

SCHLAINING

Report on the
Pilot Course on Security Sector Reform (SSR)
6 – 14 June 2009

Sponsored by Ministry of Defence and Sports



1/2009

WORKING PAPERS

Pilot Course

Course on SSR

6 – 14 June 2009

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Sponsored by the Austrian Ministry of Defence and Sports



Austrian Study Center for Peace and Conflict Resolution

August 2009

UNSER ENGAGEMENT ZEIGT WIRKUNG.



Verteidigungs- und Sportminister Norbert Darabos
mit UN-Generalsekretär Ban Ki-moon.

Unsere Soldatinnen und Soldaten leisten einen wesentlichen Beitrag zum Schutz und zur Sicherheit von über 500.000 Menschen im Tschad. Im Rahmen einer UN-Mission trägt das Österreichische Bundesheer auch weiterhin zur nachhaltigen Stabilisierung der Region bei.

Mag. Norbert Darabos
Verteidigungs- und Sportminister

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Contents

Foreword	5
List of Abbreviations.....	8
Chapter 1: Introduction to SSR	9
Chapter 2: Developing an Integrated Approach to SSR.....	16
2.1. Democratic oversight and accountability	16
2.2. Gender and SSR: Integrating Gender into SSR Programmes.....	19
2.3. Fostering a Supportive Political Environment	21
2.4. SSR in Different Contexts	22
2.5. Challenges and Opportunities in Post-conflict Situations.....	25
2.6. SSR and Transitional Justice	27
Chapter 3: Designing an SSR Strategy	30
3.1. Undertaking SSR assessments.....	30
3.2. Designing Programmes of Support for SSR Strategies: Case-Study of Guinea Bissau	35
Chapter 4: Implementation of SSR.....	37
4.1. Police Reform	37
4.2. Defence/ Military Reform	40
4.3. Intelligence Reform and SSR.....	43
4.4. Private Security and Military Companies.....	46
4.5. Justice Reform	47
4.6. Prison Reform.....	51
4.7. DDR and SSR	54
4.8. SALW and SSR.....	56
4.9. Integrated Border Management.....	58
4.10. Civil Society Involvement in SSR Programmes.....	60
4.11. Creating a Holistic Approach to SSR.....	61
Chapter 5: Strengthening International Coordination and Communication	69
Chapter 6: Managing, Monitoring and Evaluating SSR Programmes.....	70
6.1. Managing SSR Programmes.....	70
6.2. Monitoring and Evaluating SSR Programmes.....	72
Course Evaluation.....	75
Annexes	76

Foreword

The growing importance of Security Sector Reform (SSR)

The reform of the security sector has become one of the major topics of international concern regarding crisis management and post-crisis recovery during the last decade. The focus on traditional security actors such as the police, the military, the judiciary, prison personnel, border guards, and intelligence has been complemented by a more comprehensive view on human security, bringing the basic needs and physical, social and economic security and safety of individuals and the population to the centre of attention. The core security actors, together with all security management and oversight bodies, the justice and law enforcement institutions as well as non-statutory security forces need to act on the principles of human rights, local ownership, accountability and sustainability in co-operation and co-ordination with other national and international state and non-state actors for creating/developing a stable environment.

Several achievements to define common goals for security sector reform have already been made. The UN Secretary General's Report on SSR (2008) has provided an overarching framework for countries and organisations aiming at reforms of security systems. On the EU level, both the Council of the European Union (2005) and the European Commission (2006) have developed concepts for SSR support. The OECD DAC Handbook on Security System Reform (2007) brought together leading experts and donors to provide principles and guidelines together with a set of case studies and best practices. The gender and SSR toolkit by DCAF / OSCE/ODIHR / UN-INSTRAW (2008) offers both a focussed general approach on gender and SSR as well as on gender in the individual segments of the security sector. Other leading organisations such as the Geneva Centre for the Democratic Control of Armed Forces (DCAF) have produced additional reports and guidelines on SSR such as on civilian oversight. The security sector governance program of the Institute for Security Studies (ISS) in South Africa has provided suggestions in particular on intelligence reform.

The current implementation of SSR is facing several challenges: SSR questions per se existing power structures. Regions and nation states with a very dominant security sector react critically to externally proposed reform strategies. Donor countries need to bridge the gap between their own SSR policies and the imperative of local ownership without which reforms cannot become sustainable. Security sector reform faces a divergence between its holistic approach and various institutional practices so far. International organisations also have different approaches to SSR.

The need to further develop a comprehensive approach and training strategies is more than evident. Successful SSR missions require well educated and trained experts, both on the strategic political and administrative level as well as in the field. Governments need to streamline their action on security sector reforms both at home and through their development assistance. Unfortunately, too little preparation for experts on SSR is offered. Most of the

existing study and training programmes still focus on exclusive approaches of individual security actors rather than a concerted whole-of-government approach.

Development of Training for SSR

Training for SSR programmes only starts to grow. The UN DPKO SSR Team develops training modules, but needs assistance to serve the needs for capacity building in the international community. The International Security Sector Advisory Team (ISSAT) at DCAF has developed a training approach that is implemented on an ad hoc basis tailored to the needs of the recipient group or country. ISSAT has initiated the foundation of the Association for Security Sector Education and Training (ASSET) (www.asset-ssr.org) of which the ASPR is a member.

The ASPR has already developed a broad range of training programmes in the field of peacebuilding addressing human needs and security. With the initiative of the informal “EU Group on Training” (EGT), which was established in the framework of the ASPR-coordinated “EC Project on Training for Civilian Aspects of Crisis Management”, training courses were developed for a broad spectrum of functions and tasks (www.eustraininggroup.net). For the development of this approach, the ASPR was able to refer to its long-lasting experiences with the “International Civilian Peace-keeping and Peace-building Training Program” (IPT). IPT was developed in 1992 on request from the Austrian Government following the call from the former UN Secretary General Boutros-Gahli to establish regional training centres for the support of multifunctional UN peace-keeping operations (www.aspr.ac.at/ipt.htm).

ASPR Course on SSR

The Course on SSR is the first course in the framework of the ASPR Programme on Security Sector Reform (SSR) and Peacebuilding funded and supported by the Austrian Ministry of Defence and Sports. This course is designed to enhance capabilities of experts working in field missions for contributing to the design, development, implementation and evaluation of a comprehensive SSR approach. Participants of the course are provided with an overview on the concepts, principles and strategies for security sector reform and with the knowledge and skills regarding the step-by-step planning, implementing and assessing major SSR tasks. They learn about the approaches of international organisations and familiarise themselves with SSR through case studies and best practices. In addition, the importance of the evaluation of SSR projects and programmes for lessons learned as well as the relevance of networking for better co-operation is part of the training modules.

Compared with other training initiatives on SSR, this course is different in several aspects. First, the duration of the course is 9 days (7 labour days) and thus constitutes (to our knowledge) the longest existing training course on SSR. This length is used to expand the course content and learning output on two levels: On one hand, the course aims to cover a full SSR project cycle from analysis and design to monitoring and evaluation. On the other hand, this course takes the approach to both teach SSR in a comprehensive and holistic way and to give insights into all segments of the security sector (rather than focussing on either the basic principles of SSR or reform of a specific segment).

The course makes reference to the OECD DAC Handbook on Security System Reform and develops an integrated approach for training. The course also aims to support the training demands of the EU crisis management capabilities and the UN Inter-agency SSR Task Force.

In the framework of this Pilot Course on Security Sector Reform, the ASPR had the honour to work with thirteen different trainers and to host twenty-three participants coming from seventeen different countries. Among the organisations represented in the group were UNODC, OSCE, AU, EULEX, ISS, and several national ministries (see Annex for details). The course took place at the premises of the Austrian Study Centre for Peace and Conflict Resolution (ASPR) in Stadtschlaining/Austria. It is anticipated that one Course on SSR will take place every year from 2009 to 2014.

About this Working Paper

The goal of this Working Paper is not to contribute to the SSR discourse on a scientific level, but to document and evaluate the implementation of the ASPR Pilot Course on SSR (6. - 14 June 2009). The chapters of the Working Paper are based on the course curriculum (see Annex) and try to mirror the trainers' inputs and the participants' discussion. Whereas the ASPR is greatly indebted to all resource persons who helped to facilitate the course and gives their names as references throughout the paper (see List of Resource Persons in Annex), the editor alone takes the responsibility for the contents of this document.

This course would not have been possible without the generous support of the Austrian Federal Ministry of Defence and Sports to the Austrian Study Center for Peace and Conflict Resolution (ASPR) in the framework of the joint Project on Peacebuilding and Security Sector Reform. At the Ministry, this co-operation lies under the patronage of General Major Johann Pucher (Director of the Office for Security Politics). Dr. Johann Frank and Dr. Jochen Rehr serve as always reliable and helpful liaison partners. At the ASPR, it is due to Director Arno Truger that the agenda on SSR received its first impetus and guidance. Several international organisations have contributed to the realisation of the course by promoting the course within their networks, providing trainers, and seconding staff members for participation. However, what concerns the implementation of the training, the ASPR owes most gratitude to the International Security Sector Advisory Team (ISSAT) at the Geneva Centre for the Democratic Control of Armed Forces (DCAF) who has contributed significant input to this course. Justice Renate Winter of the Special Court for Sierra Leone has kindly donated us her time to officially start the course on SSR with her opening remarks while Brigadier General Reinhard Trischak, Head of Military Policy Division, gave us the honour at the closing ceremony. Participant Halidou Ngapna provided an excellent first draft for this working paper. Denise Wappel has helped to finalise the layout during her internship at the ASPR. Last, but not least, my gratitude belongs to the participants of the Pilot Course on SSR as without their active participation and sharing of expertise this training would not have come alive.

List of Abbreviations used in this Working Paper

ASPR	.....	Austrian Study Center for Peace and Conflict Resolution
BiH	.....	Bosnia and Herzegovina
CSOs	.....	Civil Society Organisations
CIMIC	.....	Civil-Military Cooperation
DDR	.....	Disarmament, Demobilisation and Reintegration
EUBAM	.....	EU Border Assistance Mission in Rafah
DCAF	.....	Geneva Centre for the Democratic Control of Armed Forces
EGT	.....	European Group on Training
HUMINT	.....	Human Being Intelligence
IBM	.....	Integrated Border Management
ISS	.....	Institute for Security Studies (South Africa)
ISSAT	.....	The International Security Sector Advisory Team
M&E	.....	Monitoring and Reporting
MoD	.....	Ministry of Defence
MoU	.....	Memorandum of Understanding
NSC	.....	National Security Council
NSS	.....	National Security Strategy
OECD	.....	Organisation for Economic Cooperation and Development
OSCE	.....	Organisation for Security and Cooperation in Europe
ODIHR	.....	Office for Democratic Institutions and Human Rights
PMCs	.....	Private Military Companies
PSCs	.....	Private Security Companies
SALW	.....	Small Arms and Light weapons
SIGINT	.....	Signals Intelligence
SSR	.....	Security Sector Reform
TJ	.....	Transitional Justice
TRC	.....	Truth and Reconciliation Commission
UNAMID	.....	United Nations - African Union Mission in Darfur
UNMIK	.....	United Nations Mission in Kosovo
UNMIL	.....	United Nations Mission in Liberia
UNMIT	.....	United Nations Integrated Mission in Timor-Leste
UNODC	.....	United Nations Office on Drugs and Crime
UN-INSTRAW	.....	United Nations International Research and Training Institute for the Advancement of Women

Chapter 1: Introduction to SSR

Facilitated by David Law and Eleanor Pavey

Co-Learning Methodology

Before engaging into discussions on Security Sector Reform (SSR) theories and practices, the trainers introduced the methodology used for the Pilot Course. The used co-learning methodology aimed at engaging learners and facilitators into an active dialogue and debate. This method has emerged as a useful tool for short courses where participants are mainly professionals already having experience on a specific topic.

Considering that SSR is a politically-driven topic built upon experience of practitioners and given the fact that participants were professionals engaged with different organizations in field missions, the course was more likely to produce success through co-learning tools that included but were not limited to scenario planning, strength weaknesses, opportunity and threats (SWOT) analysis, mapping exercises (identification of actors and different stakeholders in the SSR), gaps identification, bench marking, simulation, text analysis, strategy development, case-study comparison, and collaborative policy creation.

Objectives of the Introductory Sessions

The introductory sessions primarily focus on the general theories around the concept of SSR. Upon completion of these sessions, participants are able to understand goals, principles and practices of SSR, identify and analyse the implications of actors involved in SSR, adopt a holistic approach into the programming and implementation of SSR programmes, adapt SSR programmes to local realities, and identify challenges and opportunities when implementing SSR.

Definitions of SSR

SSR as a concept is relatively new. International organizations, institutions and NGOs involved in SSR programmes around the world produced sounding definitions of their understanding of SSR. Far from being contradictory, these definitions complement themselves and reflect the main features of SSR, including national institution enhancement for better service delivery, civilian rule and oversight of security and armed forces, sustainable development, security sector governance, etc. For the purpose of the learning, five definitions were submitted to discussion. They come from the Geneva Centre for Democratic Control of Armed Forces (DCAF), the European Council (EC), the European Union (EU) Commission, the Organisation for Economic Cooperation and Development (OECD) and the United Nations (UN).

The UN bases its definition¹ on the international standards of non-discrimination, human rights and rule of law. Preponderance is given to the sovereign states with the support of

¹ For the UN, SSR is “a process of assessment, review and implementation as well as monitoring and evaluation led by national authorities who have as their goal the enhancement of effective and accountable security for the state and its peoples without discrimination and with full respect for human rights and the rule of law”.

international partners. The UN SSR strategy is to focus primarily on conflict and post-conflict settings.

Unlike the UN that does not make explicit reference to democratic oversight, this is the centre-pillar of the EU's understanding of SSR². The EU comprehensively builds its SSR policy on the link between security and development, protection of human rights and efficient use of public resources. However, this definition is broad, encompassing different areas such as conflict resolution, development, rule of law, human rights and democracy and seems to be a wish list despite having a long term vision.

The OECD DAC definition³ of SSR reflects on the relationships between the organisation and "partner countries". SSR is conceived as a process aimed at assisting states in reforming their security sector so as to meet their security needs.

Unlike the previous actors, the European Council⁴ focuses on the methodology, insists on the security of the state (both internally and externally) and considers SSR as a goal and not a process. However, it shares the need of playing a subsidiary/supportive role in their assistance. The focus is not in programming and implementing SSR for "partner states", but to assist them and build their own capacity to do so.

The definition of DCAF⁵ is the most generic and summarizes the previous ones. It has the advantage of being short, focussed on SSR critical issues such as democratic governance, oversight, human rights, and rule of law. Security is broadly defined as it encompasses the involvement of wide range of stakeholders (including state's institutions, civil society organizations, local communities, donors, other international actors, etc.) and insists on the alliance between efficiency and affectivity on the one hand, and governance on the other.

Why does SSR have different definitions?

SSR is a politically sensitive topic. Every organization involved in implementing SSR programmes has its own culture, policy, approach and methodology. A universal organization such as the UN with decision making mechanisms based on consensus and unanimity is more likely to produce a definition eluding direct and explicit reference to controversial issues such as

² The EU Commission understands SSR as *"an important part of conflict prevention, peace building and democratisation and contributes to sustainable development ... the objective is to contribute ... to the strengthening of good governance, democracy, the rule of law and the protection of human rights and the efficient use of public resources..."*

³ SSR seeks to increase the ability of partner countries to meet the range of security needs within their societies *"in a manner consistent with democratic norms and sound principles of governance, transparency and the rule of law. A democratically run, accountable and efficient security system helps reduce the risk of violent conflict. The term SSR is used in order to emphasize the number and inter-connectivity of its different components..."*, OECD (2007) *Supporting Security and Justice*, OECD DAC Handbook on Security System Reform, Paris 2007, P21.

⁴ The European Council definition of SSR is the following: *"SSR seeks to increase the ability of a state to meet the range of both internal and external security needs in a manner consistent with democratic norms and sound principles of good governance, human rights, transparency and the rule of law"*.

⁵ *"SSG refers to the structures, processes, values and attitudes that shape decisions about security and their implementation. SSR has as its purpose the enhancement of SSG through the effective and efficient delivery of security in an environment subject to democratic oversight and control"*.

democratic oversight. In the same line of thought, development agencies tend to prioritize assistance of governments and are more concerned about good governance. Finally, as far as SSR is also a context-driven topic, cultural settings in which institutions are acting are also reflected in definitions. For example, the African union (AU) considers that the SSR terminology is western and is translating it into its own language.

In a nutshell, different definitions of SSR are not contradictory. They complement themselves and bring a broad range of issues in the debate. However, there is a need for field missions and SSR communities to develop a common understanding of SSR in the context in which they are acting, according to the framework of international law.

Security Sector Pathologies

Security Sector institutions have the same features, and sometimes face same failures or challenges despite different contexts. The following is a non exhaustive list of potential pathologies of security sector institutions that might attract attention and be possible entry points for SSR programmes. They include:

- Security forces serving one ethnic group: In some conflict situations like pre-genocide Rwanda, security institutions serve one community within the state and neglect the security needs of the other or even become a threat to them.
- Fractured security sector: The security sector involves a wide range of state and non-state actors. In some countries such as Afghanistan, Nepal, Liberia, Sudan, Kosovo, Bosnia, DRC and Guinea Bissau, their number is incredibly high and there are different structures, operational methods and sometimes competing or overlapping mandates.
- Statutory security forces outside state control: Some paramilitary forces (Columbia) or intelligence services (Serbia) clearly act outside the framework of the direct control of appointed or elected state officials.
- Security forces protecting a regime, not the people: This is a very common feature in authoritarian states where the law enforcement mission of security agencies overtakes their public safety mandate, in order to ensure the sustainability of the regime.
- Security forces control the State: This reflects the features of the involvement and control of the political life of the state by security forces, often after a coup d'état. Myanmar and Libya are two outstanding examples.
- Security sector destroyed, or compromised by conflict (Somalia).
- Non-existing security sector in the new state: After independence or secession, states like Timor Leste or Kosovo have to build their security institutions from the outset.
- Under resourced security forces. Both in developing countries (due to the lack of resources) and in developed ones (due to the fact that security institutions are not prioritized in the overall policy of the state).
- Oversized security forces: resources allocated to security institutions and their size are disproportionate compared to the security needs/threats of the state.
- Inefficient use of security resources: In some contexts such as the EU, the strategy is inadequate. It is argued that the use of financial resources dedicated to the security and defence policy are not used in a desired way.
- Incapable civil management bodies: In most of the developing countries in Africa and South America, the civil management of security institutions lacks capacity and efficient management.

- Weak or dependent civil society bodies: It is very common that civil society organizations lack visibility and fail to give alternative view to the government.
- Captured judiciary: In some jurisdictions such as Russia, the Middle East and Africa, the judiciary is not independent from the executive, making accountability and oversight inefficient.
- Overblown role of security forces in economy: Thailand, Pakistan, Turkey
- Ineffectual democratic/civilian oversight. Inability to oversee the security sector by civilian elected or appointed personal.

Brief history of SSR: What are the drivers that shaped the emergence and evolution of SSR?

It could be argued that SSR has been implemented for several years but the terminology “*Security Sector Reform*” has emerged from the post-Cold War security debate. The collapse of the Soviet Union considerably changed security needs of states and ushered the democratization of post-soviet security apparatuses. Moreover, the expansion of EU and NATO, the adoption of code of conduct for the democratic control of armed forces by the OECD, and the joint work of security and development agencies in some African and European states created a basis for the development of SSR. In the same way, developed countries and stable democracies are facing new security challenges. The emergence of terrorism, the resurgence of human trafficking and organised crime as well as illegal immigration made it necessary to change their security sector structures. Finally, it is both a donor-driven policy and a request from receiving countries engaged in general democratization reforms and/or facing new security threats. Securitising development, developing the governance of the security sector, and preventing conflict seem to be the matrix towards which the security debate is shifting.

Seven questions on SSR: What are the main features of the security sector? (Group work)

1. **Structure: How do you present the structure of a typical security sector? In other terms, who are the main actors and stakeholders involved in the security sector?**⁶
 - Non state armed forces,
 - Civil society
 - Pillars of the state security architecture: army, Justice, police (including other security agencies)
 - Civilian management institutions: government, parliament,
 - Supporters: internationals, independent agencies, think tanks
 - Spoilers: organized crime, corruption rings, etc.

⁶ Groups and institutions playing a role in the security sector: executive bodies, legislative bodies, justice institutions, statutory security services, non-statutory armed formations, civil society organizations, external actors, and independent oversight agencies. See *DCAF Backgrounder “Security Sector Governance and Reform”*, May 2009.

