

MOZAMBIQUE: BRINGING BACK JUSTICE, LAW AND ORDER TESTS LONG-TERM COMMITMENT

In a Nutshell

UNDP technical cooperation in the area of public security and justice in Mozambique dates back to the mid-1990s, forming an integral part of a larger portfolio of support for post-crisis governance. The programme's primary objective is to ensure public safety and security by improving the quality of policing and the justice system.

The experience in Mozambique provides insights on capacity development in general, highlighting the importance of adopting a holistic approach and making operational linkages with other broad-based initiatives, such as public sector reform. Additional lessons include understanding the dynamics of change, building capacity on the basis of existing knowledge and systems, and being willing to commit to long-term engagement.

The Story

In December 1992, the Security Council approved the creation of the United Nations Operations in Mozambique (UNOMOZ), following the signing of the General Peace Agreement between the then President of Mozambique and the President of the Resistencia Nacional Mozambicana. The mandate of UNOMOZ covered four areas: political, military, electoral and humanitarian. Specifically, it called for the creation of new public security forces, and proposed steps to de-politicize and restructure the police force. The demobilization of some 71,000 combatants underscored the urgency of establishing an effective force to maintain order. Through Law 19/92, the Mozambique Republic Police (PRM) was set up as a paramilitary force composed of 20,000 ex-military personnel.

UNDP support to the PRM began after UNOMOZ left Mozambique in 1994. The scope and nature of assistance was based on a needs assessment undertaken by the Spanish Civil Guard, on behalf of UNDP and the government. The first project started in 1997, with bilateral assistance coordinated by UNDP and implemented by the Guard. It aimed to improve the capacity of the new police force for guaranteeing public safety, in strict observance of international norms of human rights and citizens' freedoms. Most of the support focused on functional and organizational re-engineering, rehabilitation of training facilities, curriculum development, training and reorientation of members of the police force. A second phase began in October 2001, emphasizing strategic planning and stronger management at the central command, the establishment of model policing units countrywide (including innovative facilities for assisting female victims), community policing, and continuing technical support to the police academy and training programme.

Assistance to the justice sector – encompassing the Ministry of Justice, the Supreme Court, the Attorney General’s Office and the Administrative Court – followed in 1999, with the goal of modernizing the system and its institutions to become fair and timely. This complemented the work with the police force, as the administration of justice is inseparable from the maintenance of law and order. The first phase of the project included the establishment of the Legal and Judicial Training Centre for judges, prosecutors, court clerks and legal assistants, and modernization of the prison system. The current phase focuses on enhancing the individual skills of justice personnel, institutional development and decentralized administration of justice, with particular attention paid to cross-cutting issues that undermine capacity development in the sector, such as corruption.

Notwithstanding the relatively short period of intervention and the narrow objectives, the programme has made significant contributions. In human resources development, these have included the rehabilitation of police and legal training facilities; training needs assessments and subsequent development of new curricula; and individual training for about 5,000 police officers and 100 justice system officials. In terms of organizational development, achievements have encompassed a functional review of the police force and the justice sector; the development of policy and strategic plans – with inputs from civil society – for restructuring the police force; the creation of a new policy for the prison system and a framework for its implementation; a strengthened and more independent judiciary; and improved managerial and administrative capacity at the Ministry of Justice and the Attorney General’s Office.

Results and Critical Factors

- Accomplishments related to social capacities have comprised modest improvement in the quality of the overall administration of justice, law and order; introduction of community policing and alternative local dispute resolution mechanisms; enhanced capacity for change within the police force as well as the justice sector; significant political support for capacity development at all levels related to public security and justice; stronger public dialogue on legal reform and the administration of justice, law and order; and enhanced participation of civil society on these issues through periodic surveys on the performance of the police and judiciary.
- It is arguable that not enough attention was paid to the peculiarities of the administration of justice, law and order in Mozambique during the programme’s initial design. The model of the new police force is based on the Spanish Civil Guard, which is paramilitary in nature and clearly foreign. Its relevance over time and its sustainability in the Mozambican milieu is increasingly uncertain. Questions have been raised about its composition and suitability. The model in its current form is in fact not

quite consistent with its desire to make justice, law and order widely accessible and people friendly.

- Capacity development cannot be undertaken in isolation from other transformational activities, including those immediately or seemingly outside the target institutions, such as the policy environment. In this case, the appalling remuneration and working conditions of the police, legal and justice personnel in Mozambique curtail capacity development, but can only be effectively addressed within the framework of larger public service reform.
- Capacity development requires a capacity for change, a capacity to manage change and a capacity to sustain change. These dimensions apply at all three levels – individual, institutional and societal – and cannot be taken for granted. They must be deliberately addressed in designing technical cooperation programmes that are holistic and based on a long-term horizon.

Further information

Amnesty International. 2002. *Policing to Protect Human Rights: A Survey of Police Practices in Countries of the Southern African Development Community, 1997-2002* (www.amnesty.org).

Richard Synge. 1997. *Mozambique: UN Peacekeeping in Action, 1992-94*. Washington, D.C.: United Nations Institute for Peace Press.

United Nations. 1996. *United Nations Operation in Mozambique*. New York: UN Department of Public Information.

United Nations Development Programme (UNDP). 2001. *UNDP and Security Sector Reform in Post-Conflict Situations*. New York: UNDP Evaluation Office.

United Nations Development Programme (UNDP) projects of the government of Mozambique. Project documents MOZ/95/015 and MOZ/00/007, Support to PRM, Phases I and II; MOZ/98/003, Support to Justice. Maputo: UNDP.

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