieve consolidated peace.</p>	<p>Number of increase in cases involving sexual offenses that are reviewed by prosecutors</p> <p>Level of increase in SGBV cases that are prosecuted in court</p> <p>Number of cases dropped, compromised, or misplaced decreased</p> <p>Number of cases dropped and/or dismissed due to lack of victim/witness follow-through decreased</p> <p>Number of pre-trial detainees decreased</p> <p>Number of cases with a final disposition increased</p> <p>Public perception of prosecutors and their response to SGBV crimes improved</p> <p>Public perception, confidence and trust in the legal system and the Ministry of Justice and the response to SGBV crime improved</p>	<p>Records of the MOJ SGBV Crimes Unit</p> <p>Liberian National Police Statistics</p> <p>Department of Corrections Records</p> <p>Records of the Circuit Courts and Criminal Court E, Montserrado County</p> <p>Survey on public perception of access to justice and response to SGBV crimes in Liberia/KAP survey</p> <p>Statistics and reports from the MGD</p> <p>Progress reports from County Attorneys and City Solicitors</p>	<p>Support for improving prosecution services targeting SGBV crimes continues.</p> <p>The court system will accommodate the changes in the behaviour and focus of the prosecution unit, particularly by way of the operationalisation of Criminal Court E which will exclusively handle SGBV cases.</p> <p>Trainings provided to the prosecutors, investigators and victim support officer will have a sustainable impact on their behaviour.</p> <p>The targeted training of the SGBV prosecution unit will result in a positive perception of the justice system, and in particular its response to SGBV</p> <p>The positive perception among the public will result in a greater number of cases being brought to the prosecutors.</p>
<p>OUTCOMES: <i>The intended changes or benefits resulting from the project.</i></p>	<p>Quantitative ways of measuring or qualitative ways of judging timed achievement of outcome</p>	<p>Cost-effective methods and sources to quantify or assess indicators</p>	<p>(Outcome to Peacebuilding Impact) External conditions necessary if</p>

			achieved project outcome is to contribute to reaching project impact
Institutional Development			
1. The MOJ's internal structures and management are rehabilitated and reformed to allow for targeted and efficient prosecution of SGBV cases by a specialised team of prosecutors, investigators and victim support officer	SGBV Crimes Unit physically established, including appropriate provision for interviewing and supporting victims in a safe and confidential environment, and Unit staffed Operational Plan is developed and utilized in MOJ internal decision-making Information collection system established and maintained Increase in the number of SGBV cases prosecuted	Staffed, equipped premises Operational Plan Information collection system established Case files Records of the SGBV Crimes Unit Court dockets Records of Criminal Court E and circuit court End of project report	Utilization of the Operational Plan will improve internal decision-making and planning Cost of building materials and labor cost is stable and does not increase significantly No conflict of interest in land/building ownership – where the SGBV Prosecution Unit is housed Ongoing support from the MOJ and effective coordination with the LNP and local prosecutors.
Institutional Development and Individual Change			
2. The SGBV Crimes Unit prosecutors, investigators and victim support advocate are effectively trained in procedural and substantive areas in order to enhance justice delivery to the community Training also coordinated with local prosecutors, and the Women and Children Protection Section of the Liberian National Police	Comprehensive training programme developed, coordinated with local prosecutors and the LNP, utilising the Sexual Abuse and Assault Prosecution Handbook developed Prosecutors, investigators and victim support officer trained	Records of the SGBV Crimes Unit Records of the Criminal Court E Minutes of GBV Taskforce meetings End of project report	Prosecutors and other staff must be receptive to training to build upon and develop existing skills and have sustainable impact. Training must commence quickly to enhance existing skills. There must be donor participation