2. Actors: Which actors implement and support the implementation of SSR?⁷

They can be divided into two groups: internal and international actors are playing different roles, either as support to the process or directly involved in the implementation. Internal actors include the core security institutions, the parliament, the executive supported by civil society organisations (CSO), sometimes the presidency (when the President is not the head of government), parliament and public media. From the international standpoint, we can include a range of implementing partners such as the UN, international NGOs, consultants, etc. The supportive role is played by bilateral and multilateral donors, regional organisations, NGOs, etc. The following table gives an indication on some international actors engaged in SSR, their roles and geographic areas.

Types of Organisations	Expertise/ Role
UN (UNDP, DPKO, OCHA, Inter-agency task force on SSR)	security sector governance, rule of law
Regional: African Union, EU, OAS, ECOWAS, NATO, OECD, OSCE	Rule of law, good governance, peacekeeping, implementation, peacekeeping
Non-Governmental Organisations: DCAF	Training, consulting, capacity building
Donor community: states, International Financial Organisations (IMF, World Bank, regional Banks), regional organisations	Funding and support
Traditional justice providers, security deliverers	Implementation and support.
Non-State actors: PM&SCs (private military and security companies, consulting firms)	Outsourcing, support, implementation, consulting, etc.

Discussion: What could be the problems in engaging with SSR actors?

- Too many actors with overlapping mandates. This leads to organisations running parallel programmes with lack of coordination and sometimes competition for funding and resources.
- It is important that SSR reflects the identities of activities and agencies involved. However, actors should make efforts to introduce common understandings of SSR. In the UN for instance integrated units for SSR have been created to deal with harmonization issues.
- It is sometimes difficult for non-UN actors to be involved.
- Coordination involves identifying what are the mandates and capabilities of each actor in order to share responsibilities. Unclear mandates.
- Mandates are often unclear and encompass a wide range of activities. It is therefore important to have terms of references, memoranda of understanding, etc.
- Some agencies have “hidden agendas” that might create problems at the implementation phase.

⁷ See also DCAF Backgrounder “Security Sector Governance and Intergovernmental Organizations”, May 2009.

- Information for the local actors: international actors need to be transparent on their methods, cooperation methodology and actions to the local actors.

3. Contexts: How would you classify the different contexts in which SSR is carried out?

SSR is designed for and implemented in countries with different settings. They range from stable democracies (the US, the UK and Canada) to failed states (Somalia). They also include post-conflict contexts (DRC, Liberia and Sierra Leone), post-authoritarian (Syria and Guinea Bissau), partial civil war (Columbian and Cote d'Ivoire) and failing/fragile states (Pakistan).

4. Importance: Why does a country need a well governed Security Sector?

Safeguarding the security of the state and securing the livelihood of people are the main function of law enforcement agencies and justice institutions. In order to enhance the effectiveness and governance of these institutions, there is a need to engage reforms both internally and externally to them. SSR therefore helps to achieve the following: ensuring internal and external security; enhancing human security by promoting and respecting non-discrimination measures and human rights protection; securing ownership by creating conditions for confidence building; creating good conditions for economic activities and business opportunities; treating security sector as public service; providing stability, preventing the return of conflict and promoting regional stability; ensuring that efficiency and good governance go together; and making sure that threats public resources are used efficiently.

5. Programmes: what are the main sub-sectors and cross-cutting programmes carried out?

The security sector can be divided in many subsectors: the defence sub-sector (which includes the military and other armed groups), the law enforcement sub-sector (including police, intelligence, border management, narcotics and anti-trafficking agencies, financial brigades, etc), the justice sub-sector (courts, mediation bodies, and conflict resolution institutions), and the oversight bodies.

There are also cross-cutting issues that should be taken into account from the assessment to the monitoring and evaluation of the implementation of the programme. They include gender mainstreaming, DDR, mine actions, small arms and light weapon control, the rule of law, good governance, human rights, fight against corruption, transitional justice, media and communication strategy (balanced, critical, and independent), missing persons, mass graves, forensics, refugees, health and food security, education, public administration (bureaucracy), nation building, public safety/disaster preparedness, etc.

6. Criteria: what makes a programme an SSR programme?

Security sub-sectors experience reform programmes regularly, but there are some criteria that make them SSR. The programme should not be ad hoc, but sustainable rather than created as a reaction to particular situations. The programme should also act in conformity with principles of democratic governance: national or local ownership, capacity building, civilian control over security forces, and transparency. The reform programme should not be centred on a sole security sub-sector. SSR programmes are comprehensive and identify entry points and institutional relationships (current and future implications and interrelations for one or the other institutions). Reforms should be specific to the security sector, measurable with

indicators that are agreed upon, realistic, cost effective and carefully sequenced. Finally, the programme should be aimed at enhancing the security delivery and governance of the security sector.

7. What are the key challenges faced when designing and implementing SSR programmes?

SSR is a highly sensitive and politically-driven topic. Therefore, securing the acceptance and building a favourable political environment to run an SSR programme is one of the most difficult challenges to overcome. Building grounds for an SSR strategy in a country should take into account the sensibilities of the members of the society, engaging them into consultation in order to build confidence, secure their will and mitigate spoilers' actions. Second, there is a constant challenge to avoid counterproductive results. Stakeholders' needs should be addressed in a way that does not fuel conflict and hurt the environment. Third, the variety of actors with different political agendas and mandates calls for coordination of activities to avoid overlapping programmes and competition. There should be a continuous confidence building, common understanding, and division of labour in order to capitalise on strengths and complement weaknesses. The fourth challenge to overcome is the stigma around SSR. In many African countries, SSR is associated to defence downsizing and is felt as imposed by the West. Thus, international partners should support, not direct the process by providing financial and technical assistance to states. Local ownership goes hand in hand with the sustainability and management of the process. Finally, donors and internal actors should understand that SSR is a long term process. Resource management and mobilisation, public and stakeholders' expectations should be handled accordingly.

Chapter 2: Developing an Integrated Approach to SSR

2.1. Democratic oversight and accountability

Facilitated by David Law

Fundamental questions linked to oversight and accountability

- What is oversight?
- What is accountability?
- Is there a difference between oversight and control? Are there instances when both oversight & control are needed?
- What is transparency? Why is it important to accountability?
- Is there such a thing as non-democratic oversight and control? Is civilian control, by definition, democratic?
- How do oversight/control/accountability translate into your languages? Oversight paradigms

Oversight Paradigms

There are different kinds of oversight mechanisms that depend on the authority of the oversight organisation and the one which is overseen. They include:

- **Civilian/democratic:** One of the most important features of SSR governance is the control and oversight of security institutions by democratically elected authorities.
- **Executive/legislative/judicial:** The executive is both oversight and overseen body as authorities from the government can exert their control on security institutions and be accountable to the parliament. The judiciary is vested with the powers of conflict resolution, human rights protection and investigation on potential offenses committed by security sector personnel.
- **Independent and Public:** Regular citizens have the right to be informed on the security and defence strategies, and to seek remedies in case of any abuse from security sector institutions. The media and other civil society organisations exert the control independently. Independent bodies such as Ombudsmen, Police Commissioners and Human Rights Commissions are playing a key role in the process.
- **Internal / External:** Internal oversight is ensured by the hierarchy and chain of command whereas external oversight is carried out either transversally by oversight bodies with the same level of authority or vertically by superior civilian institutions (e.g. the President/Prime Minister over the army).
- **Vertical/horizontal self control:** Organisations operate control and oversight from within. It can be peer horizontal control – officers or organisations watching over each other’s shoulder – or vertical oversight exerted by the hierarchy.
- **Proactive/reactive operational control:** At the operational level, horizontal or vertical controls can be made either proactively – beforehand in order to prevent any abuse – or reactively to correct, reward or punish any action according to the law.

- **National/foreign:** All the oversight mechanisms presented above are exerted by organisations within the jurisdiction of the country. Oversight can also be made by external actors such as donor organisations, international judicial bodies, international financial institutions, etc. Foreign oversight bodies follow a strict legal framework agreed upon with the receiving state, or a resolution of the Security Council or any other regional organisation.

Oversight Matrix

Dimension of oversight	Primary role	Mechanisms or tools
Internal	Exercising self-control	Self discipline, professional pride
Executive	Shaping the agenda, controlling subordinated security providers, regulating non-statutory actors	Discipline, dismissal, promotions, perk
Legislative control	Ensuring legality & legitimacy	Budget, reporting
Judicial control	Ensuring compliance with constitution an law	Judicial decision and sanction
Independent	Ensuring accountability, responsible behaviour, fair & equitable treatment, effective use of resources	Reports, public appeals
Civil/media	Analysing & criticising policy & providing alternative views	Media, reports, public appeals
Public	Making government accountable	Opinion polls, referenda, elections
External	Working for compliance with actor's norms & material requirements	Peer pressure, external pressure through comparative rating of performance

Case Study: Democratic Control of Armed Forces (DCAF)

Definition

Democratic control of armed forces constitutes norms and standards governing the relationship between the armed forces and society, whereby the armed forces are subordinated to democratically-elected authorities and subject to independent oversight. It started with the military to expand to other security forces. It is based on the principle that the military should serve the society and not the regime. At the end of the cold war the concept of democratic control emerged mainly in former soviet states and encompasses now the governance of the entire security sector.

Key features of DCAF

They include civilian control (control of armed forces by elected civilian regime), democratic governance (oversight by the judiciary and parliament in accordance with the constitution and/or relevant laws), civilian expertise (civilian personnel attached to the administration of security sector agencies), non politicisation (non-interference of the armed forces in domestic politics. They should be neutral and independent both ideologically and politically from political parties), minimum role in national economy, effective chain of command and the respect for human rights of armed forces personnel.

Why is DCAF important?

In democratic societies, the sole legitimacy lies in the people's will. Therefore, democratically elected officials should have supremacy in the political life. The army should serve the Nation and be subjected to the due authority of its representatives. DCAF's principal goal is to build favourable political grounds for the respect of this fundamental democratic principle. Also, the respect of the rule of law and good governance of the security sector subjects its institutions to the laws and oversight of civilians, important conditions for the respect of human rights. Finally, the non-involvement of armed forces in the political life protects them from being abused and driven into the use of violence for political purposes.

How is democratic control of armed forces implemented?

DCAF is implemented through different processes including reforms aimed at changing institutional mechanisms and procedures, creating a legal framework, building capacity of staff and creating new institutions (ombudsperson, commissions, etc). These processes go hand in hand and should take into account the long term aspect of SSR and the difficulty to build consensus around it. For instance, it is not enough to adopt new legislation to ensure full control of armed forces. Capacity of civilian personnel should be built to bear their new responsibilities – budgeting mechanisms, inquiries, understanding international standards, handling complains, etc. – and a culture of human rights is build upon long term programmes within SSR core institution themselves.

NATO, EU and OSCE Norms and Standards for the democratic control of armed forces

- **NATO: Carnovale-Simon test (entrance requirement) 2001:** According to this series of documents, there should be on the institutional point of view clear division of authority between executive members in charge of security forces, supervision of the executive branch over general staff and commanding cadre through the defence ministry, which is competent to take decisions on the size, form, equipment and engagement of armed forces and efficient parliamentary oversight. These reforms should be strengthened by the overall acceptance of the notion of democratic civil control.
- **EU: Copenhagen criteria for Accession (1993) and the Treaty of the EU (2002):** The Copenhagen Criteria or Accession requires at the institutional level that a candidate to EU membership should be able to assume responsibilities of states according to the EU Treaty (to have stable institutions able to guaranty democracy, human rights, and the respect of minorities, etc)
- **OSCE Code of Conduct of Politico-Military Aspects of Security (1994):** The OSCE requires democratic control and effective guidance of military, paramilitary, internal

security forces, intelligence and police by constitutionally established authorities vested with democratic legitimacy. In this regards, civilian authorities should be able to restrain in military expenditures, ensure political neutrality of armed forces, to protect the rights of personnel serving in the armed forces and the integration of armed forces with civil society.

2.2. Gender and SSR: Integrating Gender into SSR Programmes

Facilitated by Eleanor Pavey

Definition

Gender refers to socio-culturally constructed roles and relationships, or popularly attributed characteristics of men and women in the society. Gender is different from sex as it is not based on biology, but on cultural settings and is bound to change with time and space. It is a common view that adopting a gender-sensitive programme consists solely of empowering women in the society. Gender goes far beyond women to encompass the needs, experiences and priorities of all members of the society – women, men, girls, boys, and HBTs (homosexuals, bisexuals, and transsexuals) – and to give them equal opportunities.

Gender issues erupted in the international debate in the 1970s at the UN level and lead to the adoption of the “Convention on the Elimination of All Forms of Discrimination Against Women” (1979) completed by the “Beijing Declaration and Platform of Action” (1995). Despite the usefulness of this legal framework in the participation of women in public life, it was not until 2000 that the UN Security Council adopted a resolution to involve women in conflict resolution, peace-building and reconstruction. UN SCR 1325 on “Women, Peace and Security” is a result of a combination of many factors, including increased reporting of and intolerance towards gender-based violence (GBV) in conflict and non conflict settings, advocacy for increasing presence of women in peace negotiations and conflict resolution, increasing analysis of the different impact of conflicts on men, women, girls and boys as well as a shift from the standard perception of women as victims in conflict to considering them as agents of change.

Why is Gender important to Security Sector Reform?

Running gender-sensitive SSR is a requirement of many national, regional and international instruments and laws. Handbooks, codes of conduct, and other SSR manuals are increasingly building gender strategies to ensure the comprehensiveness and representativity of programmes. As SSR programmes should be locally owned and participatory, involving organisations relevant to women in consultations and implementation of programmes is a useful tool to that end. The example of the South African defence review process highlights the importance of engaging discussions with women organisations. Also, gender sensitive programmes increase effectiveness of security and justice delivery through representation. It helps for instance to increase the overall security of the population (e.g. in Afghanistan mix patrols will allow searches on women and prevent attacks from men disguised as women) and effectively preventing and responding to GBV. Finally, gender mainstreaming and equal participation enhance oversight and accountability of security institutions.

Summary of some international documents relevant to Gender

- The Convention on the Elimination of All Forms of Discrimination Against Women (1979)
- The Windhoek Declaration and Namibia Plan of action (1991)
- The Beijing Platform of Action (1995)
- OECD Document on Gender (2004)
- UN Security Council Resolution 1325 on Women, Peace and Security (2000): Incorporation of gender perspective into peace negotiation; protection of women from GBV, incorporate a gender component in field operations, provision of training guidelines, appointment of more women as SRSB and expansion of women in field operations.
- UN Security Council Resolution 1820: condemns rape as a war crime

How to Integrate Gender into SSR Programming?

Two complementary strategies can be used to incorporate gender in the SSR programme cycle: gender mainstreaming and the equal participation of men and women.

Gender mainstreaming in SSR starts from the programming phase and goes through the implementation phase to the monitoring and evaluation phases of the programme. It can consist of assessing gender needs and taking into account cultural considerations, designing in gender-sensitive ways, and developing sound indicators for monitoring and evaluation.

As for equal participation for men and women, it is a useful tool to ensure gender sensitivity of programmes. It could be achieved through staffing and wide consultation of women organisations in the assessment phase and cooperating with them in the implementation phase.

Gender Entry Points in SSR

- Staffing: quotas, priority for women candidates, enabling women to take the positions, changing the image of the institution to make it more attractive for women, adopting mechanisms against sexual harassment, having gender champions or symbols, developing promotions and incentives, as well as finding practical solutions (e.g. CIMIC: first line men and second women) are some of the tools that can be used to encourage women participation in staffs.
- Training: training of staff, stakeholders and actors;
- Streaming gender throughout the process;
- Legislation and change of institutional Structure;
- Importance of pilot projects: to test gender incorporation in order to secure political buying and build confidence.

Good practices in gender mainstreaming

- DDR in Liberia: a policy decision to recognize women associated with fighting forces ensured that 21, 000 were involved whereas 2, 000 were originally expected;
- Elections In Afghanistan: women were engaged in the process, also as candidates;
- Burundi: 30% of parliament members are women. 34% senators are women and one of the 2 vice-presidents is a woman;

- Uganda: election of representatives for women, and equal opportunities in appointments;
- UNMIT in Timor ensures parliamentary representation of women and a domestic violence bill presented to parliament;
- Liberia: Rape Law revisited;
- Afghanistan: drafted a law on elimination of violence against women

2.3. Fostering a Supportive Political Environment

Facilitated by Eleanor Pavey

Introduction

Providing security to citizens and protecting their needs and interests are fundamental responsibilities of states and is attached to their sovereignty. The defence force is thought of as a shield that protects a nation from external threats. The police and other security agencies protecting citizens and protecting law and order whereas justice institutions are in charge of legal disputes. The central role played by these institutions (army, police and justice) makes any reform of the sector impossible if imposed from abroad. Due to its sensitivity, SSR should be locally owned and be a driver for change towards democratisation, respect of human rights, peace and stability instead of being sources of controversy and conflict. Actors involved in the designing and implementation of SSR programmes should bear this reality in mind and act towards creating a favourable political environment for programmes.

Country case study: Sri Lanka

In order to understand how difficult it is to foster a favourable political environment for SSR and identify entry points and tips to encourage confidence building and secure political will, the Sri Lanka case study is of great relevance. An analysis of the context will lead us to drawing hypothesis for possible entry points for SSR.

- **Strengths:** Sri Lanka is a strong state with flexible structures and robust legislation. It can adapt easily to any reform aimed at enhancing governance of security institutions, and be supported by resilient security and judicial structures. The end of difficult collaboration between two parties at the head of government will prevent unnecessary debate and facilitate agreement upon a policy. This political momentum is further enhanced by the joining of the political process by several radical groups that joined forces to work together during the 2004 Tsunami. Last but not least, Sri Lanka has one of the most vibrant Diasporas and enjoys scrutiny of media and hard work of engaged and active civil societies at home. This is more likely to engage constructive political debate around SSR issues.
- **Weaknesses:** Probably due to the protracted conflict, the executive has far-reaching powers over other branches of government, with high politicisation of the army. The political situation is also weakened by populist discourses of the president who refuses to acknowledge the LTTE (armed group known as the Tamil Tigers) as a key SSR actor. The legislature is ineffective with weak oversight mechanisms of the SSR programme which is incoherent and carried out according to political and military compulsions of the government. SSR issues are not

widely known throughout the country and the increasing cost of living and high inflation rates might divert attention from SSR which is not likely to be priority because of the intensification of the conflict.

- **Opportunities:** The recent military victory of the National Army over the LTTE established the government's authority over the whole territory and is likely to engage measures to manage "liberated" areas, including civil administration, security and justice. There will be increasing scrutiny of the government and this opportunity constitutes a viable entry point for SSR. The current transition will provide opportunity to: increase public confidence in local institutions, especially in liberated areas; increase effectiveness of the functioning of the security sector; increase transparency of oversight mechanisms; demilitarize the society, and move towards a peaceful solution and long-term economic development.

- **Threats:** The government military victory over opposition and its insistence on military means of resolving the conflict is an illustration of the difficulty of reaching consensus. It is not likely to have a viable alternative in the near future nor in the local civil society, nor in the political sphere. The presence of paramilitary groups in the country as well as a high number of deserters in the army aggravates the caseload of SSR and makes stability even more fragile. The public confidence in security institutions is very low, corruption and involvement in business rampant, oversight by the judiciary impossible due to politicisation, presence of Tamils in armed forces limited, language barrier between the North and the South, lack of financial and financial resources and no concrete involvement of the international community are some of the most important threats faced by the country.

2.4. SSR in Different Contexts

Facilitated by Alexander Mayer-Rieckh and Eleanor Pavey

Why is Context Important?

As a politically driven topic, locally owned and people centred process, SSR's success lies on a thorough understanding of the socio-political context in which it is implemented. It is important for SSR planners to be acquainted with cultural considerations of the role of security institution in some countries, and decide on teams, programmes and strategies based on the domestic legal framework, the country's history and political environment. Having a context-specific approach helps mitigate risks and identify priorities and opportunities by adapting the programmes to the size, state of infrastructure, availability of human resources, and equipment of the country. Last but not least, understanding the contextual dynamics enhances the peace-building capacity of SSR programmes in post-conflict settings and facilitates the correlation between security and development that SSR tends to build.

Different Contexts in which SSR is implemented

SSR is designed and implemented for and in countries with different political situations and conflict levels. Contexts differ according to the level of economic development, the nature of political system, the specific security situation of the country, and the political will of actors.

