International, Impartial and الآليّـة الــدوليّة
Independent Mechanism المحـايدة والمســتقلة
to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious
Crimes under International Law Committed in the Syrian Arab Republic since March 2011

**IIIM Internal Evaluation:
Integration of a gender analysis
into workflows of the IIIM's core activities**

Evaluation Report Executive Summary, Recommendations
and Lessons Learned (January 2023)

Contents

Introduction

On 11 January 2023, evaluation consultant Inmaculada Barcia submitted a Final Evaluation Report on the integration of a gender analysis into the core activities of the International, Impartial and Independent Mechanism to Assist in the Investigation and Prosecution of Persons Responsible for the Most Serious Crimes under International Law Committed in the Syrian Arab Republic since March 2011 (IIIM, Mechanism).[1] The Management Response was finalized by the IIIM Leadership Team on 27 March 2023. In consideration of the confidentiality of the IIIM's work and work processes described throughout the Final Evaluation Report, the Head of the IIIM deemed the information in the report to be confidential.[2] As a result, not all aspects of the report are available for publication.

Evaluation Report Executive Summary

The Gender Strategy and Implementation Plan (the Gender Strategy or Strategy) has been highly relevant to the integration of gender into the IIIM's core activities. The Strategy has provided a strong foundation to develop gender informed methodologies and analyses, generated a high degree of engagement among staff across different sections, and contributed to the development of an internal culture that perceives gender as a core component of the IIIM's work. This is a notable achievement given the difficulties that comparable institutions have faced in creating a team culture that genuinely acknowledges the importance of gender and is committed to its full integration into work practices.

Facilitated by the Strategy and the internal gender architecture and tools it prescribes, the IIIM has made significant progress towards the achievement of planned results including: the development of IIIM section actions plans; integrating gender analysis into analytical products; integrating gender into support provided to national jurisdictions; integrating a gender analysis into IIIM guidance documents; and the development of a common understanding of gender concepts.

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[1] This report was prepared by an external consultant who was granted access by the IIIM for the purpose of conducting an evaluation. The opinions expressed in this report are those of the consultant and do not necessarily reflect the official opinions of the IIIM.

[2] IIIM Standard Operating Procedure on Conducting Evaluations, section VIII.C.; Secretariat Administrative Instruction, Evaluation in the United Nations Secretariat, ST/AI/2021/3, 6 August 2021, Section 3.2.

The Gender Strategy, however, did not establish a clear, overarching results framework. While some sections established action plans with clear results, timelines and responsibilities, others primarily listed activities or actions proposed by the respective sections to implement relevant aspects of the Gender Strategy. A flexible approach was important, particularly in the initial phase of the Strategy's development and implementation, for teams to adapt gender methodologies and tools, integrate gender at their own pace, manage their workloads and maximize ownership. However, this approach has not provided them with the necessary direction to prioritize their work. This reflects a broader institutional need to strengthen prioritization processes for the IIIM's work that is being addressed through development of a comprehensive Strategic Plan for 2023-2025, which includes integration of the IIIM gender and other thematic strategies. This is providing a key opportunity for the IIIM to further strengthen the implementation of the Gender Strategy moving forward.

Gender and human rights integration

The IIIM is committed to a victim/survivor centered approach (VSCA) and is adopting thematic strategies to work towards inclusive justice of a broad range of victims/survivors of the Syrian conflict, including children and youth. Considerable good practice can be drawn from the IIIM's integration of gender to strengthen the Mechanism's work on these areas, including: 1) using the same guiding tools and methodologies to analyze the experiences, perspectives and priorities of other marginalized groups; 2) developing the strategies through a participatory process to instill ownership from staff; 3) building staff capacities to integrate thematic strategies in workflows; 4) integrating thematic priorities in the work of the IIIM from the outset, building on the experiences of previous international criminal accountability mechanisms; 5) devising a thematic architecture comprised of working groups with focal points across the office, supported by thematic experts; 6) fostering dialogue and cooperation across sections of the IIIM and with thematic experts to facilitate engagement; 7) sustained engagement with CSOs, victims/survivors associations and other stakeholders through consultations and the work of investigators to ensure the inclusion of the experiences and needs of marginalized groups; and 8) ensuring consistent and explicit support from leadership and management.

Effectiveness

The IIIM has made significant progress towards the achievement of planned results and outputs, including: i) the development of section action plans, ii) the integration of gender in specific analytical products, iii) the integration of gender in work on Requests for Assistance (RFA), iv) the development of a common understanding of gender concepts; and v) the development of guiding tools to support this work. An important example is the gender checklist for analytical projects, providing guidance on how to integrate gender at every stage, from the conception of the project to the end product. The application of the checklist and its adaption to also integrate children, and missing persons, grounded in a VSCA, mark an important advancement for this field of practice and demonstrate progress in transitioning to a fully integrated thematic strategies approach.