	<p>Increase in SGBV cases effectively and efficiently investigated and tried</p> <p>Victims supported appropriately by the SGBV Crimes Unit</p>		and buy-in.
Institutional Development, Individual Change and Public Attitudes			
<p>3. SGBV Crimes Unit through its Training and Outreach Coordinator, works with partners and media on public education in relation to SGBV and the Unit's work, enhancing public trust, promoting engagement with the formal justice system in cases of SGBV, and thereby reducing resort to violence or alternative practices to formal justice, e.g. trial by ordeal/Sassywood</p>	<p>SGBV Crimes Unit Training and Outreach Coordinator works with partners to develop and distribute public education materials</p> <p>Members of the Unit speak to groups such as the GBV Taskforce, and community groups on the work of the Unit</p> <p>Increase in number of cases reported and pursued to completion through the formal justice system</p> <p>Increase in SGBV cases effectively and efficiently investigated and tried.</p> <p>Number of Community Forums held in selected counties</p> <p>Public education and Awareness-raising materials distributed</p> <p>Discussions and forum held over Radio on SGBV issues and the work of the SGBV Crimes Unit</p>	<p>Liberian National Police Statistics</p> <p>Records of the SGBV Crimes Unit.</p> <p>Records of the Circuit Court</p> <p>Minutes of GBV Taskforce meetings</p> <p>Reports to the Steering Committee of the SGBV Crimes Unit</p> <p>Minutes and reports of Community Forums</p> <p>Community Forum participants list</p> <p>Public education and Awareness raising materials</p> <p>Radio-messages</p> <p>End of project report</p>	<p>There must be effective coordination with existing SGBV focussed efforts and partners.</p> <p>Communities must be receptive to education materials.</p> <p>There must be community interest and participation in the community forums.</p> <p>There must be donor participation and buy-in.</p>

OUTPUTS: <i>The specific products, services, or changes in processes resulting from the project.</i>	Quantitative ways of measuring or qualitative ways of judging timed production of outputs	Cost-effective methods and sources to quantify or assess indicators	(Outputs to outcome) Factors out of project control which, if present, could restrict progress from outputs to achieving project outcomes
1. Operational plan for prosecution of SGBV crimes developed by the MOJ	Operational plan developed by the SGBV crimes unit in collaboration with WACPS Unit of the LNP Operation plan published and disseminated	Operational plan officially approved and used by the MOJ Periodic progress reports	Operational plan is not recognized in MOJ's periodic work-planning
2. SGBV Crimes Unit physically established and staffed and Prosecution by the Unit commences	Renovation of the physical site of the Unit is completed Chief Prosecutor employed and commences work, with oversight from the Steering Committee Other staff members employed, with input from the Chief Prosecutor of the Unit SGBV cases referred to the Unit, and prosecutions commence	Site inspection TORs in place and contracts signed Reports to the Steering Committee of the SGBV Crimes Unit Liberian National Police Statistics Records of the SGBV Crimes Unit Records of Criminal Court E Periodic progress reports	Delay in staffing/recruitment Increase in cost of building materials, equipment and supplies Information flow and coordination is non-functioning due to lack of capacities, partner commitment or logistical and material factors
3. SGBV Crimes Unit prosecutors, investigators and victim support officer are effectively <i>trained</i> in procedural and substantive areas to enhance prosecutorial effectiveness of SGBV crimes	Training materials identified – including the recently completed Sexual Assault and Abuse Prosecution Handbook Number of training courses undertaken with partners, in coordination with other	Training materials, including agenda and curricula Training report and evaluations.	Trainers face obstacles such as logistical problems in conducting the trainings Prosecutors of the SGBV Crimes Unit are not committed or show

	local prosecutors and the Women and Children Protection Services units of the LNP	Advanced training for prosecutors undertaken	Reports to the Steering Committee of the SGBV Crimes Unit	limited/no interest in trainings
4. Public Education and Awareness of the SGBV Crimes Unit's work and issues of SGBV commences, in coordination with partners.	Public education materials on the Unit's work developed and disseminated Level of increase in public awareness and knowledge of the SGBV Crimes Unit At least 3 Community Forums held by the Unit, led by the Training and Outreach Coordinator Number of attendees at the Community Forums Discussions and forum held over Radio on SGBV issues and the work of the SGBV Unit SGBV Unit coordinates with the GBV Taskforce	Public education materials on the Unit's work developed and disseminated Level of increase in public awareness and knowledge of the SGBV Crimes Unit At least 3 Community Forums held by the Unit, led by the Training and Outreach Coordinator Number of attendees at the Community Forums Discussions and forum held over Radio on SGBV issues and the work of the SGBV Unit SGBV Unit coordinates with the GBV Taskforce	Periodic progress reports Reports to the Steering Committee of the SGBV Crimes Unit Minutes and reports from the Community Forums. Community forums participants list Survey on public perception, attitudes and knowledge Public Education and Awareness-raising materials Feedback from the GBV Taskforce Periodic progress reports Financial report	Public show limited interest in combating SGBV Delays in developing public education and awareness-raising materials Radio-shows, community forums or GBV Task force meetings postponed or in worst case scenario cancelled
ACTIVITIES: <i>Tasks to be done to produce the outputs</i>	INPUTS: This is a summary of the project budget (sub-budgets and total as in Annex 2.4) *USD			(Activity to output) Factors out of project control which, if present, could restrict progress from activities to achieving outputs
Output 1: A team is established to formulate the Operational Plan for the SGBV	Personnel: 259,628 Contracts: 92,800		See output 1 above.	See output 1 above.