- **Level of Economic Development:** Security sector pathologies are different in countries with different level of development. In poor or developing contexts, SSR may have to redress issues such as corruption, lack of transparency and management of security institution, inadequacy and unavailability of funding, whereas developed countries may require some changes in the security environment to adapt security agencies to new threats. Additionally, developing countries often face internal security threats such as social unrest and conflict while developed countries may face external threats such as terrorism (in cases where terrorists are operating from abroad). Last but not least, planning SSR in developing and developed countries will have to take into account the availability of resources dedicated to them. In developed countries, SSR would focus on adequacy of funding whereas developing countries might be seeking financial assistance from donors and external partners.
- **Nature of Political System:** Differences of political contexts define the security situation and architecture of the security sector in countries. Political situations could be classified as follows: post-conflict countries, transitional countries, conflict countries, stable democracies, authoritarian regimes, and failing, fragile or failed states. Issues related to this classification are: democratic deficit, good governance, instability, oversight, security levels, political will, etc.
- **Questions related to cultural specificities:** How would you talk to different stakeholders in different cultural contexts? To what extent do we bend international standards to accommodate with context?

Discussion: Is there a need of SSR in developed countries?

SSR is not designed only for democratically challenged countries. In stable democratic and developed countries, needs for establishing mechanisms to enhance the operational efficiency and governance of the security sector are present. For instance, Canada had to readapt its security sector after 9/11 and its involvement in Afghanistan. Governance, efficiency and coordination of actors in the field and at headquarters' levels had been the key features of post-9/11 reforms. Additionally, the absence of internal security threats allows time for developed countries to address some internal issues such as addressing effectively gender-based violence or defending and promoting human rights of security sector professionals.

Context Specific Examples

- Police vs. gendarmerie: what is the role of gendarmerie and its position as regards to police? How to harmonize them within SSR?
- Common law vs. civil law
- Sharia law and human rights
- Council of Elders, representation and women issues
- Non-statutory security and justice providers
- Traditional justice institutions
- Post-conflict vs. post-authoritarian environments
- Lack of division of power: power concentrated in one person's hands
- Lack of democratic oversight
- Political interference of security forces
- Secret services (collaborators and informants): dilemma of identity disclosure
- Secret archives
- Post-conflict legacy: mass graves, forensics, etc.

- Transitional justice and human rights: memory (monuments, memorials): about the past and the future, vetting and removal of former regime members, prosecutions, truth seeking mechanisms, etc.
- Civil service reform
- Land reform
- Inclusion of the civil society: rebuild confidence in the state's apparatus

Security/political considerations for SSR

Fragile States: There is a structure upon which SSR could be built. There is no need to build state's institutions from the outset but to undertake necessary reforms to enforce democratic oversight and enhance service delivery of security sector institutions. However, uncertainty could undermine efforts politically and the security situation is fragile. This obstacle can be faced by engaging in discussions with relevant actors on the necessity for change and providing extra funding for SSR by using discussions on poverty reduction strategy papers as an entry point.

Conflict: There are many opportunities to introduce SSR in conflict societies, including during cease fire and peace agreement negotiations and DDR planning. It is also the opportunity to identify drivers of change and potential spoilers, and envisage measures to buy them in. SSR might not be a priority in such situation where parties still lack confidence in each other and militarization is a means to protect themselves from each other and organised crime. Engaging dialogue with stakeholders, mobilizing civil society organisation, and advocating for transitional justice mechanisms could be ways of mitigating the risks. Ceasefire monitoring, training on international humanitarian law, humanitarian assistance could be used as entry points.

Post-conflict: Compared to conflict situations, post-conflict settings experience rebuilt confidence among actors, minimum security conditions, presence of peacekeeping missions and international NGOs. The country is also under international media scrutiny that could be used for SSR publicity and mobilisation around reconstruction. The main obstacles of this kind of contexts are the scarcity of resources allocated to SSR which is not much of a priority, the existence of spoilers who might see in SSR a way of losing their power and disrupting their traffics. However, through confidence building, negotiation and involvement of peacekeepers and SSR champions, favourable grounds could be built for SSR development.

Transitional/democratising: SSR potential is high during transition periods. Transitional governments are sworn in and enjoy public support as they are often the result of wide consensus. The political agenda revolves around DDR, transitional justice, reforms of the civil administration and reconstruction, and potential entry points for SSR.

2.5. Challenges and Opportunities in Post-conflict Situations

Facilitated by Alexander Mayer-Rieckh

Case Study of Liberia

From the different contexts of SSR analysed above (chapter 2.4), post-conflict environments are of particular relevance to SSR and need a more thorough assessment. This section's aim is to present challenges and characteristics of SSR programmes in post conflict and highlight some typical entry points. Liberia presents an interesting example to understand key features of SSR.

When Charles Taylor left Liberia to Nigeria in 2003, the subsequent peace agreement ended violent confrontation but left the country in a critical state. The infrastructure was destroyed. The UN Security Council Resolution 1590 created the UN mission in Liberia with a mandate, among others, to assist the government in the DDR, police, judiciary, and prison reforms. State law enforcement agencies only had authority over Monrovia and its outskirts, traditional security authorities and non-state armed forces controlled the rest of the country and fulfilled various security and justice functions. International agencies were providing relief and humanitarian assistance and were running reconstruction programmes. The unemployment rate of about 80% coupled with the availability of SALW in the country made Liberia a potentially dangerous country to live and work in.

Mandates of two of the most important actors

- United Nations Mission in Liberia (UNMIL) was mandated, among others, with assistance for international criminal proceedings, reform of the justice, correction and police subsectors as well as with assisting in the development and implementation of the national DDR programme.
- The US took on the responsibility for building the new national army.

A range of security actors were insufficiently engaged or simply overlooked: the Monrovia city police, the special security services, the national port authority, the parliament, other oversight bodies, Liberia Telecom security, non state security providers, ministries (defence, justice and national security), and others.

The sector: identify key characteristics of the security sector in Liberia in 2003

Group Work

- Overstaffed civilian security sector,
- Fragmented security sector: army, non-state armed groups, civilian security actors, etc;
- Problem of demobilised child soldiers;
- Unequal repartition of civilian security sector agencies on the territory and not full control of the country;
- Uneven involvement of international actors through the framework of the peace agreement and the Security Council resolution;
- Security and justice institution not trusted by the population mainly due to their high involvement in serious human rights abuses and corruption;

- Features relevant to the post-conflict context of Liberia: collapsed structures, institutional fluidity – collapse of processes, people moving from one group, force, agency to another making it difficult to know who is member of an institution – informal and arbitrary processes – decision making is very arbitrary and informal. No job security. Political leaders directly influence the functioning of security sector institutions – and presence of the abusive past in oppressive mechanisms.

The Process: *Describe Key Challenges/Obstacles to do SSR in Liberia. Actors, Supporters/Spoilers, Political Actors, Environment, etc.*

- Internal government: elections, transitional period, contradictory interests involved, huge chance of corruption and organized crime. The government may be an opponent in running an SSR programme. Transitional governments are not always drivers for change. In the case of Liberia, the government had neither the political will nor the legitimacy to do SSR;
- The legal framework can be an obstacle. The way institutions are built up can be artificially delayed. It is a priority to amend the legal framework of Liberia where different authoritarian leaders put in place different frameworks with unclear relation to each other. There were also tensions between the peace agreement and the UN Security Council resolution;
- State of the population: The people are in a mourning phase, unsecured, and do not trust political leaders. They are economically deprived. Thus, it is important to create a mindset to involve the population in the process and empower them further;
- Infrastructure and security: the protracted conflict has destroyed most of the country's infrastructure. Communication means, health care, education and public services need to be rebuilt. People in charge of SSR assistance or within the government are at risk as regards to their security. The population as the receiver of security need to be secured and public safety enhanced.
- DDR provides the country with possibilities of reintegration of former combatants.
- Elections: In competition with SSR: elections usually concentrate attention. Resources are very scarce and SSR is deprived of basic resources to provide for the election process.
- Linkages with other processes: DDR, SALW control, mine action, transitional justice, elections, return and resettlement of refugees, economic reform, provision of basic services, etc.

Post-Conflict SSR Traps

Lessons learned from post-conflict societies identified a number of regular mistakes usually made by international actors and local SSR drivers. First, actors bear unrealistic hopes on training and allocate considerable resources for training programmes of various stakeholders. Actors often try to resolve issues by simply providing training for example in human rights, democracy, peaceful settlement of disputes and gender issues. Training and capacity building are only sustainable if follow-up mechanisms exist and if coordinated with other activities such as restorative justice.

Second, actors and donors tend to devise their policies in project cycles – yearly funding, proposal drafting rules, monitoring and evaluation criteria, etc. They often overlook the fact that in post-conflict contexts, the political situation is complex and the project concept is a loop that is too short. Further, holism represents the risk of inaction or lengthy implementation of programmes. Trying to “think big” and have a comprehensive plan for SSR might engage actors on time consuming programming activities, taking the risk of discouraging persons who might lose confidence in the process and engage in illegal activities. Thus, while having a holistic approach in programme design/management, entry points and pilot projects are useful to build necessary confidence to engage in wider processes.

Third, unilateralism seems to be the rule in post-conflict societies. Lack of coordination between actors, competing for the same funding, and implementing comparable projects with overlapping activities undermine their credibility and might considerably harm the overall process. Consequently, liaison, coordination, MoUs and many other mechanisms should be used to speak with the same voice and mitigate the risk of competition. Additionally, donor states prefer to act in bilateral frameworks with receiving countries whereas organisations such as the UN, the AU or the EU of which they are member states, operate in the same areas.

Last but not least, actors so often consider that SSR is concentrated to the peacekeeping phase/missions. Where the mandate of UN or other peacekeeping bodies is over, attention is shifted to new conflict areas. Understanding that SSR is a long term process is critical in designing sustainable plans and securing funding for them.

Post-Conflict Entry Points

- **Political Entry Points:** Ceasefire and peace agreements – negotiations on DDR, the size and role of the army – security council mandates – assistance of governments in training and reforms, DDR, etc – participatory assessments and drafting of SALW control policies and participatory assessments – mapping, public surveys, etc.
- **Non-traditional Entry Points:** Integration of ex-combatants, census and identification processes of security personnel, development of security plans, establishment of a national Security Council, customs/border control to re-establish tax revenue, etc.

2.6. SSR and Transitional Justice

Facilitated by Alexander Mayer-Rieckh

Definition

Transitional Justice (TJ) refers to mechanisms used in post-conflict or post authoritarian regimes to face a past characterised by gross violations of human rights. The principal aim of TJ is to seek recognition for victims by rehabilitating them and providing them with material and symbolic remedies. TJ also aims at rebuilding the social fabric of communities by establishing responsibilities and rebuilding relationships between victims and those who have been responsible for their harms. It is also looks at the future as a principal objective is to prevent the recurrence of abuses in the future. To this end, it establishes, among others, records (for

instance through truth seeking mechanisms hearings and reports and criminal justice trials) and visible symbols (monuments and memorials) for collective memory.

Moreover, TJ provides states with favourable grounds for reform towards democracy and respect of human rights. Legally, states have an international legal obligation to stop, investigate and prosecute violations of human rights and humanitarian law, and TJ help states to achieve that.

Transitional Justice Mechanisms/Tools

- Criminal prosecutions: prosecute those who bear the greatest responsibility for human rights and humanitarian law violations;
- Truth commissions: reveal and acknowledge the truth, and provide recommendations for reconciliation and stability;
- Reparation programmes: material (restitution, compensation) and symbolic (official apologies) benefits;
- Efforts to prevent recurrence: educational and institutional reforms;
- Memorialisation efforts: all kinds of efforts to memorialize and acknowledge in a physical form. Raising the moral consciousness on past abuses and education. Use museums, memorials and other symbolic efforts.

TJ is interested in SSR

By addressing violence and human rights abuses from the past, justice mechanisms are not just backward looking. Prevention is a key element in a comprehensive conception of justice. Many truth seeking institutions provide recommendations for reforms to prevent resurgence of violence. As far as most serious abuses are committed by security sector professionals, as states failed to fulfil their responsibilities to protect its citizens from human rights abuses, TJ without SSR is incomplete.

It has already been stated that SSR is not only dedicated to post-conflict societies but is also relevant to more stable and developed contexts. However, in transitional settings, SSR and TJ have overlapping mandates, actors and institutions. They take place alongside each other and TJ has the potential to prepare favourable ground for SSR.

Group Work: Should SSR disregard or address an abusive past? Simulate a public debate

Group 1: Dealing with the past obstructs SSR

Group 2: Dealing with the past helps SSR

Group I	Group II
<p>In post-conflict situations, it is difficult to engage in justice mechanisms when perpetrators are still in power. They still have destabilizing power and the priority is on mobilizing everyone in the reconstruction of the country. It is also agreed that everyone is a victim in conflict situations because the structure of the country was destabilised persons committing violence only obeying orders. Thus, it is so difficult to pinpoint responsible persons and moving forward is a better solution rather than opening healed wounds.</p> <p>To be fair and in accordance with international standards, justice needs to be costly – evidence, counsels, detention facilities, and infrastructure – and involve a lot of resources. TJ puts SSR on hold and delays the provision of efficient and accountable security services to citizens.</p> <p>In some specific cases addressing gross violation of human rights is not 100% satisfactory. Instead of midway, it's better to forget. Better to forgive and move on, rather than to destabilize.</p> <p>In sum, there should be a consensus around SSR in the community. Engaging debate on divisive topics is counterproductive. Amnesty laws are best indicated for confidence building and buying out sceptical actors who are at risk of becoming spoilers.</p>	<p>Restoration of order is possible only through justice. Justice refers to a process of remembering what happened and is essential to build confidence.</p> <p>Past abuses are mistakes people have to learn from and TJ have to be central in that process. As far as SSR is concerned, identification and prosecution of persons responsible for war crimes is an international obligation. Addressing the past abuses promotes stability and the need of victimized groups. It is also an essential tool for SSR institutions to gain confidence in the country because removing human rights abusers from the positions of power guarantees that justice will be delivered fairly.</p> <p>Furthermore, TJ attracts benefits from international community to support SSR. Also, ignoring the past abuses undermines the ground of undertaking SSR. The objective of SSR is enhancing human security and human rights. Thus, changing mentality of offended is important to empower them and hold leaders, particularly those who benefited from the conflict, accountable.</p>

Chapter 3: Designing an SSR Strategy

3.1. Undertaking SSR assessments

Facilitated by Eleanor David Law and Eleanor Pavey

Definition

Assessment is a process of information gathering, consultation and analysis that deconstructs the local context, identifies priorities, security threats and needs, and develops a programme accordingly.

Methodology: What are the main tools used by assessment Teams, what are their strengths and weaknesses?

Group Discussion: It is important to know the views of the concerned population when assessing the context. Group discussions are one way of achieving this. However, public discussions do not fit in all contexts, as some people are not always keen to come forward in public places and discuss issues. Also, it is lengthy to involve large numbers of people in discussions. Thus, the assessment results could be maximised by carrying out focus group discussions as it is more likely to obtain a variety of opinions.

Baseline Surveys: Baseline surveys give a comprehensive basis of information on topics and help to disaggregate data into desired categories. However, they are time consuming and not cost effective. They are not suitable for some emergency and/or small programmes, as door-to-door discussions, household questionnaires and other different tools need a lot of time and resource mobilisation.

Rapid Assessments: Rapid assessments give preliminary findings on contexts. They are used in some emergency situations or to prepare further thorough assessments. They don't mobilize human resource but just give raw data and can only be useful if there are follow ups.

Cross Examination of Information: When baseline information is available, cross examinations help programme managers to verify the validity of information and adapt the programme to new trends. This tool adds value to any assessment only if credit can be paid to original data. Any cross examination based on erroneous baseline is likely to produce counterproductive results or lead to a waste of resource and time.

Self Assessments: Organisations may lead to assessment of their internal procedure to identify any structural failure. This assessment is best indicated for emergency situations and might help to redesign the decision-making structure, the filing system, information-sharing mechanisms and division of labour. It is useful for organisations with complex structures.

Reassessments: They serve to monitor and evaluate the implementation of a programme. Reassessing the situation gives an overall understanding of the impact of the programme on the context. It is not merely an evaluation of tasks, activities or projects, but a thorough analysis of the situation and adding if possible new tools to those used before. This tool can only be used for big organisations in the framework of big programmes as it takes time and might divert the staff from the implementation tasks.

SWOT analysis and evaluation process: It serves to understand the context and evaluate the feasibility of the project as well as its opportunity. It evaluates the risk of running a project and is a very good tool for decision makers.

Examples of Bad Practices

There are practices to avoid at the programming stage and it is particularly critical for assessment teams. They include:

- Unclear ToRs and from different sources
- Insufficient preparation time
- Lack of teambuilding: this might be a result from people being from different nationalities, following different standards and having different organisational cultures.
- No or little involvement of local actors. The difficulty is to agree with them on a common operational practice. We should be aware of their way of understanding the process.
- Results not integrated into programme decisions.
- Wrong methodologies. A framework is important. Sometimes, interviews produce corrupt results, whereas translation of legislation is a time consuming process.
- No or little involvement of future external partners in programme support.
- Politicized process. It can only lead to unsuited programmes based on biased results.

Assessment Basics: Examples of assessment subject-matters

In order to make a successful assessment, there should be a clear understanding of the information assessment teams are looking for. They may include socio-economic framing conditions; actors, parties and stakeholders; methodological phases – terms of reference, field work, first draft report, draft report into a workshop and discussions with potential donors – jurisdictional levels (local, regional, national) in order to define the legal framework of intervention; and cross-cutting aspects (for example social crime prevention, police system, prosecution system, private security actors, etc.).

Questions about assessments

Why do we do Assessments?

As highlighted above, involving an organisation in the field of SSR requires the comprehensive understanding of the environment (actors, political environment, weather, economy, mindsets and culture, etc). This can then lead to the decision to engage in the process and then make a strategy. Based on this, local ownership and confidence can be built, results maximised and critical methodologies agreed upon.

When do we do Assessments?

Assessments take time. It is important to start as soon as possible to allow time for programme design, resource mobilisation and even tests. Adequate time must be given to them as comprehensive information is needed and the long term aspect of SSR has to be taken into account.

Who do we ask?

Any information is worth taking when assessing an environment. Depending on the nature of the programme and its scope, consultation of stakeholders and people affected by the programme is necessary. Critical information points, reliability and variety of sources are issues

to address when collecting information for assessments. Persons/institutions to who information could be asked may include: state/non-state security providers, security sector governance actors, political parties, civil society organisations, citizens or community based associations.

Who to be doing the asking: Required expertise in an assessment team

Assessment teams should be carefully selected. The accuracy of the information matters as much as the process of collecting it. Thus, ethnic composition of the team, gender, subject-matters expertise, drafting and reporting skills, knowledge of the country (customs, and communities) and language are some of the corner-stones of the selection process. There should also be strict adherence to a deontological code as the assessment process needs to be independent and the results objective and impartial. Finally, the general overview of the conflict should be requested and the personality of the team members should allow them to work, communicate and negotiate in difficult situations.

Important Tools: What are the tools used to conduct assessments?

Security Sector Mapping: What groups and institutions are important in the security sector?

Understanding the relationships between members of the SSR community in a country is crucial for the development of a suitable SSR strategy. What are the most important groups and institutions in the security sector? The DCAF Backgrounder on Security Sector Governance and Reform (May 2009) identifies 8 important groups of actors playing important role in the security sector. They are highlighted above (see Chapter 1 of this Working Paper).

Stakeholder analysis: What is the level of power and interest of stakeholders in the SSR process?

In order to act accordingly with actors, we need to know how they are related to the SSR process and what leverage they have in the decision-making. Identifying key actors who are SSR-enthusiastic is important in building trust and the political environment favourable to the SSR process. It is also important to understand reasons of reticence, scepticism or hostility of some actors in order to engage in dialogue and negotiations.

Reporting lines: what are the reporting lines and who is linked to whom in the SSR community?

It has already been said above that SSR processes are owned by receiving states. Therefore, donor intervention should adapt to the administrative structure and to local culture. It is therefore important for the assessment team to understand chains of commands and reporting lines to ensure adequate information circulation.

Context spectrum: Where the country is situated as regards to SSR?

It is also important to situate the country in the wider SSR context. Is the debate advanced on SSR topics, what is the state of literature, compared to the region and countries with

comparable context (socio-economic, level of conflict, ethnic or political) what is the position of the country as regards to SSR?