These positive results are linked to the following enabling factors:

- Consistent leadership and management attention to gender from the outset;
- Staff's experience in previous international criminal accountability initiatives;
- The support of the dedicated gender expert and the Working Group on Gender and the Victim/Survivor-Centered Approach (WG on Gender or WG);
- The Mechanism's investment in enhancing the investigative capacity of the Mechanism; and
- The Mechanism's investment in building trust and credibility with external stakeholders.

While all sections have contributed positively to the implementation of the Gender Strategy, the lack of a clear organization-wide prioritization process and accountability framework accompanying the Gender Strategy has hindered greater achievement of results. Recognizing this as a broader institutional need, the IIIM launched an institution-wide strategic planning process which includes thematic strategy integration as a strategic objective, along with strengthened prioritization and coordination processes across all of the IIIM's work.

The overall prioritization process is expected to improve over time as the current strategic planning process is ongoing. Following the initial formulation of the IIIM's Strategic Objectives in 2021, different aspects were tested to enable the development of concrete initiatives in 2022 (including the present evaluation). The new IIIM Strategy 2023-2025 establishes a result framework with corporate level goals and indicators of achievement. This framework includes Strategic Objective I4, which focuses on completing the development of thematic strategies and integrating them across the work of the sections. A crucial area that needs to be further clarified is how the thematic strategies will be integrated into the next annual workplan.

Sustainability

The support provided to staff by the gender architecture, the tools developed to integrate gender in workflows and the commitment shown by the leadership and staff to this issue have brought about important successes and contributed to the development of an internal culture that perceives gender as a core component of the IIIM's work. Yet, to guarantee long-term sustainability of achievements, the Mechanism needs to better define gender-related priorities and establish a clear framework to ensure accountability for results.

Evaluation Report Recommendations

1. Strategic planning

As part of its current Strategic Planning process for 2023-2025, the IIIM should develop a plan for implementing thematic strategy integration pursuant to Strategic Objective I4, which addresses the following elements:

i.- The specification of results and corresponding deliverables that the IIIM is planning to achieve in relation to Strategic Objective I4, to be integrated in the Strategic Objectives monitoring and reporting framework (see Recommendation 4).

ii.- The roles of the different sections in contributing to the specific thematic results to be integrated in their section workplans, and the roles of relevant Strategic Objective and Initiative owners and the Working Group focal points and the thematic experts in supporting their implementation.

iii.- Completion of the above steps during the first quarter of 2023 with results and deliverables tied to the IIIM's annual work plans and specific budget allocations.

iv.- Biannual meetings between the Leadership Team, thematic experts and corresponding Working Groups to assess overlapping areas of implementation (progress and results) and to identify issues requiring discussion within the SRM framework.

This exercise should be led by thematic experts and the respective working groups, in close cooperation with the leadership team.

2. Gender architecture

Strengthen the gender architecture to enable the IIIM to fulfill its gender commitments. According to UN Women, a "weak gender architecture, including understaffed and underfunded gender focal point networks and gender units, prevent UN entities from meeting their gender-related mandates."[3]

To strengthen the gender architecture, the IIIM should consider the following measures:

i.- Retain the full-time post of the thematic expert on gender and VSCA given its role in supporting the implementation of the Gender Strategy and other thematic strategies and initiatives, as well as the implementation of Strategic Objective I4.

The TORs for the thematic expert should be revised to clarify the optimal balance between the advisory role vis-à-vis other functions, including:

- the role of the expert coordinating the work of the WG;
- the coordination work to support the implementation of Strategic Objective I4; and
- the work related to the substantive implementation of activities, including those related to training.

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[3] Performance indicator 11: Gender architecture.
https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/How%20We%20Work/UNSystemCoordination/UN-SWAP/UN-SWAP-2-TN-PI11-Gender-architecture-en.pdf.

The workplan goals and key deliverables should be integrated into the workplan of the thematic expert on gender and VSCA.

ii.- Revise the TORs for the WG on Gender to ensure that its functions are aligned with the implementation of Strategic Objective I4. The TORs should clarify the role of the WG vis-a-vis:

- the operationalization of Strategic Objective I4, in line with the specified results and deliverables, and accorded responsibilities (Recommendation 1);
- the development and implementation of capacity building initiatives;
- the sharing of knowledge and information within and between sections.
- the coordination with other thematic working groups.

The Working Group focal point role should be integrated into individual staff workplans, along with identified key deliverables (Recommendation 1).

iii.- When revisiting the gender architecture during phase 2 of the internal thematic strategies architecture, the leadership team should be guided by the analysis of UN SWAP[4] practices from UN entities and the guidance provided on the gender architecture performance indicator (performance indicator 11).[5]

According to the UN SWAP framework, to meet this gender performance indicator, UN entities must meet two requirements: 1) Establish a gender unit or equivalent charged with coordinating the entity's work on gender equality, including providing strategic support to develop policies, projects and capacity building initiatives; and 2) create gender focal points or equivalent who have written terms of reference and time allocated to gender focal point (GFP) functions. Some UN entities are replacing the GFP system with other modalities, for example, shifting to a team-based system that assigned the GFP functions to different staff members, that must report to a senior manager (UNDP), or having gender facilitators to assist senior managers in charge of program development (OHCHR).[6]

3. Capacity assessment and development

Carry out an organization-wide capacity assessment to determine if current capacity-building initiatives are adequate to support the different sections in the integration of gender, children and youth, missing persons or other aspects of a VSCA in their workflows. The assessment should identify specific needs for training in relation to gender and other thematic expertise.