<p>Prosecution Unit</p> <p>The Operational Plan is drafted through consultative meetings and workshops</p> <p>The Operational Plan is finalized and presented to the Minister for endorsement</p> <p>The Operational Plan is printed and disseminated</p>	<p>Training: 133,200</p> <p>Transport: 292,000</p> <p>Supplies and Commodities: 21,950</p> <p>Equipment: 98,200</p> <p>Travel: 35,000</p> <p>Miscellaneous: 25,000</p> <p>Agency Management Support: 49,861</p> <p>TOTAL: 1,007,639</p>		
<p>Output 2:</p> <p>SGBV Prosecution Unit office space is renovated and equipped</p> <p>Terms of reference for the staff of the SGBV Prosecution Unit developed and advertised for formalized recruitment</p> <p>SGBV prosecution manual is printed and disseminated</p> <p>Staff of the SGBV Prosecution Unit trained in managing database and maintenance of effective communication flow between stakeholders of the project</p> <p>Prosecution services of the SGBV Unit is ongoing</p> <p>Survey on public perception, attitudes and knowledge on SGBV undertaken</p>		<p>See output 2 above.</p>	<p>See output 2 above.</p>
<p>Output 3:</p> <p>Trainers are identified and recruited</p>		<p>See output 3 above.</p>	<p>See output 3 above.</p>

<p>Training seminars and workshops held for Prosecutors, County Attorneys and City Solicitors</p> <p>Trainings held targeting prosecutors on client confidentiality especially dealing with sensitive cases involving minors</p>			
<p>Output 4: Development and dissemination of awareness raising materials</p> <p>Public education and awareness raising activities</p> <p>Community Forums held in selected countries</p>		<p>See output 4 above.</p>	<p>See output 4 above.</p>

1. Background and problem statement

a) Background

Years of armed conflict in Liberia have severely damaged all aspects of Liberian society and resulted in the breakdown of law and order and in an increase in violent crimes and in particular, sex crimes. Rape is currently at the top of the list of serious crimes reported to the Liberia National Police.

The high incidence of sexual assault and sexual abuse throughout Liberia necessitates an improved response to these crimes from all facets of the criminal justice system. The Judiciary is responding by establishing a specialized court to deal with sexual and gender based violence (SGBV). This court will be staffed by judges trained to adjudicate sex crimes. The Ministry of Justice proposes to establish a SGBV Crimes Unit to work in conjunction with the special court for sexual offenses. Staffed by personnel specially trained in prosecution of sexual offenses, this unit will investigate and prosecute criminal cases arising from incidents of sexual assault and abuse, incest, rape, gang rape and sexual exploitation.

The Ministry of Justice SGBV Crimes Unit is a pilot project and will be implemented in three phases beginning with establishment of a highly motivated and specially trained unit based in Monrovia, providing vertical investigation and prosecution of crimes involving sexual offenses. As the unit accumulates experience and expertise, the members will begin to provide mentoring and training to police and prosecutors. In Phase Two, the unit will be expanded in order to handle a greater number of cases from a wider geographical area. In Phase Three, the unit will be replicated in other parts of the country.

The Ministry of Justice SGBV Crimes Unit will be responsible for investigating and prosecuting cases arising from incidents of sexual assault, sexual abuse, incest, rape, gang rape and sexual exploitation. Members of the SGBV Crimes Unit will also provide training in investigation and prosecution of sex crimes. The Unit will include a data collection component responsible for collecting and compiling data on cases of sexual assault and abuse. The SGBV Crimes Unit will accept cases from Montserrado County, with a view to cases being tried in the newly established Criminal Court E.