Roles of Organizations with Regards to Development and Security (based on SWOT analysis in group work)⁸

The Role of the OSCE in Security and Development

- **Strengths:** The OSCE is a large organisation and the only one encompassing countries from Europe and the Caucasus at the same time. This gives it a legitimacy that other organisations such as the EU and NATO lack to intervene in some areas. Its field presence (mainly in the Caucasus and Central Asia), and rapid reaction capacity under the leadership of the Head of Mission – with a large mandate account also as assets to its involvement in SSR. Moreover, it is not only a platform of discussion but can undertake quick implementation of new SSR concepts through field missions. The OSCE approach to security is comprehensive; it includes socio-economic, political, military and human rights considerations.
- **Weaknesses:** With a consensus needed over 56 member states' views, the Parliamentary Assembly decision-making mechanism is time-consuming, and the results cannot be measured in a short period of time. The chairmanship changes every year, making the organisation's policies inconsistent because states have different interests and priorities when chairing. The recruitment process for key positions is highly politicised and as many organisations, there is a lack of coordination and dissemination of information.
- **Opportunities:** In 1994 the OSCE developed a code of conduct on democratic control of armed forces. It is a clear guideline in the mission largely accepted by staff, member states and host countries. DCAF is working closely for the development of an SSR concept for the OSCE (using the development of the code of conduct as an entry point) but there is little political will to achieve this. The common border security management policy and the new theatres in which the OSCE is engaged, are likely to consolidate its experience on the matter.
- **Threats:** there seems to be double standards in the monitoring of human rights, security matters and elections, some states being closely monitored than others. The OSCE is also sidelined by other organizations such as EU or NATO and the Head of Mission being vulnerable to boycott.

The Role of the EU in Security and Development

- **Strengths:** the EU is rather a new member in the SSR community, but already adopted an SSR policy-paper in 2003 which is implemented worldwide through the vehicle of the Security and Defence Policy (ESDP) which has a considerable budget. Also, the EU has a tremendous human resource available with rapid deployment capacity. The diplomatic prevention, military and civilian crisis managements as well as swift decision-making procedures also account for the value the EU has in the SSR community.

⁸ The following information about international organizations is based upon participants' group work and does not represent official statements of the bodies concerned.

- **Weaknesses:** Unlike other organisations such as the UN and the OSCE, the EU is an average organisation with only 27 member states. This could be considered as an advantage if there were not different definitions and approaches on SSR as well as different security agendas, hampering the work of teams in the field. Programmes are often short term, launched because of availability of funding for a particular receiving state, and run in accordance with the preconceived agenda. The EU Presidency rotates regularly among member states and represents a risk of inconsistency in policies. Moreover, security agendas of the states are different, their mandates and priorities overlapping or being competitive with NATO and/or other multilateral and bilateral arrangements.
- **Opportunities:** The fact that the EU enjoys a good image at home and overseas, has a stable security level within its borders, and bases its policies on human rights, democracy and sustainable development facilitates the implementation of its SSR programmes. The development of the policy to fight against illegal immigration, trafficking, terrorism and organised crime is eager to strengthen EU's SSR experience.
- **Threats:** The most important threat of the involvement of the EU in SSR fields is the lack of coordination with other organisations on the field and at the headquarters' levels. This leads to duplication, incomprehension and even competition. Finally, there is also concurrence between interest bilateral and multilateral interests of states.

The Role of the UN in Security and Development

- **Strengths:** From all the intergovernmental organisations in the world, the UN is the most experienced in post-conflict reconstruction. Its mandate – protection of international peace and security – enables it to develop a legal framework to act in conflicted areas and assist member states in the implementation of their SSR strategies. The UN is a well-known and respected organisation acting under the principle of neutrality and equal sovereignty of states. This builds trust and legitimacy for action.
- **Weaknesses:** The UN is famous for its heavy machinery. Both at the states and staff levels, the lack of coordination and competition among UN agencies that sometimes have political differences hampers actions on the field. Moreover, the fact that the decision making depends on Security Council's unanimity and the funding procedure is very long and complex slows the development of SSR as a topic. Military troops deployed on the field have different levels of experience and expertise, with little harmonization of competence between members of different contingents.
- **Opportunities:** the UN is becoming and is recognized by other organizations as a potential umbrella authority and coordinative power. At the headquarters level, the DPKO created a SSR unit strengthening the UN's capacity of delivering in complex areas, comprehensively and globally.
- **Threats:** More and more regional intergovernmental organisations are involved in post-conflict reconstruction, increasing the risk of overlaps and competition. The ineffective use of resources, competition of UN agencies for funding and the personal security of staff are some of the most important threats that could be highlighted.

The Role of the AU in Security and Development

- **Strengths:** Since the adoption of the constitutive act, there is a renewed confidence, enthusiasm and political will of member states to actively participate in the debate within the AU. The organisation reviewed its policy of intervention in domestic affairs and is one of the most representative regional organisations in the world with 52 member states. Civil society organisations are actively engaged in the debate in collaboration with the AU's institutions – the peace and security council, human rights council/court, parliament, annual meeting of MoDs. Additionally, the AU developed a Common African Defence and Security Policy applied with the African standby force based on regional brigades and an SSR unit within the Peace and Security Council.
- **Weaknesses:** Despite the existence of strong contributing commitments from the states, the AU lacks financial resources for its caseload and ambitions, depending from the support of external donors. Consensus building among members also lengthens the decision-making process.
- **Opportunities:** The AU is increasingly considered as a key actor in SSR implementation. The UN and other international organisations and donor community support the involvement of the AU and will contribute to the development of the organisation's expertise on the matter.
- **Threats:** The fact that a majority of member states are in volatile political situations and the global economic meltdown could be cited as potential threats to the development of an effective African SSR strategy.

3.2. Designing Programmes of Support for SSR Strategies: Case-Study of Guinea Bissau

Facilitated by David Law

Country Context

Guinea Bissau is one of the poorest countries in the world. Since its independence in 1974 after an independence war against Portugal, the country has a regular pattern of coups d'état even after the 1994 first multi-party elections, the 1998 civil war and the recent assassination of President Vieira. However, the country is committed to SSR since 2006 and a strategy paper had been adopted to strengthen the capacity of the army (the current state of the army is 4,000 troops with 50% over 40 years old), adapt the police size to the population (Guinea Bissau had 3,600 police officers, the highest policemen-civilians ration on West Africa) and perform the judiciary (lack of trained judges and personnel, village mechanisms deals with justice, penitentiary failing to meet international standards).

Additionally, the capacity of oversight bodies needs to be built in order to perform better – for instance, the National Assembly that adopted the 2006 SSR strategy was 40% illiterate. However, religious leaders play an important role and are highly effective in dispute resolution and civil society organisations are very active and committed to SSR programmes.

Recently, criminality has exploded in the country due to the flourishing drug trafficking. The ineffective use of natural resources' revenues (cashew nuts) exacerbates poverty and social

underdevelopment. Due to weak infrastructure and low capacity of civil servants, the state remains fragile and vulnerable to internal and external threats.

Guinea Bissau SSR Strategy

The Parliament adopted an SSR strategy paper in 2006. The document focuses on: Matching the security sector institution with security need of the state and citizens; redefining the role of security institutions in the country; facing the legacy of the freedom fighters (*Combatentes de la Libertade da Patria*); strengthening the capacity of the national army in the regional peacekeeping efforts; mobilising resources to fund the programme; and securing public participation in the overall process.

The paper addresses police and civilian security agencies, the army and the judiciary. It also identifies a wide range of SSR actors including the government (ministry of justice, ministry of defence, ministry of interior), civil society, representatives of retired military and ex-combatants, and international assistance representatives.

The organisational architecture to implement SSR in Guinea Bissau revolves around a steering committee chaired by the ministry of defence. The committee is supported by the technical committee and the cabinet. The mandates of the cabinet and the technical committee are unclear, and issues as regards the decision making process are likely.

Guinea Bissau tried a whole-of government approach for SSR but still lacks some important features that need to be addressed in order to capitalise on opportunities and minimise the risks of producing counterproductive results.

First, the SSR strategy focuses on law enforcement, rather than public safety – the role of important public safety agencies like the fire department and other emergency services has been overlooked. The strategy insists on institution building rather than a change of culture, on efficiency rather than governance. The capacity of security institutions could be enhanced but culture of violence and human rights abuses might persist. Second, the overall goal of the SSR paper is blurry and does address some important security issues such as drug trafficking. The strategy identifies actions without describing the process of obtaining the desired results.

Third, the judiciary is involved but not as much as it could be. There are generic provisions for the role of courts but the sub-sector's role is not as important as it should be. Also, non statutory security and justice providers (paramilitary groups and traditional and religious leaders are addressing security and justice needs of populations in some provinces) are not mentioned by the document. Last, provisions on funding do not specify mechanisms for fundraising, nor is coordination between/with international actors established.

Assessment of the Implementation of the SSR Strategic Paper

Two years after the adoption of the SSR strategic paper, an assessment was made by ISSAT to identify changes in the context and assess the possibility for the UK government to assist Guinea Bissau. Participants were asked to assess the situation and compare their results with ISSAT's. New actors, including Brazil, Portugal, the UK, EU and the UN are involved in the support to Guinea Bissau. The United Nations Office on Drugs and Crime (UNODC) is involved in the fight against trafficking, UNOPS in the rehabilitation of military barracks, the EU in the framework of the European Security and Defence Policy (ESDP) in the development of organic

laws for police and military, and the UNDP in the justice system support. The country was also going through elections as the parliament had to be renewed. The technical committee was fully operational with very strong individual capacities, but limited team capacity.

Chapter 4: Implementation of SSR

4.1. Police Reform

Facilitated by Alexander Mayer-Rieckh

Good Practices in Police Reform – Learning from Participants’ Experiences

Christoph Buik: Establishing Security Committees in Darfur, Sudan

Darfur is a territory as big as France and hosts 19 IDP camps that shelter up to 130.000 people. The United Nations Mission in Darfur (UNAMID) has a mandate to provide security within IDP camps without executive powers. Insecurity on the camps is due to a combination of the lack of government’s interest to provide camps with security and the presence of armed persons among civilians. Camps are situated far from water and firewood sources, putting girls and women at risk of being raped on the way to the wells and wood camps.

The approach of UNAMID was to create roundtable talks around security. Regular citizens would meet and discuss on security issues, their fears and needs. As camps are situated in the regions controlled by rebels, it is difficult to create joint patrols because policemen are not willing to work with them. The result of roundtable talks was to create security committees with the involvement of every representative of tribes inhabiting camps, the UN and the government of Sudan.

Members of security committees were trained on community policing. They are provided with basis knowledge on policing rules, on cooperation with police and reporting criminal activities. The strategy adopted by actors was to start with firewood patrols composed by members of camps monitored by members of UN CivPol to ensure security of women and girls looking for firewood. The second strategy was to tackle security within the camps. Other mixed patrols were created and the results of their investigations were forwarded to OCHA for further assessment purposes. Involving residents of IDP camps in discussions around their security issues is a very useful confidence building mechanisms and helped reduce crime and provide safety for women and girls.

Arben Lezliu & Jelena Trajkovic: Kosovo

The United Nations Mission in Kosovo (UNMIK) established in 1999 had executive policing responsibilities and mentoring functions vis-à-vis the newly formed Kosovo Police that is progressively taking policing and prison responsibilities since 2003. The constitution adopted in July 2007 (Article 126) established the Kosovo Police Service (KPS) whose mandate was articulated by the 2008 Law on Police. A new structure was established with a general director of police, regional directors, and operational commanders.

Moreover, the Kosovo Security Council inaugurated in February 2007 has the mandate to design and review the national security strategy, provide written comments on drafts on security issues to the Parliament, review strategic plans prepared by the Ministry of Interior and review foreign security policies. It is composed of the Prime Minister, the deputy PM, the Ministries of KSF, Foreign Affair, the Interior, Economy, and Community, as well as the KSF commander. It has met only once but there are already doubts on its ability to oversee the security institutions due to the high level of police politicisation.

Assessing the transition process in terms of the respect of human rights by the Police, Jelena and Arben from the human rights monitoring section of the OSCE identified discrepancies in some regions, as UNMIK and EULEX still retain executive powers amid declaration of independence. There is also incoherence in the administrative architecture, the ministry of interior (established in 2005) having no control over police activities and criminal investigations. Police agencies also have operational difficulties and cannot deploy rapidly in some areas. They are not trusted by the population who consider them as corrupt and linked with the political power.

Heinz Schneider: Police Development in Kosovo, Police Service School

The UN Security Council Resolution 1244 gave mandate to the OSCE to train part of the Kosovo Police Force (7,000 to 8,000 police officers). The first police academy was created in Vushtri in 1999. The centre trains new recruits, supports in-service training and development of training of trainers modules.

The development of the Kosovo police was inclusive. Local people were involved in assessment programmes. However, one of the main issues with training policemen is lack of coordination from trainers. For instance, following the 2004 riots, there was necessity of renewing the crowd control methods of the police. Training lasted 1.5 years and involved different layers of police officers. It did not provide expected results because training methodology changed regularly throughout the process. It went from Irish approach to French, then British, followed by Danish and Italian approaches. At the end of the training period, police officers could not be fully operational and there are doubts on their ability to manage crowds effectively. Moreover, the parliamentary oversight is still weak, MPs needing capacity building to undertake their issues effectively and political will of engaging in the public debate of security.

Susanna Naltakyan: Armenia Democratic Policing

Armenia is a developing country with strong executive power and is applying for EU membership. The OSCE is assisting the government in programmes aimed at developing democratic policing in Armenia. There are no agreed international standards for community policing. In order to start the project on a solid basis, it was necessary to assess the readiness for reforms, the possibility of involvement of police in the programme by different study tours, surveys, and data collection. It was also important for communities concerned and affected by policing to get involved in the assessment. Seminars, round table and focus group discussions were held. At the end of the assessment period, it was decided that community policing is not applicable in Armenia, at least that it people were not ready for it. However, a pilot project on community policing was launched in 2007 to show democratic policing in practice. Different

models were revisited to adapt them on the local context of Armenia. The OSCE-police working group was set up to assess best practices and will report later this year on the applicable model.

Key principles of police reform within an SSR framework

SSR principles (people centred, respect of human rights and non discrimination, long term, inclusive and integrated, etc) and traps also apply to the police sub-sector reform. Police reform is contextual, technical and political. A key principle of police reform within an SSR framework is to focus on “law enforcement” rather than on police. The issue is to focus on all actors and agencies exercising police powers, official/traditional or not. It is important to decide on how to deal with non-state security providers (deciding if they must be suppressed, integrated into regular security providers or to maintain their independence and be under strict scrutiny/oversight). Another key feature of effective and well governed police is to separate it from intelligence and defence. Police and law enforcement officials need to be civilian. Some other forms of law enforcement like gendarmerie may exist, but boundaries have to be established between their frameworks of operations.

There are two dimensions of police reform: Effective service delivery and governance, or capacity and integrity. Security has to be considered as a public good/service, rather than just as a means of maintaining law and order. Police officers don’t need to be feared, but to be trusted. Authority vested in them by Constitutions and laws gives them responsibilities, including to protect and serve, to respect and promote human rights and to empower citizens.

Effective service delivery supposes that reform measures are taken both at the individual and organisational levels. At the individual level, training, expertise, mentoring and strengthening operational capacity of police can be used in combination to provide suitable results. Additionally, law enforcement agencies have to be reformed structurally. Human rights don’t only need to be taught, but to be inserted in the organisation’s culture and mindsets.

Strengthening police integrity lies in creating legal frameworks to frame police actions. Establishing codes of conduct, vetting affiliations and human rights background of policemen as well as establishing oversight and complaint mechanisms, representation of minorities and women within the structures and operational activities (effective investigation of gender-based violence, racism, avoiding ethnic profiling, etc) are important tools that could be used.

Police reform strategy should focus on three main axes: prioritise structural and systemic changes, adopt a holistic approach by adopting the criminal justice continuum methodology (police – judiciary – corrections) and to always use critical entry points, then develop them in a bigger picture. In other words, police reform is not focussed on police or law enforcement agencies, but on the role these agencies play in broader SSR and what value they can add to the process of building a human rights culture.

From Interference to Accountability

Police and other law enforcement agencies serve the nation and not the political elite in power. They should not be subject to political orientations and priorities of elected officials but remain independent and free from political bias. Political interference leads to arbitrary decision making, services gaps and biased service delivery (for instance providing security only to persons who are politically affiliated with or voted for elected officials) and over-representation of dominant groups. Thus, there should be no operational role for elected officials.

However, the corollary of independence is accountability. In other words, operationally independent agencies should be under scrutiny of elected representatives of the people or appointed officials. Formalised rules and procedures should be the basis of their scrutiny and complains mechanisms established for people to defend their rights.

From Force to Service

SSR aims at changing relationships between security and justice providers on the one hand and populations on the other. Institutional reform to enhance effectiveness and accountability (both intra- and extra- organisational) of law enforcement agencies has to be coupled with civic empowerment of citizens. From the assessment to the monitoring and evaluation of SSR programmes, there should be a constant consideration of involvement of the public in decision-making.

The success of police reform relies upon the capacity of different actors to establish trust and confidence between police officers and the public. Operational effectiveness depends on the ability of civilians to accept the police and cooperate with them. This cooperation also goes hand in hand with the protection of people's rights and meeting their needs. Confidence building actions such as symbolic measures (apologies, memorials, changing insignia, locations and uniforms) and changing loyalties to clans and warring factions are likely to build a new police force where members are loyal to a state's fundamental norms and values and are trusted by the public.

4.2. Defence/ Military Reform

Facilitated by Heinz Vetschera

Introduction

Military reform is one of the main pillars of SSR. The army is in charge of the defence of the nation against external security threats and could also be a destabilizing weapon if badly managed or politicised. This chapter is built upon the case of Bosnia & Herzegovina (BiH).

Since the end of the war in BiH, the level of stability and security has been greatly enhanced although the military situation remains complex. Immediately after the war, both entities of BiH – Republika Srpska and the Federation of BiH – possessed relatively large military structures completely independent of each other. Following the very successful implementation of the Article II of the Confidence and Security Building Measures, both armies have been significantly reduced.

The General Framework Agreement for Peace in BiH (GFAP also known as Dayton/Paris Agreement) created two armed forces in Bosnia & Herzegovina (AFiBiH): the Army of the Federation of Bosnia and Herzegovina (VF) and the Army of Republika Srpska (VRS). The Army of the Federation of BiH (VF) is further divided into two components, a Bosniak (VF-B) and a Croat (VF-H). Each of the AFiBiH are under civilian control. They are subordinated to the entity Ministries of Defence. The three members of the BiH Presidency are in fact the Supreme Commanders of the AFiBiH.

Main Problems

BiH is a unique situation where the state has less power in the design and implementation of the military and defence policy than the entities. The current constitution does not grant explicit powers to the state but engages in foreign policy, trade, customs and border as well as national police. The separation of the two entities' armies is accepted as a fact. BiH thus has two different military systems with different cultures, mindsets, and security threats and needs, considering each other as potential enemies.

However, three agreements were signed to complete/transform the framework of the defence. The Confidence- and Security-Building Measures in Bosnia and Herzegovina signed on 26 January 1996 also known as Vienna Agreement, the Florence Agreement on Sub-Regional Arms Control signed on 14 June 1996, and the Regional Arms Control signed in July 2001.

In a nutshell, the military still plays a special role in the society despite overall changes and adaptations, perpetuating the wartime mentality and political divisions in entities. The will of parties to cooperate is yet to be secured. It is also recognised that the armies of the two entities have little confidence in each other. They still unnecessarily accumulate heavy equipment and conserve too many reserve forces, thus wasting financial and human resources that could be well used for other development purposes.

Defence Reform in the SSR Context

The OSCE has important commitments in the politico-military dimension of SSR. It takes confidence and security building measures in Europe. First, the Code of Conduct on Politico-military Issues adopted on 3 December 1994 establishes a framework of democratic control of armed forces. It recommends the control of the budget by parliaments, and restrains in expenditures so as to match forces with legitimate security interests. The Code also recommends that military forces be politically neutral, trained in and implement international regulations of armed conflicts, and be able to promote their own human rights.

In BiH, the state is too weak to ensure the democratic control of armed forces. Command authority is vested with democratic legitimacy whereas parliamentary oversight lies with entities. Armed forces are too many for the size and economy of the country. The priority is to downsize the army so as to reach an affordable number. DDR assistance programmes need to be put into place to take care of a calculated number of approximately 8,800 troops. The State need to establish its oversight and control authority over the army in order to ensure that money is spent according to an agreed agenda.

Other relevant legal documents from the OSCE are: the Principles Governing Conventional Arms Transfers of 25 November 1993, the Document on SALW of 24 November 2000, and the Treaty on Conventional Armed Forces in Europe. The international community is assisting BiH in the translation of the OSCE. This process already leads to the adoption of a law on export and import of arms and military equipment that entered into force in March 2007. This is encouraging because it opens the possibility for wider discussions for upcoming defence reforms.

Establishment of a Defence Reform Commission (DRC)

The DRC originates from the BiH constitution (Article III) that gives the foreign policy and defence control to the federal state. In 2003, the DRC took the occasion of fighting against endemic corruption and illegal practices of the entities' armed forces to start fulfilling its mandate. The DRC has the mandate to prepare state-level legislation, including a state law on defence, amendments to the constitution to the entities, and at the entity level prepare amendments to defence and security legislation, with no explicit mention on democratic control.