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[4] United Nations System-Wide Action Plan on Gender Equality and the Empowerment of Women: https://www.unwomen.org/en/how-we-work/un-system-coordination/promoting-un-accountability.
[5] Performance indicator 11: Gender architecture. https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/How%20We%20Work/UNSystemCoordination/UN-SWAP/UN-SWAP-2-TN-PI11-Gender-architecture-en.pdf.
[6] Performance indicator 11: Gender architecture. https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/How%20We%20Work/UNSystemCoordination/UN-SWAP/UN-SWAP-2-TN-PI11-Gender-architecture-en.pdf.

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Based on the assessment, the IIIM should develop a multi-year capacity building plan to adequately address the specific needs for staff in different sections as well as the best modalities for strengthening staff capacity.

To ensure the sustainability and long-term institutionalization of training initiatives, the capacity-building plan should follow a cycle of capacity assessment, planning, implementation and follow up, as recommended by the United Nations Development Group (UNDG).[7]

The plan should clearly establish the specific roles and responsibilities of the thematic experts and corresponding working groups in the development, the implementation and the monitoring of the capacity building plan.

4. Monitoring and reporting

The IIIM is currently identifying a monitoring tool that can accommodate the newly developed results framework. The new monitoring tool should focus on capturing results at a high level that can demonstrate the benefits of integrating gender in workflows. For instance, the tool should help teams to measure the impact of the support provided to competent national jurisdictions through analytical products and RFAs, in particular, how the integration of gender in those products have impacted the work of national jurisdictions.

Monitoring and reporting on thematic strategy results should be integrated in the relevant Strategic Objectives and Initiatives, to be communicated back to the Working Groups.

The IIIM staff who are involved in implementing these Strategic Objectives and Initiatives will need to be supported and provided with resources to develop and implement tools such as surveys and follow up interviews to collect information on the impact of analytical products, guiding tools, and thematic strategy related tagging.

Evaluation Report Lessons Learned

Senior management leadership. Leadership that prioritizes gender is recognized across the UN system as a key ingredient to success in terms of integration of gender in programmatic work. Consistent and explicit support from leadership and management was critical to maintain a focus on gender in IIIM workflows.

Integrating a gender perspective from the outset. The effort to build on the experiences of previous international criminal accountability mechanisms has contributed to understanding the necessity of integrating gender in the work of the IIIM from the beginning. In accountability related work, which involves collecting and analyzing evidence and developing a case theory, injecting a gender perspective at the end of the process is unsuccessful as the work of other courts and tribunals has shown.

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[7] UNDG (2017) UNDAF Guidelines. New York: UNDG. See also http://www.endvawnow.org/en/articles/321-capacity-development-.html.

Strategic prioritization. The rollout of thematic strategies must be based on a sound prioritization process that balances available resources and capacities with longer-term perspectives. Effective prioritization does not require additional resources, but rather a different way of planning. The implications of not carrying out effective strategic planning include lack of direction and a decrease in efficiency. Recognizing this, the IIIM launched an institution-wide strategic planning process which includes thematic strategy integration as a strategic objective.

Gender architecture. A working group on gender and a gender adviser with clearly defined roles and responsibilities provide a strong foundation to support staff to integrate gender in their work. If this is not done, the IIIM risks not being able to meet its commitments to support inclusive justice.

Capacity development. Building the capacity of staff to integrate gender in workflows requires consistent resources and a dedicated long-term plan. Training needs to be contextualized to the specific work of the IIIM's sections to ensure its relevance. The sustainability of capacity building initiatives needs to be considered from the start.

Strategic collaboration across the Mechanism. The open dialogue and cooperation between different sections as well as with the gender expert has facilitated the engagement of a wide range of internal stakeholders in implementing the Gender Strategy.

Gender integration in guidance tools. Mainstreaming gender in guidance tools, such as the checklist and specific SOPs, has been an effective strategy to integrate gender in IIIM workflows.

Ownership. The internal participatory process that was followed to develop the Gender Strategy was important to instill ownership of the issue across sections. The development of other thematic strategies is following a similar process and should continue to do so to ensure buy-in from staff members across the organization.

Partnerships. Engagement with CSOs, victims/survivors associations, individuals and other stakeholders through consultations as well as through the work of the investigators is vital to ensure the inclusion of the experiences and needs of marginalized groups who are not very visible. Sustained engagement has nurtured trust and credibility in the work of the Mechanism.

Flexibility. A flexible approach was important for teams to adapt gender methodologies and tools, integrate gender at their own pace, manage their workloads and maximize ownership.