The majority of survivors of sexual offenses are girls under the age of 18. The law enforcement and justice system, lacking sufficient qualified and capacitated staff, are not able to respond to Liberians' justice needs. The great majority of SGBV survivors do not seek justice through the formal system, as they know justice will not be achieved therein. Those few cases that make it to court are marred by incomplete investigations, hesitant and poor prosecution, and overall impunity for the overwhelming majority of sex crimes perpetrators. The justice and law enforcement system cannot serve its purpose to deter or punish perpetration of these crimes, or provide justice to survivors. The vicious cycle of SGBV continues, and Liberians' lack of confidence in their "Weak and dysfunctional justice systems [which] do not provide justice and have created a system of impunity"¹ is perpetuated and justified.

Moreover, the absence of effective and timely access to formal justice by way of prosecution, is a direct threat to consolidated peace, as it encourages victims, their families and communities to resort to mob-justice or harmful traditional forms of justice. A society in which there is impunity, by way of lack of prosecution services for crimes targeted particularly at women and children, will continue to be insecure, volatile and encourages destabilising behaviour.

b) Problem Statement

Gender imbalances in the legal, social, economic and political spheres have always existed in Liberia, but were exacerbated by years of prolonged war. For an overwhelming majority of women, the conflict meant sexual abuse.

¹ Liberia Poverty Reduction Strategy, P. 171.

The injustice and trauma suffered has left scars that do not heal easily. At the same time, the war has also created a unique opportunity to address fundamental issues of gender inequality, as cultural and norms have experienced massive upheaval. Without redress for women and girls who have suffered sexual violence there is a serious impediment to peaceful, equitable and sustainable development of Liberia.

The laws and statutes of the Republic of Liberia do make provisions for the prevention of crimes of sexual and gender based violence. The new amended Penal Code provides for gang rape and categorizes the level of penalties. What previously existed under the penal system was limited in its scope of definition on age, and it was weak and vague with respect to penalties imposed. This law took into consideration the internationally accepted age of a child, which is defined as anyone under the age of 18. Under the new Rape Law enacted in December 2005, the age of consent is increased from 16 to 18 years and the penalty for 2nd degree felony from 7 years to 10 years. The penalty for gang rape and the rape of a less than 18 years old girl is life imprisonment because it is seen as 1st degree felony. To date, a few cases have been prosecuted.

Although the Rape Law was enacted in December 2005, sexual offences including rape cases continue to plague Liberian society. In 2006, 2007 and first two quarters of 2008, rape continued to be at the top of the list of the most prevalent serious crimes reported to the Liberian National Police (LNP). Between July 20 and August 30, 2008, 58 cases of rape were reported to the LNP. Most of the cases were committed in Monrovia and involved girls below the age of 18. Several factors contribute to this situation. It is well known that rape was commonly used as a weapon of war during the 14 year long civil crisis that plagued Liberia. Although fighting ceased in 2003, the effects of the prolonged fighting and associated conditions, which exacerbate the occurrences of SGBV in Liberia, still exist. The *culture of impunity* is compounded by several factors that hamper the prosecution of Sexual Gender Based Violence (SGBV) offences, including the cultural/societal context: It has been the norm that cases involving sexual offenses can be compromised by out-of-court settlements. This is largely due to the fact that a large backlog of rape cases exists and knowing that, alternative means to court settlement are sought where the victim and/or family of the victim would possibly accept a financial gesture from the perpetrator/family/representation of the perpetrator to reach an out-of-court settlement. Forces of the economy continue to compound the problem of impunity: Poverty is a direct causal factor contributing to the situation as victims and families of victims are most of the times very poor in terms of financial assets. They tend to shy away from court proceedings due to a lack of financial means, while being very vulnerable to accept a financial gesture in order to reach out-of-court settlements. Stigmatization of SGBV victims is also a major impediment to prosecution of rape cases, where particularly in cases of rape – victims, in particular adults, are afraid to come forward for fear of stigmatization within their communities and families, shying away from court proceedings.

Compounding such societal restraints, the absence of effective, timely prosecution services is a major impediment to justice in SGBV cases. The caseload of the County Attorneys and City Solicitors is overwhelming, and the backlog of cases large. This also contributes to the ongoing problem of lengthy pre-trial detention periods as suspects are apprehended and prosecution services fail to deliver. In other cases, the guilty are acquitted in cases where there was inadequate investigation and gathering of evidence and coordination between police and the prosecutor. Further, there is an absence of specialist, focused knowledge in the dealing of SGBV cases and victims, which in many cases leads to the re-traumatization of victims at the hands of the legal system, further discouraging the pursuing of cases, which in turn fuels impunity.