This progress was encouraged by NATO and the Office of Human Rights of the OSCE. A short term reform of the DRC was issued in September 2003. The DRC should conform to the Euro-Atlantic standards and be consistent with the engagements of BiH as regards to its commitments undertaken within the politico- military dimension of the OSCE.

This report recommended the establishment of a state parliamentary democratic control mechanism, a state-level command by presidency and the MoD, and a state level general staff. The structure of the armed forces will progressively change from a two state structure to an integrated one. The DRC also highlighted the urgency to downsize the army and dispose of exceeding SALW and ammunitions.

The entities' MoDs should process data and downsize their own troops to reach the overall figures of 12,000 of professional soldiers, and 60,000 reserves at the state level. More concretely, the Federation's army should downsize from 22,599 in January 2002 to 13,125 in December for an end-state of 8,000 troops. As for the Republika Srpska, the troops should reach the end-state of 4,000 from an original 9,012 in January 2002 and 6,585 troops in December.

As for armament, the destruction of 300,000 SALW of a surplus of 35,000 tons of ammunitions was recommended. The following table highlights in details the numbers and categories of SALW and ammunitions to be destroyed.

Achievements and remaining problems in the implementation of reforms

The DRC achieved the establishment of a framework for the democratic control of armed forces, police and other security agencies, the parliamentary control of the defence budget, restrain in expenditures and the adaptation of the size of the army to legitimate security interests of the country.

Conversely, it is not ensured that the forces are politically neutral and the human rights of soldiers are far from being respected. At the operational level, the forces were trained separately for several years with different doctrines and were against each other rather than fighting for the same country, BiH. The defence structure is outdated, based on conscription with an ethno-centric passive reserve forces not under full control by the BiH presidency. The forces are still ineffective, unaffordable and provide little security. The defence structure is unsustainable: Three MoDs, three general staff and disproportionate use of financial resources between salaries on the one hand and maintenance, operations, training, and capital improvements on the other.

In 2005, another step was taken to ensure the professionalism of the army and to achieve sustainability of structures by abolishing the two MoDs and commands in favour of the BiH state structures, and develop common doctrines, training policies and interoperability of troops, develop a single budget at the state level with one civilian staff structure and ensuring the cooperation with the ICTY.

Conclusion: Criteria for successful Defence Reform

The case of BiH represents difficulties of building a new army in post-conflict situations. Reforming two separate once-enemy entities into a single armed force, destroying exceeding SALW and ammunitions, and demobilizing and reintegrating soldiers are common challenges. However, within an SSR framework, defence reform should be adapted to context. What worked in BiH is not likely to work in DRC or Cote d'Ivoire. For instance, gender is a corner stone of the defence reform while it was absent from BiH's framework because gender was not perceived as a big issue there. Countries have different priorities and entry points need to be identified and used properly to maximise advantages and minimise defaults.

There should be a legal framework for the overall process of reform. Peace Agreements, SC resolutions, and other bilateral or multilateral arrangements could be useful to direct reforms. Domestically, coordination between state's structures – from the constitutional level to lower level regulations – to progressively ensure adherence and direct the process is useful.

International presence is sometimes necessary where confidence lacks between parties. Responsible involvement of international actors means coordination, negotiation and gentle pressure. The local authorities should be involved from the beginning. In fact, they should be the drivers and not be driven by the process. They don't need to be rushed into unrealistic demands to fulfil international agendas. A step-by-step approach is required due to the long-term aspect of defence reform.

Finally, defence reform should be linked to wider SSR reforms. Links with other security agencies such as border control, police and intelligence should remain during the whole process. If possible, joint teams on cross-cutting issues should be established and coordination built upon officials governing SSR sub-sections.

4.3. Intelligence Reform and SSR

Facilitated by Alex Martin

Introduction: What is Intelligence?

Generally, intelligence is defined as a very general mental capability that, among other things, involves the ability to reason, plan, solve problems, think abstractly, comprehend complex ideas, learn quickly and learn from experience. It is not merely learning by the books or test-taking. Rather, it reflects a broader and deeper capability for comprehending our surroundings—"catching on", "making sense" of things, or "figuring out" what to do.

Intelligence is also a process of gathering – from open and disclosed sources – analyzing and disseminating information and providing recommendations in order to assist the state and government for decision making for the protection of the interest of the Nation. It is perceived as a law enforcement agency under parliamentarian and governmental control. Intelligence services/agencies have little or no executive powers with little oversight from "non-authorized" persons.

Intelligence is also a product. It is a set of information that meets the stated or understood needs of policy makers. There are different types of intelligence. Open source information (available for access to everyone) opposed to close sources that need resources and

proactive actions to be obtained. Human being intelligence (HUMIT) is information gathered from human sources whereas technical intelligence (SIGNIT for signal intelligence) is e.g. obtained through electronic tools.

Intelligence is based upon a strategic top-down process and requires clear guidelines on information collection, analysis and dissemination throughout the chain. Many institutions are engaged in intelligence matters. They include strategic requirement bodies, security intelligence services, foreign intelligence services, military intelligence service, criminal intelligence services and analytical bodies.

Why do states do intelligence?

Intelligence is a critical input for policy makers. In order to anticipate threats, identify needs and protect national interests and state's sovereignty, governments need information from diverse sources. Internally, the fight against terrorism and organised crime needs special mechanisms of information gathering and analysis in order to plan, to prevent, to protect and promote some values.

Thus, intelligence is important for strategic policy making, identification of emerging threats, understanding the broader consequences of certain responses, conducting operations, investigation of crimes, counter intelligence, executive action (arrest and disruption), resource allocation (within and outside security sector) as well as peace building (in jurisdictions like Northern Ireland).

Why is intelligence reform overlooked?

Intelligence reform is an emerging but less developed (as compared to other SSR institutions) part of the broader SSR. There are many obstacles to the development of intelligence reform within wider SSR frameworks. First, development donors don't feel comfortable with the term "intelligence" and therefore ignore agencies in charge of intelligence issues in the democratic governance. This situation is likely to undermine SSR efforts because intelligence services have structured networks that could be used efficiently to spoil the programme.

Why is Intelligence reform important?

Intelligence services are part of the security sector and their incorporation into wider SSR should be obvious. They are the most needed in terms of reform and can contribute to the overall reform process. At the end of the conflict or during a transition period, security threats and needs require changes. More effective and accountable intelligence agencies will be able to discard outdated threats and identify emerging ones and build trust between actors. The most important feature of intelligence governance is to establish oversight of intelligence agencies so as to build new procedures in accordance with human rights and individual freedoms.

SSR programmes without intelligence reform are incomplete. Intelligence services are often in position to benefit from new power arrangements and as any other security sub-sector, it is important for intelligence agencies to identify their interest (both for institutions as such and for individuals operating within them) and value they can add to the process. Efficiency and image could be points upon which emphasis could be made.

Why is intelligence reform so hard?

Intelligence agencies are closed organisations, resistant to oversight and willing to act independently from the rest of the security sector. Intelligence personnel might be engaged in economic activities or might use their information to influence power. Therefore, any reform aiming at providing transparency and loyalty towards elected civilian officials is difficult to introduce. Moreover, most reforming states have little concept of intelligence governance. It is therefore important to build capacity of oversight bodies to understand intelligence mechanisms and be able to act accordingly. It is also important to build new relationships with the public because of mistrust, historical factors or the previous involvement of intelligence services in gross human rights abuses.

What makes a good intelligence system?

Parliamentary Oversight

The security sector operates within a framework adopted in the parliament. The National Security Strategy defines what 'security' means (including through public consultation), defines sub-sectors including intelligence services' role and mandates, establishes limits of intelligence powers, define oversight and accountability mechanisms, and vote budget for intelligence agencies.

Institutionally, the parliament has commissions in charge of examining issues related to security and defence. From its questioning and enquiry capacities, the parliament can debate on security issues, intelligence agencies' procedures and launch public enquiries to elucidate some facts. In some countries, appointments or dismissals of heads of intelligence agencies are backed by relevant committees.

Judicial Accountability

The judiciary is in charge of ensuring (by sanctions or permissions) that the legal framework adopted by the parliament is respected. Judicial accountability is ensured pro-actively and reactively. Operations with critical impact on human rights (wire-taping, mail interception or searches) are subject to judicial approval. Moreover, when there are allegations of human rights abuses (within or by agencies) the judiciary investigates, sanctions responsible persons, and provides remedies for victims. Also other independent complaint mechanisms (Human Rights Councils, Ombudsperson, etc) could be used to oversee the operations of intelligence services.

Executive control

Intelligence agencies are under the control of the relevant appointed or elected executive members. The President, Prime Minister, Ministry of the Interior and the MoD play an important role in designing policies, ensuring control and oversight of intelligence operations, etc. There should be coordination (preferably through the framework of National Security and Defence Councils).

Internal Culture and Control Mechanisms

Within intelligence agencies, there should be a framework of establishing a culture of fairness and accountability. This includes defining organisational values, establishing operating

principles, assessing recruitment mechanisms (vetting, social representation, and gender), training, and building loyalty to the state and its institutions.

The agent is also a citizen and there should be internal procedures of rewarding good practices, correct mistakes and punish abuses. Finally, regular training, feedback and mentoring are necessary to build the capacity of agents for effective service delivery, respect for human rights and fairness within organisation.

4.4. Private Security and Military Companies

Facilitated by Eric Westropp

Introduction

Private security and military companies (PSCs & PMCs) occupy a growing role in the provision of security to citizens and goods. In some countries, they are more effective and trusted than regular security sector agencies. The growth of the security model adopts three different features: the military model (KMS/Sandline/Blackwater), the consultancy model, and the security training model (ArmorGroup). The consultancy model enables cooperation with businesses in hostile and difficult situations. PSCs operating in this sector provide e.g. consultancy for families of kidnapped people. They are rarely armed and provide information, investigate, undertake risk assessment and management, etc.

SSR Issues

Some important questions arise when assessments are being made on the involvement of PSCs in the overall process. First, there should be a clear definition of what is inherently governmental. In some contexts, arrests, stop and search, prison facilities or carrying weapons are reserved to sworn-in public officials. Therefore, sharing those powers with PSCs is problematic. In order to involve PSCs on issues not inherently governmental decision should be made upon what is ethical, cost effective and professional to allocate to the private sector and on what oversight mechanisms are there to be put in place to maintain PSCs above the law.

Why use Private Sector?

According to the facilitator, PSCs could be involved in many aspects of SSR, including project management, training and capacity building, public sector reforms programmes, conflict and cultural sensitivity analysis and training, needs and security analysis. Using PSCs in the security sector has some advantages, including cost-efficiency, their neutrality, their experience in working with locals, their knowledge of the sector and their ability to tackle other issues linked to development.

Perceptions and Concerns

They include uneasy relationship between the public and private sector in a time of change, perception of irresponsibility in Iraq, concerns by human rights organisations, lack of proper oversight of early contracts, little understanding of wider capabilities, concerns over privatising of war fighting, and concerns over local use by war lords. PSCs engaged in negotiations to develop a set of documents to regulate the procurements of PSCs and the norms and practices within them. They are: the "Montreux Document on Pertinent International Legal Obligations and Good Practices for States Related to Operations of Private Military and Security

Companies During Armed Conflict” (2009) and the “Sarajevo Client Guidelines for the Procurement of Private Security Companies” (2006).

4.5. Justice Reform⁹

Facilitated by Justice Teresa Doherty

The facilitator’s presentation was axed around her personal experiences in three contexts: Bougainville in Papua New Guinea, Sierra Leone and Northern Ireland. First of all, it is important to be familiar with the three quite different settings in which she operated. Then, participants were introduced to different levels of post-conflict judicial/judicial interventions. The presentation concluded by tackling the issue of non-state justice and security systems.

Contexts of Post-Conflict Justice Reform

The “troubles” in Northern Ireland started in 1969 when some members of the catholic/nationalist community were demonstrating against corruption and discrimination against them. This situation escalated from civil unrest to direct and indirect hostilities between the government and paramilitary groups during 30 years.

In the meanwhile, the Sierra Leonean situation is a result of 10 years of conflict launched in 1991 by the Revolutionary United Front (RUF) of Foday Sankoh. The unprecedented violence of hostilities – rape and other gender-based violence, mutilation, terrorising of civil population, looting, etc. – was coupled with the widespread use of child soldiers.

In Papua New Guinea, a separatist movement was created in Bougainville over disputes on natural resources and environmental concerns.

In the three contexts, the governments used military intervention as the primary response to civil unrest. In Northern Ireland, the intervention ranged from simple interposition between the paramilitary groups to direct involvement of the military against the nationalist paramilitary groups. It was also recognised that the governments in all three contexts failed to recognise the cultural specificities of the regions they were operating in. In addition, integrity, governance and rule of law were important causes of the conflict. Governments failed to anticipate signs of dissatisfaction and prepare for institutional and non violent remedies, leaving only violence for revendication and expression.

Finally, the role of women in and around the conflict was limited. Peace processes in the three contexts overlooked the role women played as contributors to violence and/or peace. In Sierra Leone, their suffering is acknowledged by the transitional justice mechanisms, whereas the Bougainville government failed to understand the specific cultural considerations in matrilineal societies.

⁹ For further reading on justice reform in post-conflict situations, the facilitator recommended Tromseth, Jane/ Wippman, David/ Brooks, Rosa: *Can Might Make Right? Building the Rule of Law after Military Interventions*. Cambridge 2006.

Jurisdictional Responses to the Conflicts

Legal Response in Northern Ireland

The Thatcher government considered the situation in Northern Ireland as an internal law and order matter. The UK discarded any attempt of foreign intervention (mediation or interposition) and did not want to discuss with “terrorists”. The domestic intervention espoused two different stages. First, a special legislation was passed to impose a minimum sentencing to any violent crime. This resulted in the growth of the caseload, mainly with offences not related to the conflict. The second stage was characterised by the adoption of a specific legislation dedicated to the crimes related to the conflict. The membership of an “illegal organisation” and the crimes certified by the Prosecutor as “scheduled offenses” were directed to the Diplock Courts sitting without jury.

Conglomerate Approach in Sierra Leone

In Sierra Leone, the government negotiated with the rebels and signed a cease fire agreement granting blanket amnesty to belligerents in relation to the crimes committed during the conflict. The Special Court for Sierra Leone later held that this amnesty did not give immunity from prosecution for war crimes, crimes against humanity and gross violations of human rights. Together with the UN, the government created a Special Court¹⁰ to prosecute “those bearing the greatest responsibility” in the violations of human rights and international humanitarian law during the conflict. Four cases were opened: the Armed Forces Revolutionary Council (AFRC) trial for members of the military junta, the Civil Defence Force (CDF) trial for members of the militia, the RUF trial, and the Taylor trial.

The rest of the caseload was cared for by the Truth and Reconciliation Commission (TRC) built on the South African model. The TRC conducted hearings, investigations and reconciliation sessions. The report issued retraced the historical sources of the conflict, established responsibilities and recommended measures to be taken to prevent any resurgence of violence and provide remedies for victims.

The domestic courts were in a situation of nearly collapsing before and after the conflict. Corruption, lack of good governance and lack of competence of the staff and judges were some of the visible characteristics of the judiciary. The infrastructure of the judiciary and penitentiary was under the acceptable international standards.

Papua New Guinea

In Bougainville, there was no special legislation, nor new jurisdictions formed to take care of the consequences of the conflict. The national law was applied, even in cases where more serious incriminations could be applied. The justice system was only operating where the government had full authority leaving other regions with a considerably big caseload after the conflict. The Court system was respected by the population amid resentment against the government and it was relatively easy to rebuild on existing principles.

¹⁰ The Special Court for Sierra Leone is a hybrid court with national and international judges applying international and domestic laws. The court is located in Freetown despite the trial of Charles Taylor relocated to The Hague for security reasons.

The Judiciary Reform after Conflict

The judicial system reform after conflict has to take into account the evolution of the security and crime situations. First, there should be some immediate measures to contain the situation, second, intermediary ones to determine the causes and ignite changes and third, a series of long term reform and (re)education of the public.

Immediate Actions

Immediate actions need to involve the police. Experience has shown that the army is efficient in keeping warring parties apart. There is a potential collapse of security, crime is flourishing, and may become organised, and almost impossible to eradicate. Therefore, the need for a functioning court and police is greater at the immediate end of the conflict. Those dealing with crisis must include all justice and law enforcement sectors. The police and those around them should be knowledgeable to the sources of the conflict and have authority to act without referring matters to remote people/authorities, making it easy to customise programmes for local areas. People must be able to cope with stress in working in distressing environments.

Police cannot maintain order in a vacuum. Their effort must be supported by the judiciary and the government. Courts must be functioning to take care of the caseload, and lawyers, prosecutors and judges made available. Border controls, anti-narcotics agencies and the penitentiary should be equipped with minimum working logistics to address the surge in crime and proliferation of SALW.

Traditional dispute resolution mechanisms could also be used to resolve some issues such as land property and neighbourhood disputes. The main problem with them is that they can be oppressive, enforce discriminatory customs, mainly against women. Therefore, education, monitoring and mentoring are necessary to prepare traditional authorities to be fair and respect human rights.

Second Phase

After providing citizens with basic security and judicial services, there is a need to identify the causes of the conflict and failures of the judicial system in order to better plan for long-term and sustainable solutions.

Conflicts arise from different sources, e.g. disputes over national identity and control of natural resources. Corruption, lack of good governance and discrimination of minorities also account as potential sources of conflict. Sources of conflicts are also structural. Human rights abuses, oversized and underpaid security forces, and the inability of parliaments and justice systems to oversee and control security forces are also favourable grounds for conflict development. Conflict also builds on the inability of CSOs to uphold their responsibilities in a non-violent way.

As regards to the topic of the present sub-section, the judiciary plays an important role in conflict prevention and peace building. Thus, the failure of the judiciary to efficiently uphold its responsibilities – protect and promote human rights of citizens, oversee the executive and security institutions – as well as corruption and lack of governance are contributing factors to conflict.

It is therefore conceivable that acting on these issues is likely to prevent future abuses and violent conflict. Tangible actions have to be taken to promote transparency and accountability of the judiciary officials. Initiatives such as salary raises, deterrence and investigations should be taken to fight against corruption.

The ultimate goal of justice reform is to promote the rule of law by establishing law and order, ensuring that the government is bound by law, ensuring the equality of citizens – whatever role they play in the society – before the law, and ensure the promotion and protection of human rights through and predictable and efficient justice.

Long Term Reform

Justice reform is a politically sensitive matter. Reforming justice institutions needs political will and acknowledgment that something went/is going wrong in the justice system and commitment to change. There is no need for reforms driven from abroad while locals don't see the need for change or conceive it in a different way. Providing support for national judicial system is only productive when it is supportive, cooperative and not imposed. Securing political will involves mentoring, training, designing reform champions and appointing them to influential positions.

If reform is fundamental from within the judicial system, it is also linked to the wider SSR. A system where police officers and prosecutors act together to bring offenders in front of justice and protect the interests of the citizens should be put into place. Justice has to be accessible for offenders and victims. Appeal, bail and counsel should be available for people in contact with the judicial system. The penitentiary system should be able to absorb the caseload and treat inmates in accordance with international standards.

To ensure that the justice system works properly, there should be external oversee mechanisms as well as complaint and anti-corruption procedures. Bar association, NGOs and other civil society organisations should be allowed to play their role by participating in the debate freely and constructively.

Non-State Justice Providers and Justice Reform

In many developing societies, justice and security are provided by non-state institutions. Traditional and religious leaders bear the responsibility of resolving disputes and maintaining a sort of rule of law where the state is unable or unwilling to act. It is critical for any comprehensive SSR approach to involve them in the debate. According to the British Department for International Development (DFID), they are “are critically important in the context of DFID’s pro-poor approach to security and justice. It is estimated that, in many developing countries, NSJS systems deal with the vast majority of disputes. They are widely used in rural and poor urban areas, where there is often minimal access to formal state justice. They tend to address issues that are of deep concern to poor people, including personal security and local crime; protection of land, property and livestock; and resolution of family and community disputes. They may also be used to defend and protect people’s entitlements, such as access to public services.”¹¹ They deal with the highest number of people and therefore have to be considered as the most important.

¹¹ DFID Briefing Paper “Non State Justice and Security Systems”, May 2004.

However, traditional justice institutions are in some respects abusive towards vulnerable groups, women and children. They tend to uphold discriminatory traditions and sometimes apply inhumane penalties. Adapting traditions to modernity is essential in ensuring the respect of human rights and fairness to citizens. Traditions are not static and intrinsically abusive. They are bound to change as far as leaders are sensitised, consulted in law drafting and trained in human rights and liberties. In conclusion, reforming justice institutions require both immediate and long term measures. Consultation of the locals is essential in designing responsible programmes whereas training, mentoring and monitoring them help sustain changes. In this process, three steps are essential: Providing quick response to immediate post-conflict or post-authoritarian situation, then analysing the situation, and acknowledging the role of the justice system and the effects of its failures in the conflict in order to prepare for sustainable long term reforms.

4.6. Prison Reform

Facilitated by Uju Agomoh

Problems/issues of overview with prisons

Prisons and correctional services experience same issues in different SSR-related environments. In conflict and post-conflict situations, developed and developing countries, fragile and stable states, prisons suffer the same pathologies in different ways and degrees. These pathologies may include poor treatment of detainees; overcrowding due to overuse of imprisonment and low utilisation of non custodial measures, lack of speedy trials and usage coordination with other security sector organisations; lack of adequate non re-entry initiatives; poor facilities and corruption.

How relevant are prisons and correctional services to SSR?

Depending on contexts, engaging judicial reform within the SSR framework is important to address some issues. Prevention activities such as job creation and youth at risk initiatives are socio-economic activities that could prevent people from entering prisons and contribute to the economic development of the country. People entering prisons are not going to last there forever, nor are they losing their dignity. Therefore, reforming prisons to provide fair treatment, reintegration opportunities and training are necessary to prepare inmates to return positively in society.

Reform Process

Prison reforms should be carefully sequenced. At first, there should be a review/establishment of the legal framework. Assessments should be undertaken to understand the situation, identify needs and customise legislation to cultural environments. Guidelines, code of conduct should be renewed and taught to people affected by prisons.

Second, there should be efforts to implement the legal framework agreed upon. Cooperation with external partners, civil society organisations (including private businesses) and local communities is essential.

In order to evaluate the sustainability of reforms, constant oversight and monitoring measures should be taken. This is a long term process, involving actors from different spheres and specialities. The judiciary, executive and legislative should be pro-active by preventing abuses and identifying sustainable rehabilitation possibilities and be reactive by changing procedures, rewarding good practices and punishing bad ones.

Oversight mechanisms

Three oversight mechanisms could apply in the penitentiary system. International/regional oversight mechanisms by regional organisations or the UN, and peer review mechanisms (reforms driven by countries in the same situations eg, African correctional association). Domestically, interagency mechanisms allow oversight over actions of personnel of the penitentiary by a Judge/prosecutor or an independent agency. External oversight mechanisms by civil society organisations, NGOs or the media are also important to ensure that links between prisoners and the outside world exists.

Examples of practical interventions

Exercise: Prison Decongestion & Re-entry Scheme Prerogative of Mercy Committee/Jail Delivery

In Nigeria, prison overcrowding is a rampant issue due to a combination of different factors (rate of criminality due to unemployment or lack of economic prospects, internment of mentally challenged persons in the prison system, lengthy judicial procedures, etc.) A programme was designed with the support of CSOs to engage in a reform in order to contribute to prison decongestion and ensure sustainable reintegration of prisoners into their communities. The decongestion component included: strengthening the jail delivery mechanisms including developing a practice manual to be used by judges and prison commissions and encouraging the diversion of mentally challenged persons from prisons to therapeutic settings.

It is necessary to act on different actors and levels of the “prison community” to ensure sustainable change. The mentally ill should be assisted by alternative internment mechanisms. This requires changes in the mental health policy in the prison and outside, coordination between relevant criminal justice agencies and education and sensitisation of families in support to mentally challenged persons. The re-entry component includes pre-release training for inmates, post release support, start-up capital, training of prison staff, and developing a re-entry guide.

Torture Documentation and Redress Scheme

Torture is another challenge in prisons. Extortion, physical and mental abuses are common, due to lack of knowledge of existing regulation by some prison wardens, a culture of abuses that exists for years and the lack of public awareness. The programme includes actions such as training and capacity building of legal and medical practitioners; law and medical schools lectures and their integration into the school curriculum; prison officers (reception/board, records, welfare & medical officers). Also, a mobile phone tracking system which is used by the

public to report actual or potential abuses was established. A litigation component was established, with possible class litigation, usage of the 24 hours duty lawyer scheme and regional human rights mechanisms (African Commission of Human and People's Rights). Finally, advocacy, sensitization and education of the public is included to ensure that pressure and oversight are effective.

Group Work: Based on a scenario, participants identified possible impacts and solutions to the problems

Impact of a prison riot and escape on the prison, community, the state and neighbouring countries

- Positive: decongestion, awareness of the existence of the problem;
- Negative: not secured, increase concern about security in neighbouring countries.

Possible causes of this situation (micro/macro, immediate and remote causes)

- Micro: no visits from family, corruption, low walls, too little staff, no security, no equipment
- Macro: overcrowded, outdated facilities, backlog of cases, lack of judges and efficiency of police, no training in the prison;
- Immediate: only five guards, thus opportunity to riot and escape;
- Remote: corruption, extortion, general atmosphere, torture

Possible interventions

- Reduction of the negative impact of riot/escape: search and arrest the most dangerous escapees, reinforce the security of the population, border guards, inform the population, repair the prison facilities, take care of the trauma, investigate allegations for torture, bribes, for crimes, speed trials, and independent inquiry;
- Prevention future occurrence of this incidence: low costs actions – legislative framework, lighter regimes for pre-trial detention, organizational framework (separate prisons for men and women, separate tried people and those on remand, children and adults, etc) – actions depending on available resources – build new prisons, modernise the existing, develop training programmes, establish better living conditions including contacts with the external world.

Joint Initiatives and Partnership

- Prisons vs parliament;
- Prisons vs intelligence agencies;
- Prisons vs police/other law enforcement agencies;
- Prisons vs military;
- Prisons vs judiciary/MoJ;
- Prisons vs health, social workers

4.7. DDR and SSR

Facilitated by Kurt Meissner and Klaus Storn

Introduction and Definitions

- Disarmament (1): collection control and disposal of SALW and development of responsible arms management programme.
- Demobilisation (2): process by which the armed groups are either downsized or completely disbanded.
- Reinsertion: assistance to ex-combatants during demobilisation but prior to long term reintegration.
- Reintegration: Process whereby ex-combatants and families and other displaced persons assimilate into socio-economic life of (civilian) communities

Features of DDR

DDR and SSR have the same features. They both are politically driven processes. Their success depends on the will of the parties. They should be linked to broader security issues such as the reorganisation of armed forces, have a comprehensive approach towards disarmament and SALW control and linked to a broader process of national reconstruction and development to achieve sustainable reintegration of ex-combatants.

Who conducts DDR?

DDR is a locally owned process. Therefore, national authorities are designing and implementing programmes with assistance of international actors, including UN missions, agencies, departments, funds, international regional organisations, NGOs and civil society organisations. Participants in the DDR programmes are defined in the peace agreement. They may include:

- International recognition of combatants: persons wearing distinctive uniforms, belonging to a structured group with identifiable chain of command.
- Other participants: women and children associated with armed forces, aids, returnees, mercenaries, foreign combatants

DDR in context

DDR is intrinsically a post-conflict programme. Contexts within which DDR is applied have particular political, socio-economic, and security features. The political environment is characterised by tensions due to a lack of confidence between parties, war mentality, instability, weak institutions, etc. The social environment is marked by high population displacement, traumatized people, disrupted community networks, human rights abuses, etc. How will the return of ex-combatants reinforce rather than undermine social cohesion and reconciliation? The economic environment is marked by reduction in production and consumption, destruction, of infrastructure, unavailability of human capital and external investments due to instability and lack of confidence of economic actors.

The reduction of hostilities between parties often direct violence toward civilians and a surge in crime. The availability of SALW, the security vacuum caused by disbanding and/or neutralisation of security providers makes it more critical to reform and equip security structures. Have armed hostilities stopped? What other security issues remain after the signing of the ceasefire agreement.

Partners and Actors in the Process

- Government and signatory/non-signatory armed groups
- Political parties
- NGOs, the media and other civil society organisations, research and policy centres
- International actors: the UN system, regional and international intergovernmental organisations, bilateral partners and international corporation
- International Financial Institutions: World Bank, IMF, Development Funds and Banks;

Principles for DDR

- People centred: non discrimination, fairness, equal treatment
- Flexible, accountable and transparent
- Nationally owned: driven, prepared and implemented by national partners
- Integrated: linked with other post-conflict programmes
- Well planned: carefully sequenced to avoid vacuums. Coordination between actors to avoid overlapping and competition of programmes and institutions.

Issues with reintegration

Reintegration of ex-combatants in their communities of origin is a critical issue when they have been fighting far away. Their houses and land might have been occupied and exploited by others, they will compete with the local force in the labour market, social cohesion will be difficult because of their potential involvement in abuses. Combatants may have high expectations and find it difficult to return to a regular civilian routine. Insecurity because of the availability of SALW is likely.

Education and sensitisation programmes, conflict resolution and peace building initiatives, transitional justice, SALW control policies and DDR go hand in hand. They complement each other and should be implemented at the same time to maximise the potential of reintegration.

DDR programmes impact on the lives of combatants (male, female and children) and their relatives. From the design to implementation, gender should be integrated in the programme to take care of people with special needs. People are also returning from abroad and should be taken care of. If ex-combatants seem to be privileged, tension might arise between them and the rest of the community that is likely to become violent. Therefore, food programmes, community reconstruction, health and refugee programmes should be encouraged (by partners) in receiving communities. Finally, HIV and other sexually transmitted diseases are damaging war torn societies. A responsive DDR programme should include screening, preventive and curative medication, etc.

Summary

DDR is voluntary and depends on the political will of parties. Participation should be secured from the beginning through negotiation. Confidence is essential and some entry points could be identified and persons should have interest to participate. In the programming phase, emphasis should be made to the long term aspect of reintegration. Expectations should be managed and resources mobilised. DDR should be linked with other post-conflict initiatives and designed in a way to involve all actors and people affected. Learning from other examples is essential, but customisation is essential to adapt programmes to local settings.

4.8. SALW and SSR

Facilitated by Kurt Meissner and Klaus Storn

4.8.1. Definition

The acronym SALW encompasses small arms, light weapons, ammunitions and explosives.

Small arms are broadly recognized as those weapons that are intended for use by individual members or armed or security forces. They include revolvers and self-loading pistols, rifles and carbines, sub-machine guns, assault rifles, light machine guns, etc.

Light weapons are those weapons intended for use by several members of armed or security forces serving as a crew. They include heavy machine guns, hand-held under-barrel and mounted grenade launchers, portable anti-aircraft guns, portable anti-tanks guns, recoilless rifles, portable launchers of anti-tank missile and rocket systems, portable launchers of anti-aircraft missile systems, and mortars of calibre less than 100 mm.

Ammunition and explosives include: cartridges (round for small arms), shells and missiles for light weapons, anti-personnel and anti-tank hand grenades, landmines, explosives, and all other ammunitions, explosive material and detonating devices. If ammunitions are not stored in the right conditions, they can explode easily.

SALW are particularly adapted to intra-state conflicts because they are cheap, durable, simple to use – mainly by child soldiers), portable and concealable. They have an impact on post-conflict rehabilitation (peace building, development, infrastructure, governance, human rights and crime).

SALW act as a multiplier of violence and their availability hampers development. The reduction of SALW is internationally done through the double edged approach which engages physical security and stockpile management (secure and safe detention and usage of weapon by those who are legally entitled to) as well as marking of SALW in countries of origin, and the destruction and disposal of identified surplus stockpiles of SALW/CA in target countries.

SALW facts and figures

- Around 875 million SALW are in circulation, more than one for ten persons (increasing number);
- Approximately 500 million SALW are in legal stockpile. It does not mean that they are secured, recorded, controlled by a legal framework, etc;
- Nearly 8 million SALW are estimated to be produced every year, one million of which are for the military and security forces;
- At least one million are lost or stolen every year;
- Several hundred thousands of SALW are lost by security forces and states every year;
- Estimated SALW in the African Continent is 30 million;
- In 2004, OECD countries exported approximately 1,7 million SALW mostly into USA and Europe
- Value of legal SALW trade has decreased since the early 1990s;
- Estimated 300 000 killed every year by SALW used in armed conflicts or crime context, including many women and children;
- Many more displaced by ethnic and civil conflicts, worsened by easy access to SALW.

SALW Control Legal Framework and Interventions

It is the responsibility of states to enact legislation for SALW control. International regulations exist to control the manufacturing, trade and stockpiling of weapons. They include humanitarian conventions and the Ottawa convention on anti-personal mines. SALW legislation aims at performing four actions - deter, deny, disrupt and destroy: Deterring and denying SALW proliferation by providing clear framework of weapon detention usage and trade and developing public awareness programmes; disrupting SALW trade by enhancing border security; engaging intelligence services and multiplying control operations by police; destroy surrendered, captured or surplus of SALW.

Levels of actions differ depending on the legal framework. At the national, regional and universal levels, several organisations and NGO are involved in training of personnel for staff assessment visits, standardising procedures for evaluation and project development, exchanging information of activities, and cooperating in joint initiatives.

Measures to address the SALW proliferation

SALW proliferation responds to a set of socio-economic, cultural or legal issues. A responsible SALW programme should engage relevant actors and provide avenues for deterrence and disruption of any illegal trafficking.

Reviewing legislation is critical to provide regulations for licensing, registering, marking and tracing weapons, socio-economic programmes to prevent crimes by providing employment and income generating activities, fight against crime by the police to suppress the need of possessing weapons for self defence, design and implement stockpile management programmes, as well as disposal and destruction of surplus. Finally, it is important to engage discussions with communities where weapons detention is part of the culture to reduce the risk of their criminal utilisation.

4.9. Integrated Border Management

Facilitated by Pascal Schumacher

Context and Definition

Following the disengagement of the Israeli forces from the Gaza strip in 2003, there was a need for a third party to ensure border management between Egypt and Gaza. The EU was called-in to deploy within three weeks to assist the Palestinian authorities in border management. After legislative elections won by Hamas, the situation changed drastically and violence started again following the abductions of Israeli soldiers. The construction of walls around Israel further complicated the situation, making it difficult for people to cross.

Integrated border management (IBM) could be defined as the organization and supervision of border agency activities to meet the common challenge of facilitating the movement of legitimate people and goods while maintaining secure borders and meeting national legal requirements. IBM is an important topic for developed countries that are acting either alone (the US) or in multilateral arrangements (the EU) and post-conflict countries to prevent trafficking and combatants movements from one country to another.

There are two different conceptions of IBM. On the one hand, there is a security conception of IBM (the US, EU, Israel and developed countries) based on securing borders and managing immigration, and on the other hand a freedom of movement conception of IBM prioritising freedom of movement.

General Idea of Integrated Border Management

IBM involves cooperation of different agencies and institutions. Cooperation can exist within services, between services and between countries. Intra-service cooperation involves vertical relationships between central authorities and remote agents. Horizontally, IBM engages different levels of competence. Checking and sharing information through sophisticated digital means could facilitate information sharing between agents separated by long distances.

Cooperation between different agencies involved in IBM is useful to maximise potentials and prevent overlapping and/or competitions. Joint missions, teams and units, permanent or *ad hoc* institutions can serve to this end. Agencies and institutions may include: ministries of interior, finance, health, agriculture, economy, border operating agencies, police, army etc.

IBM is also a matter of interstate cooperation. Either through regional or bilateral arrangements, frameworks to control goods and people circulation, fights against trafficking and crime, prevent illegal immigration and prevent in some circumstances rebel groups to find safe heavens in neighbouring countries are among others activities of interstate cooperation for IBM.

IBM in Rafah Crossing Point and Mandate of the EUBAM

The border between Gaza and Egypt is very sensitive for it is located in the middle of the city of Rafah. The EU has the mandate to facilitate border crossings for passengers and goods. There is an estimated 3,500 illegal 15km-long tunnel system crossing the border and allowing weapons, money and smuggling of other goods. They are difficult to destroy or detect. The ministry of tunnels from Hamas administers the tunnel and takes 2,500 dollars per hour from people wanting to rent. Moreover, the Rafah crossing point is a key issue for future agreement

on the Gaza strip and the resolution of the conflict. Gaza strip is the first point in the peace road map/ if there is success on Rafah, there is a great chance of success.

There are many border crossings between Palestinian territories and Israel. They include: Erez, a border crossing for passengers (security check lasts almost one hour), Nahal Oz is for pipelines (almost closed all the time), Kani for goods, Kissufim was for smaller groups and is now used by the military, Sufa for small groups, Kerem shalom, used for humanitarian aid (about 150 trucks/day) and Rafah. The Rafah crossing point is opened on a periodical basis. Egyptian terminal and Palestinian terminals separated by the Philadelphia corridor. As they are using airport terminals, it is difficult to implement international standards.

Legal Framework

The legal context is very fragile. Israel and other parties refuse to apply all the provisions of the agreement. The Israeli army classified it, making it impossible for the Parliament to debate and eventually approve. The agreed arrangement on the EU border assistance mission on the Gaza-Egypt border gives the following mandate to EUBAM: monitoring mission to ensure proper procedures, confidence-building between parties by serving as liaison office between the three parties. The cooperation of parties became difficult after election of Hamas and abduction of two Israeli soldiers. Trafficking is also an issue because of dozens of illegal tunnels linking Egypt to Palestinian territories.

At the operational level, the EUBAM mission is to allow the regular movement of Palestinians between the Gaza strip and Egypt in a manner consistent with the security of Israel and to monitor, evaluate and verify the actions of security, border police and customs agents. The EU trains, mentors and advises relevant Palestinian agencies and mediates between parties in case of conflict.

Issues with IBM in Rafah

There has never been complete SSR in the Palestinian government. Border agencies and other security personnel have competing and overlapping mandates on border issues. Canada is making an assessment of the border in order to prepare for a comprehensive IBM. The key issue is to involve all actors. Hamas has established a different border agency which is more efficient compared to the one controlled by the Fatah. As far as the EU is not working with Hamas, it is difficult to negotiate and assist them in their operations. Moreover, the framework of discussion is tripartite. EU is in the middle between Israel and the Palestinian authority, with Egypt missing from the architecture. In the first six months of the project, each party successfully implemented its obligations. After the Hamas elections, the border was irregularly opened until permanent closure.

Future Prospects

IBM needs involvement of all affected actors to be successful in Rafah. Confidence building mechanisms should be put in place to facilitate the involvement of Egypt, the participation of Israel and the good will of Palestinians. The current political situation is not likely to build trustworthy relationships between the Hamas that have full control of the border and other stakeholders who refuse to cooperate with him. A solution might be either for the EU and Israel to accept pragmatically to work with the existing political force or for Hamas and Fatah to join forces and create an integrated force. Moreover, Egypt has an important role to play to fight against trafficking and illegal tunnels crossing Rafah from its territory to Gaza.

4.10. Civil Society Involvement in SSR Programmes

Facilitated by Alexander Mayer-Rieckh

What is Civil Society?

Civil society organisations (CSOs) occupy the political space between the citizen and the government. They are in some situations service providers to the people in areas where the state is either absent, illegitimate or not trusted. However, there is a state-bias in the SSR framework so far. Programmes are traditionally focussed on state security, local ownership meaning not the ownership of the people but the ownership of the national authorities. CSOs have to be involved as core stakeholders of SSR because its target is not the security sector itself but the society.

Civil Society Participation

Best Arguments to Involve Civil Society

One of the core principles of SSR is its concern for people. The programme should be designed so as to take care of the security needs and fears of the population. As their representative and advocate, civil society organisations (CSO) are best placed to promote representation of marginalised groups in the SSR process. They are also important because of their expertise, their flexibility and capacity to provide informal oversight mechanisms on security sector agencies, and because through them securing participation and cooperation of the public is efficient.

In some circumstances, the state is absent or illegitimate in providing security and justice services to citizens. Due to its involvement in previous abuses, the government is not trusted or is feared. CSOs are more legitimate to rebuild the social fabric and serve as a channel to the progressive return of the state. Finally it is widely agreed that civil society is a core actor of SSR. It is involved in reconciliation process, as civilian oversight, development, and identifying and understanding of people's security needs.

Risks: Best Arguments to Keep Civil Society Out

The civil society is not a homogeneous sphere. There are a lot of organisations with different interests (for instance trade unions vs. business associations, different religious groups, media financed by different sources, NGOs with diverse backgrounds and agendas, etc). Therefore, involving them in the consultation process is likely to be time consuming. It is not easy to verify representativity claims of CSOs that might be more inclined to represent the interests of their funders that are sometimes abroad. Finally, the need for transparency and information of CSOs is likely to be often in contradiction with the requirement of confidentiality in the security sector.