In 2007, the Association of Female Lawyers in Liberia (AFELL) undertook a nationwide assessment titled “Factors Affecting the Prosecution of SGBV Offenses in Liberia” to assess and review the Prosecution of Sexual Offenses in Liberia. The assessment revealed chronic shortcomings of personnel, procedures, logistics and infrastructure in the context of prosecution of sexual offenses. The Assessment also highlighted ignorance of e.g. the Rape Law and persons’ rights under the law, cultural practices where settlements out-of-court is the norm and institutional factors, including cumbersome trial process format/sentencing/imprisonment constraints were all realities that identified the chronically weak court system in Liberia relevant to SGBV cases. Some of the main recommendations of the Assessment to strengthen the court system were to have adequate prosecuting attorneys and defense counsels while infrastructural rehabilitation of physical court facilities should be undertaken. Without these essentials of overhauling the court system, the Assessment concluded that it would be unlikely that a change in prosecution of rape cases is expected anytime soon.

c) Main beneficiaries

Government Level:

- The Ministry of Justice is the main beneficiary of the project. The establishment of the SGBV Prosecution Unit at the Ministry of Justice will develop critical institutional and human resource capacities of the Ministry.
- The Liberia National Police will also benefit from the project activities as personnel of the Women and Children's Protection Section of the LNP is trained in the proper handling of cases involving sexual offenses.
- The Ministry of Gender and Development (including MOJ/LNP) will benefit as coordination of activities in relation to management of SGBV crimes is enhanced through capacity building and data management capacities.

Individual Level:

At the individual level, the following will benefit of the project:

- SGBV crimes unit prosecutors, County Attorneys, City Solicitors
- SGBV crimes survivors,
- Families of SGBV crimes survivors
- Accused perpetrators of sexual offences whose rights to a fair and timely trial are upheld, by way of expeditious prosecution and a shorter pre-trial detention period
- The Liberian public will benefit as their trust and accountability towards the legal system is improved and their understanding of SGBV increased

Other stakeholders – Winners:

Judges, Magistrates, Defense Attorneys, Public Defenders

Other Stakeholders – Losers:

Persons working directly with the Liberian judicial system who were involved in bribery and other corrupt practices that worked in favour of the perpetrators, Perpetrators of sexual offenses

2. Project Rationale and expected results

a) Addressing PBF Priority Plan Priorities

The programme is aligned with the UN Peacebuilding Fund Priority Plan. As expressed in the strengthening state capacity for peace consolidation, under the "strengthening and expanding state authority" sub-group, capacity building for judicial staff, infrastructure rehabilitation/construction (related to RoL), extension of legal services, with sensitivity for issues affecting women, are mentioned as segments of particular attention which will be directly addressed through this programme. What is more, one of the seven inter-related *conflict factors* mentioned in the PBF Priority Plan is a weak justice system where gross human rights violations and shortage of qualified personnel/capacity and undue delay or no prosecution are mentioned as issues therein. Another conflict factor: "Pressure on reintegration/Lack of absorption capacity in areas of return", it is acknowledged that GBV is increasing and is a perceived threat to the physical security of adolescents, particularly girls. It is moreover acknowledged in the PBF Priority Plan that the war *exacerbated* gender inequalities, including sexual abuse and gender based violence.

b) Contribution to the PRS

The National Poverty Reduction Strategy (PRS), in effect from July 1 2008, contains several references to the importance of combating sexual offenses including rape. One of the issues the PRS highlights is the weak justice system and Rule of Law, and that measures to support this sector have to be strengthened. Chapter 2 of the PRS stipulates: "We must address the social consequences of the war, including gender-based violence, which continues to permeate Liberian society today". Chapter 6 (Consolidating Peace and Security) has references to GBV and rape, as a major security concern in Liberian society, while it notes that GBV was used as a weapon of war during the years of unrest. Chapter 6 mentions that special measures shall be put in place to implement the National GBV Plan

of Action and that special emphasis will be placed in addressing issues of GBV. Chapter 8 of the PRS (Strengthening Governance and the Rule of Law) also mentions that delivery of justice is critical to peace and to sustain the peace in Liberia. Furthermore, strengthening the administration and delivery of justice as it relates to rape, specifically with legal aid and general knowledge of laws on rape is mentioned under chapter 8. The PRS recognizes that strengthening the legal and judicial institutions with human and institutional capacity building as crucial in contributing positively to the Rule of Law. Chapter 8 of the draft PRS also refers to the National GBV PoA in addressing gender inequities.