4.11. Creating a Holistic Approach to SSR

Facilitated by David Law and Victoria Walker

Introduction

As highlighted above, SSR programmes must obey to three key guiding principles: They should be designed in a comprehensive way, increase the democratic oversight and control of security providers and enhance the effective security delivery to the population. The concept “holistic approach” emerged from the British DFID’s involvement in the Sierra Leonean SSR. It was the first time when security, human rights and development were linked as complementary topics. Thus, human security became a new lens through which development assistance would analyse SSR programmes in their support to governments. Involving all branches of government and non-state actors in the process was also a principal requirement for sustainable SSR.

Creating and applying a holistic approach to security gives a new role to security and defence institutions in the society. Security is not only a force, nor is it a mere matter of law enforcement. It is a service that should be rendered to the people according to their interests and priorities. Holistic approach is contextual, as actors and their importance depend on the specificities of countries. This section will highlight some experiences of the implementation of holistic approaches and discuss issues related to national security strategies (NSS).

Holistic Approach in Context

Factors Influencing Holistic Approach in Kosovo

Kosovo is certainly one of the countries where the investment of the international community is intensive. SSR programmes have been on the agenda since the NATO involvement, driven by a clear strategic framework and the accuracy and comprehensiveness of assessments. The process is inherently holistic and enjoys full support of the international stakeholders. However, there are too many international actors with little coordination and sometimes overlapping mandates, an efficient liaison mechanism is yet to be established and donors are still dictating their agendas to Kosovo authorities. There are discrepancies between regions, and agencies are trained by different donors with different standards. Some regions are still under responsibility of the international oversight whereas others are already controlled by national forces. Moreover, the process is still Pristina-centric, with high political influences within ministries influencing the debate on other issues such as KPC and the international executive powers that remain taboo.

Holistic Approach in Afghanistan

Afghanistan is one of the best examples of lack of coordination, fierce misunderstanding and competition between donor states and actors. Members of the international community had different views of the relation between security and development. They failed to work in an integrated way on policing and in the justice sector. Because of lack of information, there are still difficulties of coordinating activities in the centre and in the provinces. Until recently, the international community failed to have a regional approach to the programme, neglecting neighbouring states and the input they could provide.

Canada has three task forces involved in Afghanistan: the development assistance department, the defence department and the ministry of foreign affairs. These agencies/ministries were working alongside each other without collaboration or coordination. There was a need to build cooperation between all these agencies under the coordination of the Prime Minister. The creation of joint teams composed of military and non-military personnel, the preparation of regular reports for the attention of the parliament (dealing with the media in the proactive way), movement of more resources from Kabul to Kandahar, and privilege of high visibility projects were tools used to create the holistic approach needed for the involvement of Canada in Afghanistan.

Comprehensive Approach in Guinea Bissau

In Guinea Bissau, the National Security Policy is focussed on hard security (army, police and other security agencies) with a lack of a core framework. Ministerial positions are used to promote political and social alliances. Moreover, the country is very poor and lacks funding for the programme. The caseload is very big and the ex-combatants, especially the freedom fighters have a pervasive influence through key positions. In April, the Praia roundtable talks were organised to trigger greater awareness by donors on holistic approach reflected in action plans. It was an opportunity to revisit the strategy and action plans, threat assessments in the country and other departments to build a national strategy and secure political will of actors.

National Security Strategies: Issues for Discussions

What is NSS (also known as concept, strategy, plan, or paper)?

National security strategies are papers that serve as a framework to build consensus of actors around security issues and orient stakeholders on operational and programming strategies. The security strategy involves a wide range of activities and agencies/institutions. It takes care of issues such as hard and soft (economic wellbeing, human security, pandemics, environment situation) security, as well as external & internal security.

It usually addresses actor's security vision, principles and values, as well as the nature of security environments. NSSs identify current and future threats, risks, challenges and opportunities. The principal task of NSSs is to adopt guidance for instruments and mechanisms as well as areas of responsibility, capacity, relationships between actors and procedures to be implemented in the field of security.

Why Develop a National Security Strategy?

It is important for governments/authorities to present their conception of security. What is their understanding of security, their needs, fears and what are the means to ensure that the state, its interests and those of the citizens are secured. It is also a planning tool. It provides guidance for the adoption of laws and other regulations in the field of security. Often designed by NSCs, it is a coherence and cooperation tool for actors. NSCs are composed of heads of authorities and agencies. By its composition, the NSS is likely to be comprehensive and defines clear budgetary lines to secure sustainable funding. Moreover, the process of building a NSS involves building securing confidence by consultation and helps to explain security to the public. It is also a basis for holding the people implementing security accountable. It is by definition is a

reforming tool for new security orientations and could help build link and confidence with neighbouring states.

However, adopting a NSS depends on the political will of actors. Some governments don't find it necessary to adopt a NSS, either by lack of understanding or because defence and security are not prioritised. Also, designing NSS involves a lot of resources and expertise. It is difficult for countries with limited resources to design and effectively implement security strategies. In other jurisdictions, culture of secrecy on security issues prevents non-core security institutions to be involved in the discussions. Furthermore, lack of consensus might deprive a country from NSS. When there is not a clear cut majority in favour of a conception, adoption of a policy paper could suffer important delays.

Which steps are typically involved?

The sequence of NSS starts with initiation by the President or PM, often after or before a public debate on security. It is then followed by drafting at the NSC, ministry of defence or foreign affairs. The drafting is sometimes given to think tanks or persons with high public status who provide one or many drafts that are reconciled at the ministry or NSC's levels. Then, governments and/or the parliament approve the strategy which is ready for mainstreaming in the security sector and public. It is not necessary to have a rigorous adoption/review mechanism. Some states provide for periodical reviews of NSS to adapt policies to new threats and developments.

Principles for an effective democratic NSS

Designing NSS requires the respect of a set of principles including inclusiveness and responsiveness, debate and consensus, transparency, regional and international considerations, respect for international laws, franc and realistic assessments, and constant monitoring and assessment.

Table: Examples of NSS Structures

NATO: Alliance's Strategic Concept (1999)	OSCE: Charter for European Security/1999	EU: European Security Strategy/ 2003	AU: Common African Defence and Security Policy/2004
<ul style="list-style-type: none"> - Introduction - Purpose and Tasks - Strategic perspectives - 21st Century Approach - Capabilities - ESDI - Conflict prevention & management - Partnership, cooperation & dialogue - Enlargement - Arms control & disarmament - Guidelines for forces - Conclusion 	<ul style="list-style-type: none"> - Preamble - Common challenges - Common foundations - Common response - Platform for coop security - Solidarity & partnership - Institutions - Human dimension - Pol-mil dimension - Econ-Ecol dimension - Rol/anti –corruption - Instruments - Partners 	<ul style="list-style-type: none"> - Introduction - Challenges & threats - Strategic objectives - Address threats - Build security in neighbourhood - Effective multilateralism - Policy implications - More active - More capable - More coherent - Working with partners - Conclusion 	<ul style="list-style-type: none"> - Preamble - Introduction - Definitions & scope - Principles & values - Objectives & goals - Implementing organisms & mechanisms - Relations with UN and other IGOs - Building blocks - AU - African Sub-regional bodies

Table: Values, Interests, Objectives and Principles

NATO: Alliance's Strategic Concept/1999	OSCE: Charter for European Security/1999	EU: European Security Strategy/ 2003	AU: Common African Defence and Security Policy/2004
<ul style="list-style-type: none"> - Safeguarding of members security - Protection of TA link - Indivisible security - Collective defence - Forum for security consultations - Crisis management - Partnership through E-A area - Peaceful settlement of disputes - Friendly international relations - Support for democratic institutions 	<ul style="list-style-type: none"> - Support for UN charter - Equal responsibility for agreed commitments by members - Accountability to citizens and members - Interdependent security - Comprehensive security - Free choice of security arrangements - Decision by consensus - Peaceful settlement of disputes 	<ul style="list-style-type: none"> - Addressing of key threats - Building of security in European neighbourhood - Construction of international order based on effective multilateralism 	<ul style="list-style-type: none"> - Members sovereignty & equality - Respect for borders - Peaceful settlement of disputes - No use or threat of force - Non-interference internal affairs - Intervention allowed in severe circumstances - Promotion of self- reliance within AU - Respect for democratic principles, human rights, RoL & good governance

Table: Threats, Risks and Challenges

NATO: Alliance's Strategic Concept/1999	OSCE: Charter for European Security/1999	EU: European Security Strategy/ 2003	AU: Common African Defence and Security Policy/2004
<ul style="list-style-type: none"> - Regional crisis on periphery - Ethnic & religious rivalries - Territorial disputes - Failed reform efforts - Human rights abuse - State collapse - Non-NATO nuclear states - WMD proliferation - Terrorism - Sabotage & organised crime - Resource flow disruption - Mass migration 	<ul style="list-style-type: none"> - Inter- and intra-state threats - Respect for human rights and fundamental freedoms - Peaceful settlement of disputes - international terrorism - Extremism - Organised crime - Trafficking - SALW proliferation - Acute economic problems - Environmental degradation - Security of peripheral regions 	<ul style="list-style-type: none"> - Terrorism - WMD proliferation - Regional conflicts - State failure - Organised crime & piracy - Coping with post-Cold war world - Managing interface internal/external security - Protecting flow of trade & investment - Techno-development - Democracy spread - Pandemics & disease - Security-Development nexus - Competition for and dependence on natural resources 	<ul style="list-style-type: none"> - Inter-state & intra-state conflict - Unstable post-conflict situations - Humanitarian contingencies - Refugees & IDPs - Mines - SALW proliferation - Pandemics - Environmental degradation - Organised & trans-national crime - Trafficking - Money laundering - Mercenaries - Repercussions of international conflicts - Unfair political & economic practices - Transnational terrorism - WMD - Measures to isolate countries - Dumping of toxic waste

National Security Councils

Established by constitutional law or decree, National Security Councils (NSC) are national bodies designed to advise authorities on security matters. Their activities include policy assessment and advice, coordination of activities, policy implementation in defence and security matters, high level appointments and drafting of national security sector development plans.

NSCs could be composed of representatives from internal and external security and public safety agencies, ministries of justice, development and economic affairs. Their composition also depends on the conception a state has of security and the dominant threat. There are permanent members such as the President and/or PM, key ministries (justice, MoD, interior and foreign affairs) representatives of the security forces (army chief of staff, special forces, etc), external advisers, representatives of parliament and secret services directors. *Ad hoc* members could be convened to meetings when their areas are concerned; for example, the ministry of environment in case of catastrophes, ministry of transport for border management and accidents, etc.

Case Study: the Kosovo National Security Council

The Kosovo NSC has the mandate to advice, develop and review NSS and other policy documents on internal and external security prior to referral to the government and adoption by assembly. It also has executive powers in times of national emergency after the President's approval.

The Kosovo National Security Council composed of decisional and non-decisional members. Decisional members include the President who chairs the Council during state of emergency, the Prime Minister and his deputy, the Minister for KSF, Minister of Foreign Affairs, Minister of Justice, Minister of Economy and the Minister of Communities and Returns. The non-decisional members include the Director of the Kosovo Intelligence agency, the KSF Commander, other senior officials and international representatives on invitation.

Group Work: Split into four groups and answer the following questions

- What actions should the members of the Security Council should envisage?
- What are the recommendations to the PM?
- What could be the role of the oversight bodies?

	1	2	3	4
Actions – standalone & joint – of KSC members	<ul style="list-style-type: none"> - High visibility police operations; - Foreign minister to liaise with neighbouring countries 	<ul style="list-style-type: none"> - Gather information; - Foreign affairs: address the EU presidency; - Min interior regional cooperation and operational plan in the interior; - MoJ: investigate; - Finance: money flow and fight against money laundry 	<ul style="list-style-type: none"> - Ministry of interior operational plan with the a regional strategy, Establish the facts, Report to the relevant committees of the parliament; - Neighbouring countries: increase border control, allocate more detection equipment, cooperation agreement on criminal matters, financial investigations, travel documents security 	<ul style="list-style-type: none"> - Task of the secretariat should provide us with information; - Statements to media; - Min KSF specific role in terms of investigation (alleged implication of armed forces); - MFA address the border issue (customs, reinforcement of borders); - MoJ: assess the legal framework; - Meetings of the KSC and intelligence committee to make recommendations; - Draft a response to the EU and foreign countries
Recommendations to PM on public messages	<ul style="list-style-type: none"> - Press line for the situation; - Task force (ministries and relevant agencies); - Discipline someone; - One week to give a report explaining their part/measures 	<ul style="list-style-type: none"> - Parliament preventative hearing; - Press release; - Regional cooperation with neighbouring countries 	<ul style="list-style-type: none"> - Information campaign; - Cooperation with CSO to deal with HR 	<ul style="list-style-type: none"> - Set up an agenda; - Communication strategy, showing concern; - Leadership in organising a regional conference, Task force
Role of oversight bodies	<ul style="list-style-type: none"> - Help line on human trafficking; - Invite the EU parliament (human trafficking commission); - Meeting with MoJ & parliament committees to identify need of amendments in the legal framework 	<p>Communication strategy</p>	<p>Investigation of the anti-corruption agency on corruption allegations</p>	<ul style="list-style-type: none"> - Anti-corruption - Ministry of communities ; - Media

Chapter 5: Strengthening International Coordination and Communication

Facilitated by Victoria Walker

What is Coordination?

- Understanding what the others are doing, working together, exchanging information, power balance, sharing resources together, voluntarily surrender of certain autonomy, agreed decision making.
- Functioning together of different inter-related parts
- Awareness of where your project/programme fits in
- Division of labour (who takes the lead?)
- Bringing together elements carried out by different organisations in order to achieve an objective

Key Documents on Coordination and Cooperation

- Paris Declaration (2005): Ownership (coordination should be lead by partner countries), alignment and harmonisation (link together, commons strategies, avoid duplication) mutual accountability of partners and management of results;
- Accra Agenda for Action (2008): “accelerate and deepen implementation of the Paris Declaration”, partner countries and donors “jointly select and manage technical cooperation”, “ensure the maximum coordination of development cooperation”, and improve “coordination of civil society organisations with development programmes”
- Inter-governmental coherence, coordination and complementarity (3Cs) conference (Geneva, March 2009): Reducing the number of aid coordination mechanisms;
- OECD-DAC Handbook on SSR (2007): Emphasis on strategic coordination (the strategic planning of SSR should be made on a coordinated way);
- UNSG report on SSR (2008): “effective and accountable SS ... mechanisms for interaction among security actors: establishing transparent modalities for coordination and cooperation among different actors, based on their respective constitutional/legal roles and responsibilities”, “Coordination of national and international partners’ efforts is essential. Lead national entities and a designated international ...”

How to Improve Coordination?

Coordination of actors and their activities could be improved through the following: Overarching strategy papers and management mechanisms such as national security strategies and poverty reduction strategy papers. Moreover, agreement from actors on standards and join training of staff as well as trust funds are important team building mechanisms and serve as a ground to develop common understandings on SSR.

Communication Strategy

Communication is one of the most important cross-cutting issues in SSR. It is critical to secure public participation by adopting a responsible public relations policy. Information is useful, but the way of disseminating it is crucial. Widening ownership, building public support and educating the society are three outstanding examples of communication in an SSR framework.

Every actor, stakeholder or beneficiary of the programme is at some point either a voice or an audience to communication strategies. When voicing their arguments and positions, political parties, CSOs and media should responsibly communicate so as government, international actors and other agencies. Also, communication is not one way. It is a permanent discussion that helps to redesign projects if original strategies are not producing expected results, build conflict sensible programmes and manage expectations of the public.

When adopting communication strategies, SSR actors should take into account other considerations such as literacy of the audience, resources and language, gender, culture and ethnicity. Understanding the context is important in designing communication strategies so as to choose adequate channels. For instance, in remote areas without access to electricity and with poor rate of literacy, communication through radio, posters, theatre, or village elders is more efficient than using TV or internet.

Chapter 6: Managing, Monitoring and Evaluating SSR Programmes

Facilitated by André Defawe

6.1. Managing SSR Programmes

Management refers to assessing the effectiveness, efficiency, relevance and sustainability of SSR programmes. Effectiveness is goal orientated. It aims at verifying how the job is carried out and assesses if it is aiming at expected results. Conversely, efficiency is process orientated. It assesses the way in which actions are carried out and need specific procedures for comparison. It involves asking if implementing partners are doing the right things in the right way.

The success of management and SSR programmes depends on the relevance and accuracy of indicators. They should be SMART (specific, measurable, achievable, relevant and time bound). SSR objectives could be translated in terms of indicators. The following considerations are important in the design of Monitoring and Evaluation (M&E) questionnaires: Enhancing the security delivery to populations, establishment of local leadership and ownership of a reform process to review the capacity and technical needs of the security system, establish mechanisms to ensure good governance and effective use of resources, etc.

Moreover, SSR programmes are based on basic principles to be considered during M&E. They include: Support the state and societies to create efficient security bodies; base projects on national or international frameworks (CPA, Security Council or General Assembly Resolution); support a flexible strategy adapted to the local needs (develop security forces able to face

challenges of the country); develop gender sensitive projects; define priorities in term of calendar and partnerships; and coordination between national and international actors.

Designing and implementing an integrated SSR programme necessitates cooperation between actors both at the field and headquarters levels. There should be authority of national leaders on relevant security forces/agencies. It requires multidisciplinary skills, i.e. finding people able to deal with wider approach of SSR. SSR managers should ensure that competition or overlap between bilateral and multilateral involvements of states is avoided.

Finally, coordination is required at all levels. Domestically, receiving states should ensure that requests from relevant security sector agencies been coordinated to avoid competition. Whereas international partners should coordinate their actions to speak with the same voice and efficiently manage funds. There are two different contexts within which management of SSR programmes takes place. The project/project cycle involves activities to take place according to the sequence. And the decision cycle involves decisions of the management bodies at each stage of the planning, implementation and review of the programme.

Programme Cycle

Each step of the SSR programme cycle involves specific actions logically linked together.

At the Planning Phase

Context needs and stakeholders analysis are performed to define an end state and objectives of the programme. The end-state is understood as a situation (in one or several sectors) which needs to exist when a project/program is terminated. The end-state should be established prior to execution. The ability to plan and to implement activities or tasks depends on a clear understanding of the desired end-state.

Projects/programmes must be directed towards a clearly defined and commonly understood objective that contributes to the achievement of the desired end-state. In simplest terms, an objective is an aim to be achieved. Objectives and sub-objectives have to be established at each level of the project/program.

At the Implementation Phase

Activities should be divided in different phases. The initial phase consists of building confidence from donors, conduct detailed analysis and confidence from the state. Partners' credibility and commitment should be demonstrated and longer term program assessments be conducted. This aims at bridging the gap between design and implementation. The second phase consists of running activities, and evaluating the results and outputs determined at the programming phase. There is no clear cut between monitoring and implementation. Monitoring involves checking if the programme is going as planned. Clear criteria of evaluation of the situation (measure of performance and measure of effectiveness) need to be established. If correcting measures are needed, the programme is redesigned or new procedures adopted.

Decision Making Cycle

Decisions differ depending on stages of the programme. At the monitoring phase, decisions are related to task assessment, activity assessment and programme assessment. The aim of these decisions is to redesign or cancel failing activities to minimise counterproductive results and maximise on potentials. The assessment board tests activities against objectives and themes. Then, guidance is given to a manager or leader to plan the future orientation of the programme.

6.2. Monitoring and Evaluating SSR Programmes

The evaluation process concentrates on tasks, activities and programmes, from the smallest unit to the biggest. First, some important questions are considered when assessing tasks: Are we doing the things right? How good a job have we done and how do we improve? Have soldiers received salaries? Are women and special need groups empowered? Task assessment is also based on measure of performance, task accomplishment, i.e. assessing the cost effectiveness and the execution level.

Activities' outputs determine the failure or success of the programme. Are we aiming to our end-state; what is the impact of a set of activities on our target group? Those are some of the questions that could be included in a questionnaire. Activities assessment is based on measures of effectiveness using subjective indicators, trends and patterns and should address all activities. Finally, programme assessment involves questioning on the accomplishment of the mission. To what extent could we consider that our mission is achieved; what is the impact of our programme on our target group? Moreover, programme assessment aims at deciding on follow up projects. Based on what we did/results we produced and their impact on our target group, what could we do next to maximise our good results?

Monitoring and evaluation are based on indicators decided at the programming phase. To be valid, they should meet eight principal characteristics.