c) *Developing National institutional capacities*

The project will support the Ministry of Justice to establish a SGBV Crimes Unit which will provide Government with the necessary capacity to prosecute SGBV crimes. Staffed by MOJ attorneys and prosecutorial investigators² specially trained in SGBV crimes, this Unit will investigate and prosecute criminal cases arising from incidents of sexual assault and abuse, incest, rape, gang rape and sexual exploitation.

The full-scale operationalisation of the MOJ SGBV Crimes Unit is envisaged to take place over *three phases*. The PBF funding will ensure *Phase 1* over the first 18 months. This phase is the most crucial and is the most capital-intensive of the three. Phases 2 and 3 are envisaged to occur over months 19-54. These phases involve instituting lessons learned from Phase 1, expansion of the caseload, expanded training, and establishing the Unit at the county/line ministry level.

The three different phases of the programme:

- **Phase I – months one through eighteen** - Establishment of SGBV Crimes Unit, development of a workplan including policies and procedures, prosecution by the SGBV Crimes Unit. Efforts to fast track prosecution of cases, intensive training of unit personnel, coordination with and assistance to local police, prosecutors, community and advocacy groups and other stakeholders.
- **Phase II – months nineteen through month thirty-six** - Expansion of SGBV Crimes Unit and increase in case load in a select number of other counties
- **Phase III – months thirty-seven through month fifty-four** - Replication of SGBV Crimes Unit in additional counties

Description of Phase I

The goal of Phase 1, the subject of this proposal - is to establish a team of specially-trained professionals for vertical prosecution of SGBV crimes. For the first 18 months, the priorities for the Unit will be **acquiring the expertise and experience needed to be effective while conducting investigations and prosecutions of SGBV cases**. During this time period, the Unit will also establish positive working relationships with police and prosecutors not based within the Unit. During Phase I the Unit will further develop the knowledge and skills needed to justly and effectively address SGBV Crimes prosecutions.

Also during Phase 1, members of the SGBV Crimes Unit will be joined in specified **training workshops** by local prosecutors and police (especially LNP WACPS officers). The already drafted *Sexual Assault and Abuse Prosecution Handbook* will be utilised. For select sections of the training, relevant personnel from the Ministry of Health and Social Welfare and the Ministry of Gender and Development will attend. Objectives of these joint training sessions will be three-fold: 1) To build the skill-level of all participants; 2) To further understand and integrate the SGBV Crimes Unit's services into each other's work, and; 3) To develop and foster coordination between the members of the SGBV Crimes Unit and local prosecutors, police, and other relevant stakeholders.³

During Phase I, information systems will be set up including a system for collection of information on sexual assault, abuse and exploitation crimes. Information will be sought from a variety of sources, including police and

² The investigators will have no police powers, and do not displace police officers. They are criminal investigators to support prosecutors.

³ A UNDP/MoJ concept note for strengthening "Prosecution Services" has been accepted by the JSC. It is envisaged that the training required under the SGBV Crimes Unit project will be closely coordinated and in line with the Prosecution Services project. The expert "Training and Outreach Coordinator" under the SGBV Crimes Unit will assist the "Training Coordinator" under the Prosecution Services project with specialised trainings related to SGBV Crimes.

prosecutors on complaints, investigations and prosecutions and on the outcomes in each of those categories. The SGBV Crimes Unit will partner with experts and other stakeholders collecting data on sexual and gender based violence to develop a coherent approach to managing this information.

During Phase I, the Outreach and Training Coordinator will identify partners and set up a system for consistent communication and coordination between the SGBV Crimes Unit and its partners, particularly in the area of training. The SGBV Crimes Unit will work with partners to develop and distribute public education materials, utilising media as members of the unit will be available to speak to groups on the problem of sexual violence and abuse and the unit's role in combating it.

Staffing Requirements SGBV Prosecution Unit - during Phase I - will consist of the following staff:

- Chief Prosecutor – The Chief Prosecutor is an experienced litigator, trained to head the SGBV Crimes Unit and to prosecute cases. The Chief Prosecutor leads, supervises and manages the operational and administrative activities of the SGBV Unit. The Chief Prosecutor also provides expertise to the Minister of Justice in shaping policies and/or legislation addressing sex crimes.
- Staff Prosecutors – Staff prosecutors are specially trained in sex crimes and prosecute cases and provide assistance to the Chief Prosecutor and local prosecutors on sex crimes cases. Staff prosecutors will also assist investigators with legal issues and provide legal expertise to the Liberian National Police on sex crimes cases.
- Investigators – Investigators trained in the investigation of SGBV crimes assist prosecutors to prepare cases for court and coordinate with LNP on the status and progress of investigations of SGBV Crimes.
- Training and Outreach Coordinator – The Outreach and Training Coordinator is responsible for public awareness work and the coordination of training, identifying partners and stakeholders, building partnerships and maintaining systems of coordination. The Outreach and Training Coordinator will work closely with the “Training Coordinator” under the Prosecution Services Project at the MOJ, with responsibility for trainings related to SGBV.
- Victim Support Officer – The Victim Support Officer assists Investigators and Prosecutors in working with victims by providing expertise and assisting victims to access services. In addition, the Victim Support Officer works directly with victims during court proceedings.
- Administrative Assistant/Data Collection Officer – The Administrative Assistant provides administrative support to the Unit, as well as receiving statistics and reports on sex crimes from police, prosecutors and health and social services providers and storing them in programs that permit ready access, compilation and analysis.
- Law Student/Intern
- Office Maintenance staff
- Filing Clerk/Messenger
- Drivers

Training Requirements for Phase I

Phase I Training Courses

- All members of the SGBV Crimes Unit receive training in policies and procedures, confidentiality requirements, report writing, teamwork, ethics, professional responsibility and standards and work place conduct.
- Supervisory personnel will receive training in supervision and management, personnel policies, and financial reporting.
- All prosecutors, investigators and victim's advocates will receive basic training in SGBV crimes, the applicable laws and understanding the court process.
- Prosecutors will receive training in ethics and professional standards, case analysis and preparation, interviewing victims and witnesses, drafting warrants, and trial practice including motions practice, evidence, direct examination, cross examination and opening and closing arguments. Prosecutors will receive specialized training in prosecution of child sexual abuse and assault cases.
- Victim Support Officers will receive specialized training in monitoring court cases, report writing and providing support to victims of sex crimes.
- SGBV Crimes Unit and Police Investigators will receive review training in criminal investigation including

collection of evidence and laws of evidence, witness identification and interviewing, suspect interviews, statement taking, preparation of a case file, advanced report writing, testifying in court, ethics and professional standards. Investigators will receive specialized training in the investigation of cases involving child and adolescent victims of sexual assault and abuse.

During Phase I, **information management systems** will be set up including a system for collection of information on SGBV crimes. Information on such crimes will be sought from a variety of sources, including police and prosecutor reports, and the Unit's reports. The Unit will partner with other information management efforts – such as those envisaged under the UN GBV Joint Programme, County-based Information Management Offices (UNHCR/CST Programme), and LISGIS - to ensure a coherent approach to managing this information. The Unit's information management system shall be limited to SGBV crimes information and provide a specialised and specific set of information which *complements and fits within* the overall GBV information management system being established at the GBV Unit housed in the Ministry of Gender and Development.

During Phase I, the Outreach and Training Coordinator, in collaboration with and using guidance from the outreach officers of MGD, will ensure a **system for consistent and standardised communication and coordination** between the SGBV Crimes Unit and its partners, i.e. other MOJ staff (LNP and attorneys), health and social workers, and UN/NGO stakeholders. The coordination will have a particular focus in the area of training, working closely with the Training Coordinator under the UNDP/MOJ "Prosecution Services" project funded under the PBF. The Unit will work with its partners to develop and distribute public education materials and members of the Unit will be available to speak to groups on the Unit's role in combating sexual violence and abuse.

As stated above, Phase I includes the greatest capital expense of all three phases, and this project will meet the SGBV Unit's *medium-term* logistical needs. This includes Office supplies, furniture, and IT/operational equipment. Two 4WD vehicles (and fuel and maintenance) will allow for rapid response in the field and supervision, while two Compact vehicles will allow for mobility of Unit staff in and around most of Montserrat.

Phase II – Month Nineteen to Month Thirty-six

The Goal of Phase II is to expand the SGBV Crimes Unit in order to increase the unit's case load by way of having a prosecutor and investigators trained to handle sexual offenses cases.

The Unit will begin to provide more assistance to prosecutors in the counties beyond Montserrat, both in prosecution of cases and by providing training. Prosecutors and investigators from the counties will rotate through the SGBV Crimes Unit in Monrovia in order to gain expertise and experience from working directly with unit members. SGBV Crimes Unit members will conduct training for law enforcement, medical and social service personnel.

Outreach and education efforts will be expanded during Phase II to all counties through development of partnerships with the Ministries of Information, Health and Social Services and Education, and NGOs to provide training and information on addressing sexual violence and abuse on the community level to teachers, health care and social services workers and other community institutions and agencies.

During Phase II the SGBV Crimes Unit Data Collection Unit will expand and will begin to analyze and compile data into reports.

Victim Services will be expanded in Phase II to provide greater coverage in more cases and to provide training and expertise to law enforcement, medical and social services personnel and to community institutions such as schools.

During Phase II the following positions will be added to the unit:

- Chief Investigator
- Four Investigators
- Four Prosecutors
- Four Victim Support Officers
- Outreach Coordinator

- Data Collection Supervisor
- Data Collection Officer

Phase III – Month Thirty-seven to Month Fifty-four

The goal of Phase III is to continue to improve the functioning of the SGBV Crimes Unit and to expand the Unit model to all counties through the establishment of County SGBV Crimes Units consisting of:

- Lead Prosecutor
- Assistant Prosecutor
- Two Investigators
- Administrative Assistant/Data Collection Officer
- Victim’s Services Officer/Outreach Coordinator

Risks and Assumptions

Assumptions	Risks
Security situation in Liberia is stable	Security situation in Liberia deteriorates
Political will, leadership, commitment and priority setting of Government is in line with project objectives	Government shift in priorities, change in leadership
Trained staff of MOJ/LNP are retained by MOJ by project end	Budgetary allotments shift
Coordination and information-sharing among stakeholders is strong	Weak coordination due to factors such as non-functioning IT/communication system, capacities of focal points to collate and share information
Motivation among stakeholders is strong to support the programme	Lack of motivation caused by factors such as project delays
Liberian public gains trust in the criminal justice system involving sexual offenses	There are delays in successfully prosecuting cases involving sexual offenses, leading to public mistrust

3. Partnerships and Management Arrangement

a) Partnership Arrangements

This project is linked to a larger GBV Joint Programme that includes other areas needed for a fully multi-sectoral response to GBV, including health and psychosocial sectors. This larger joint programme on GBV has been agreed in the UNDAF and reconfirmed by UNCT as one of the key deliverables for the UN to support in 2008.

The high incidence of sexual assault and sexual abuse throughout Liberia necessitates an improved response to these crimes *from all facets* of the criminal justice system, in collaboration with stakeholders such as the Liberia National Police (LNP), Government line Ministries, the Judiciary Branch of Government, healthcare providers, social workers and other institutions.

In Partnership with UNFPA, the Judiciary Branch of Government has established a specialized court (Criminal Court E) to deal with SGBV crimes. This court will be staffed by judges trained to adjudicate sexual offenses, and will be equipped and staffed in accordance with international standards for SGBV crime prosecution. One central element is to support the rehabilitation and equipping of Criminal Court E that will be directly responsible for handling cases of SGBV in Monrovia. Another objective, which is directly linked to the infrastructural rehabilitation of a specialized court, is the capacity building element of legal professionals and court officials, to be able to operate in the newly renovated court. One of the main innovative features of the newly renovated specialized court is that it will conduct in-camera trials involving rape cases, allowing for protection of identity of the victim and the witnesses, in accordance with international standards. This is groundbreaking progress for Liberia in the collective effort to curb SGBV offenses.

The Judiciary is also pursuing, in partnership with UNDP and The Carter Center, a project proposal which will strengthen the capacity of Liberia’s Public Defenders whom function under the Judicial Branch of the Government.