Characteristics of Indicators to Evaluate the Program¹²

1. **Validity:** Are indicators likely to record progress toward objectives; are outcomes measured, not simply activities; would different people taking the same measure get the same results?
2. **Balance:** Is a balanced basket of indicators that measures progress towards a single aim available? Is the ambiguity inherent in each single indicator reduced by the presence of other indicators?
3. **Sensitivity:** Are all indicators sensitive enough to record the kinds of changes likely to occur from one period to the next? are indicators sensitive to the changes interventions are most likely to produce?
4. **Equality:** Do indicators specifically capture the experience of everybody? Can indicators that capture general experience be disaggregated to isolate the experience of particular groups?

¹² See also Vera Institute of Justice: *Global Guide to Performance Indicators*. 2003.

5. **Motivation:** Can the ways in which the introduction of indicators may change the incentives guiding the behaviour of officials or citizens be identified; can any danger that an indicator will create perverse incentives that could undermine aims minimized?
6. **Practicality:** Can you afford to collect the necessary data on a regular and continuing basis? Will the data collected specifically for indicators be reliably accurate?
7. **Ownership:** Have all those whose progress will be measured contributed to the development of indicators? Do those whose performance will be judged by the indicators have confidence in them?
8. **Clarity:** Do the measures make sense to all audiences? Are measures expressed in units that are clear to everyone?

Lessons Learned on Monitoring and Evaluation

There are a number of lessons learned from experiences of programmes M&E. It is a long term, time-consuming and energy absorbing activity. It requires a team dedicated to matching actual activity results with the planned ones. Moreover, data are as important as their presentation. It is also worth noting that measures of performance and efficiency vary by programme, task or activity.

It is also important to measure what is vital, not just what can be measured. In this respect, adapting indicators so as to measure countable and non-measurable results is primordial. Adapting indicators should also serve to anticipate activities based on the results of the current situation.

Table: Theoretical Models to M&E

	Armed Forces	Police	Justice
Measure of Efficiency (MOE)	Structures, organisations, equipment, selection and training process; creation of command structure, oversight capacity, de-politisation criteria; procurement evaluation and procedures	Establishment of partnership between police and population; quantity of complaints reduced; public trust increased; crime report rate increased	Numbers of training carried out vs expenditure; number of trainees, prison staff; training material; number of prisons refurbished with facilities for women; rehabilitation programmes
Measure of Performance (MOP)	Assign an agenda (when initial capability tested, end-state will full capability); good selection, good training	Crime prevention units established; public council established (quantity); members of council trained; police community trained; public information campaign established	Treatment of prisoners, including women; trend of drugs abuse; utilisation of the facilities; complaints against the wardens; NGOs visiting the prisons

Case study: Democratic Republic of the Congo (DRC)

The EU presence in the DRC is ensured through three principal organs:

- The EUPOL Mission is in charge of the police reform in Kinshasa since 2005 and has extended its mission to Goma and Bukavu in 2009. It has created a coordination committee with the government of Congo and coordinates activities in relation to the police at the political and executive levels.
- The EUSEC Mission is based in Kinshasa at the MoD and General Staff level and has detachments at the Military Regions level (Goma Bukavu, Kisangani, Bunia) in the rest of the country. It provides advice and assistance at high level authorities on military reform and reform of the administration (chain of payment) and the registration of 129 thousand soldiers.
- EUJUSCO is based in Goma and assists the national authorities on the justice reform.

The collaboration with the UN is informal. There is no clear liaison mechanism between Heads of Missions. Heads of branches and SSR cell of the MONUC meet with EU representatives without specific framework. However, coordination mechanisms exist with member states. Meetings with all embassies of EU states are held and in October 2008, the new DRC government facilitated the cooperation in multilateral basis.

The situation remains still very complex in the DRC. Although some new plans have been presented by the Congolese authorities, the implementation remains very difficult due to the lack of the stability in the country (especially in the east) and due to the lack of coordination between all the actors working on the security sector reform.

Course Evaluation

The ASPR Pilot Course on Security Sector Reform was evaluated very well by the participants. The group's feedback to the organizers was received through several channels. During the course, daily "Wrap up"-sessions by the course coordinator contributed to facilitate dialogue between participants and trainers. The participants were further encouraged to use a standardized evaluation form to give written comments (see also Annex). In the end of the course, the group was orally debriefed and invited to give feedback by a staff member of the ASPR who is not directly involved in the course management. Taking the participants' feedback as much into account as reflections with the invited resource person, the ASPR team develops its own evaluation of the course.

The ASPR could already attract a broad group of practitioners to the course, with representatives of UNODC, EU Missions, OSCE Field Presences and the African Union as well as secondees of national institutions present in the course. Representatives of civil society organizations and staff members of the United Nations who work on SSR in the field could be better represented in the future. The course had targeted SSR field experts only, but the outcome suggests that participants in training on SSR do profit from a mix of participants what concerns the operative and the strategic levels.

The course format and structure were generally well received with the exception that some participants suggested to re-arrange the timing of the curriculum, i.e. to have shorter breaks in the afternoon. The number of hours taught could be kept the same, but the course could be made one day shorter and a half day off during the training week could be introduced.

Regarding the content, a short description of the historical development of SSR should be included in the introduction module. The reflections show that the curriculum might have followed the OECD DAC Handbook too closely and especially that a session on the profiles of the different actors involved in the security sector is needed. This session may be introduced during the first two days of the course and could be delivered by means of a mapping exercise. What concerns the issue of justice reform it was suggested to explore its cross-cutting relevance for the broader arena of SSR in more depth.

As for the resource persons, DCAF's contribution to the course through the provision of ISSAT and affiliated trainers proved very valuable.

All in all, the Pilot Course on SSR was well received. Taking the above noted evaluation into account, the ASPR plans to hold the next course with slight modifications in 2010.

Annexes

PILOT COURSE ON SECURITY SECTOR REFORM

	Saturday, 6 June	Sunday, 7 June	Monday, 8 June	Tuesday, 9 June	Wednesday, 10 June	Thursday, 11 June	Friday, 12 June	Saturday, 13 June	Sunday, 14 June
	Arrival	Introduction to SSR	Developing an Integrated Approach to SSR	Developing an Integrated Approach to SSR /	Implement-ation of SSR	Implementation of SSR		Managing, Monitoring and Evaluating SSR Programmes	Departure
09.00 - 10.30		Introduction to SSR – purpose, goals and principles David Law	Democratic oversight and accountability David Law	Challenges and opportunities in post-conflict situations Alexander Mayer-Rieckh	Police reform Alexander Mayer-Rieckh	Justice reform Teresa Doherty	Integrated border management Pascal Schumacher	Continued (Simulation Exercise) David Law & Victoria Walker	
11.00 - 12.30		SSR: From Concept to Practice Eleanor Pavey	Gender and SSR Eleanor Pavey	Designing programmes of support for SSR processes David Law	Defence/ Military reform Heinz Vetschera	Prison reform Uju Agomoh	Civil society Alexander Mayer-Rieckh	Managing SSR Programmes André Defawe	

15.00 – 16.30		Opening and Introductions	Designing a SSR Strategy	Developing an Integrated Approach to SSR	Designing a SSR Strategy	Implementation of SSR	Implementation of SSR	Implementation of SSR	Nat. and Int. Communication & Coordination			
	Undertaking SSR Assessments	SSR in different contexts	Continued	Intelligence and security sector reform	DDR and SSR	Strengthening international coordination	Monitoring and Evaluating SSR Programmes					
	David Law	Alexander Mayer-Rieckh & Eleanor Pavey	David Law	Alex Martin	Kurt Meissner & Klaus Storn	Victoria Walker	André Defawe					
17.00 – 18.30	Continued	Fostering a supportive political environment	Transitional Justice	Private security and military companies	SALW and SSR	Creating a Holistic Approach to SSR	Course Evaluation					
	Eleanor Pavey	Eleanor Pavey	Alexander Mayer-Rieckh	Eric Westropp	Kurt Meissner & Klaus Storn	David Law & Victoria Walker						
19.00	Official Opening and Welcome Dinner	Social Event					Official Closing and Farewell Dinner					

EVALUATION

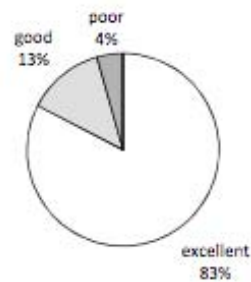
COURSE ON SECURITY SECTOR REFORM (SSR)

6 - 14 June 2009

A. Overall Course Organisation

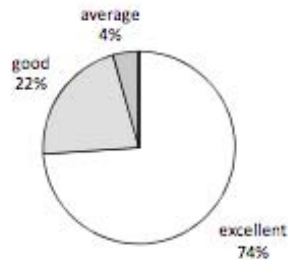
Q1) Course Organisation

excellent	19
good	3
average	0
poor	1
very poor	0
no answer	0



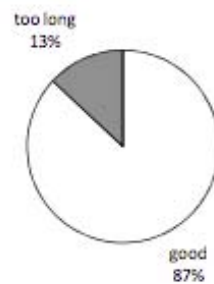
Q2) Course Facilities

excellent	17
good	5
average	1
poor	0
very poor	0
no answer	0



Q3) Duration of the Course

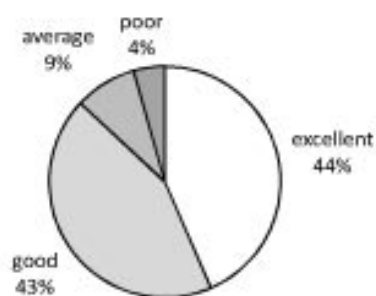
good	20
too short	0
too long	3
no answer	0



1/4

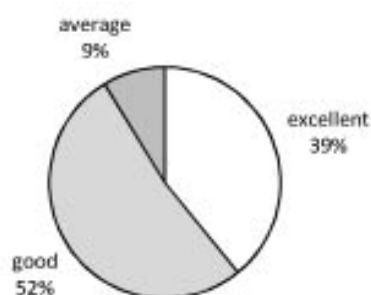
**Q4) How comprehensive was the information you received before the course?
(organisational information provided by training institution, homepage, electronic articles, etc.)**

excellent	10
good	10
average	2
poor	1
very poor	0
no answer	0



**Q5) How comprehensive was the information you received during the Course?
(Reader, Handouts, etc.)**

excellent	9
good	12
average	2
poor	0
very poor	0
no answer	0



B. Content of the Course

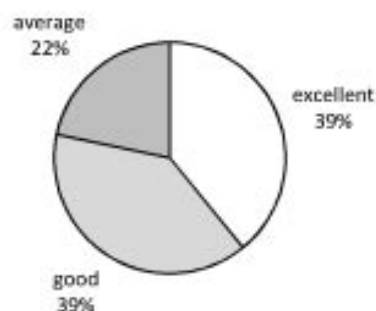
Q7) Content of the Course

excellent	12
good	11
average	0
poor	0
very poor	0
no answer	0



**Q8) Methodology of the programme:
Balance between presentation, exercises and discussion**

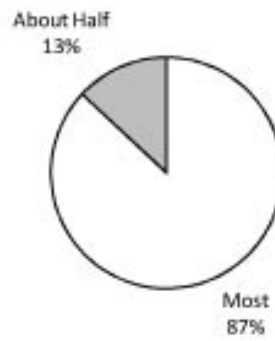
excellent	9
good	9
average	5
poor	0
very poor	0
no answer	0



Q9) In general, how much of the course is:

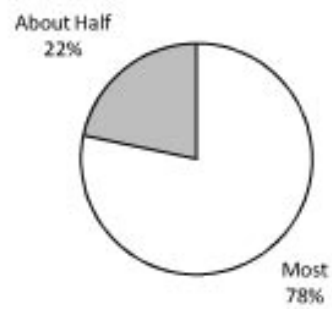
Q9.1) value to you?

Most	20
About Half	3
Little	0
no answer	0



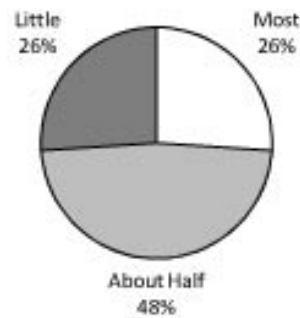
Q9.2) Relevant to you?

Most	18
About Half	5
Little	0
no answer	0



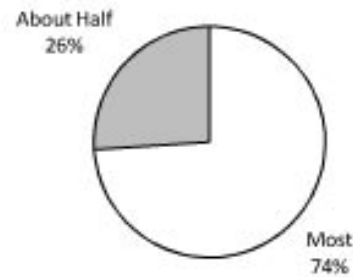
Q9.3) New to you?

Most	6
About Half	11
Little	6
no answer	0



Q9.4) Will be used by you?

Most	17
About Half	6
Little	0
no answer	0



D. Conclusion

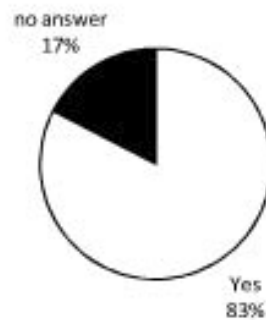
Q31) Did you miss any subject(s) that should be included in the Course?

Yes	7
No	9
Don't know	1
no answer	6



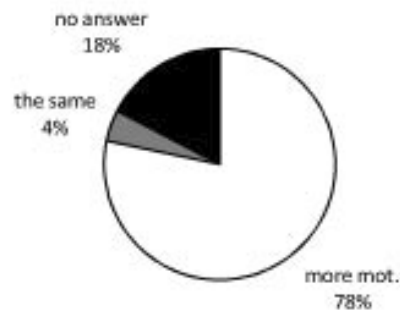
Q32) Could you imagine participating in a follow up programme (i.e. specialization course)?

Yes	19
No	0
no answer	4



Q33) Would you say that after participating in the Course you are more motivated or less motivated to work in the Field?

more mot.	18
less mot.	0
the same	1
no answer	4



List of Resource Persons

David Law is a DCAF Senior Fellow with the Operations Division, which works in SEE and CEE, and Senior SSR Advisor with the International Security Sector Advisory Team, which supports the SSR activities of ISSAT members in Africa, Asia and Latin America. He is also coordinator of the DCAF Training Task Force and editor of the DCAF Backgrounder series on Security Sector Reform and Governance. Previously, David was a consultant for technical assistance and capacity-building projects sponsored by the EU and Canada, and he lectured on security issues at universities in Europe and North America. From 1984-94, David was a member of NATO's international staff, where he was an advisor to three Secretaries-General. Before joining NATO, he was associated with non-governmental organisations active in inter-parliamentary cooperation, adult education, development and youth work as well as refugee resettlement.

Eleanor Pavey is ISSAT's training coordinator. Within ISSAT, she assists in the design and development of core training packages as well as SSR training material for multi-lateral organizations such as the UN. She is also responsible for developing a strategic plan to handover training packages to ISSAT members and to roll out ISSAT training in coordination with members of the Association for Security Sector Education and Training (ASSET). Prior to joining ISSAT, Eleanor worked as a consultant at the Best Practices Section of the United Nations Department of Peacekeeping Operations in New York. She has also worked with the Department of strategic affairs of the French Ministry of Defence and at the French Institute for International Relations (IFRI) in Paris.

Alexander Mayer-Rieckh is an expert in post-conflict public sector reform with a particular focus on integrity enhancement of personnel and structures, and with over fourteen years of work experience in countries emerging from conflict. From 2003 to 2008, he was the Director of the Security System Reform Program at the International Center for Transitional Justice. Mr. Mayer-Rieckh was the Chief of the Human Rights Office of the UN Mission in Bosnia and Herzegovina and worked for the United Nations in Geneva, Rwanda, Ethiopia and Eritrea, and East Timor. In 2003, he was the recipient of a fellowship at the Center for Civil and Human Rights, University of Notre Dame Law School, where he conducted research on vetting of public employees in transitional contexts. His publications include "The United Nations and East Timor: From Self-Determination to State-Building," *International Peacekeeping* Vol.12 No.1 (Spring 2005) (co-authored with Ian Martin); *Justice as Prevention. Vetting Public Employees in Transitional Societies* (New York: Social Science Research Council, 2007) (co-edited with Pablo de Greiff); *Census and Identification of Security Personnel after Conflict. A Tool For Practitioners, Revised Edition* (New York: International Center for Transitional Justice, 2009) (co-authored with Serge Rumin and Arezou Azad). Mr. Mayer-Rieckh obtained his B.A. in philosophy at the Hochschule für Philosophie in Munich, his M.Div. at the Weston School of Theology in Cambridge, Massachusetts, and his Masters in Law at the Universities of Vienna and Salzburg.

Heinz Vetschera (LL.D, Ph.D), Brigadier General (Res.) was born on 19 March 1948. He studied law and political science at the University of Vienna. Since 1972, Mr. Vetschera has been researcher and instructor/lecturer at the Austrian National Defence Academy with study periods as research fellow at the International Institute for Strategic Studies, London, and the Institute for East-West-Security Studies, New York. Since 1998, he is Universitätsdozent (adjunct professor) at the University of Vienna. Assignment with international organizations include: 1991-1995 Senior Assistant to the Director, CSCE/OSCE Conflict Prevention Center, Vienna; two assignments with the OSCE-Mission to Bosnia and Herzegovina, (1996-1997 and 2002-2003), participated in Defence Reform 2003; since 2007/11 academic lecturer, Peace Support Operations Training Centre (PSOTC), Sarajevo.

Eric Westropp has split his working life between the British Army and the private security sector. Until recently he was on a committee of the British Association of Private Security Companies (BAPSC) and is currently on an International Board of Trustees of Cranfield University which has been formed to oversee the Cranfield Masters programme in Security Sector Management. He is a non-executive director of 3 security related companies. In addition he has been a private sector advisor to the Swiss Government and the International Committee of the Red Cross (ICRC) for their initiative which culminated in the Montreux Document published last October. He provides advice for organisations contracting private security on the website of the Geneva Centre for the Democratic Control of Armed Forces (DCAF). He also worked in partnership with the NGO Saferworld to produce the Sarajevo Guidelines for security companies operating domestically in the Balkans.

Alex Martin is a Director of Libra Advisory Group Ltd, which specializes in security and justice sector reform and post-conflict development. Since 2007 he has been Team Leader of a major UK-funded programme of management development and institutional reform in the Iraqi Interior Ministry. Alex spent his early career as an officer in the British Diplomatic Service, and has expertise in security policy, strategic planning and the institutional reform and management development of security organisations; and experience in training, personnel and recruitment in the security sector.

Hon Justice **Teresa Doherty** C.B.E. comes from Northern Ireland. She returned to study law in Belfast after working as a civil servant and as a volunteer in Zambia, and worked in legal aid clinics in “no go areas” of Belfast as a student in early 1970s. She worked in Papua New Guinea from 1976-1987 first in the Public Solicitor’s (public defence) office and as provincial legal officer for Morobe Province. While Provincial legal officer she continued to do legal aid work and made several Constitutional rights challenges in the courts. She was the first woman to be elected as a councilor of the Papua New Guinea Law Society. She was appointed as the Principal Magistrate for the Momase region of Papua New Guinea in 1987 and as National and later Supreme Court judge in 1988, the first woman to hold any high judicial office in the South Pacific Islands Region. In 1998 she returned to private law practice in Northern Ireland, where she worked until 2003. From 2003-2005, Judge Doherty has served as a Judge of the High Court and the Court of Appeal of Sierra Leone. Appointed by United Nations, she presently serves at the Special Court for Sierra Leone (the international war crimes tribunal for Sierra Leone), having been twice presiding judge of trial chamber II, currently in the Hague in the trial against Charles Taylor, former president of

Liberia. She is a commissioner for Life Sentence Review Commission for Northern Ireland, part time chairman of Appeal Services, member of the Commonwealth Reference Group for the promotion of the Rights of Women and the Girl Child and has worked on consultancies in various countries in Africa and Asia.

Uju Agomoh (PhD) is the Executive Director of PRAWA which is a non-governmental organization focusing on security sector, justice sector, prisons and penal reforms issues and social development. She is also a member of the Steering Committee of the African Security Sector Network (ASSN), member coordinating committee of the Association of Security Sector Education and training (ASSET), board member International Corrections and Prisons Association (ICPA) and serves as the Chair ICPA Developing Countries Committee. She has served as a member of the National Human Rights Commission of Nigeria (NHRC) and was the Commission's Special Rapporteur on Police, Prisons and Centers of Detention (2001 - 2008) and is also a member of the Presidential Committee on Prerogative of Mercy Committee of Nigeria (2006 - to date). Dr. Agomoh's several academic degrees include LLB Law (Queenmary & Westfield College, University of London, England), M.Phil Criminology (University of Cambridge, England) and PhD Criminology/Prisons Studies (University of Ibadan, Nigeria). She has personally carried out over 100 prison visits/monitoring activities involving several countries such as Ghana, Rwanda, Nigeria, Sierra Leone, Liberia, Mozambique, South Africa, Zimbabwe, Kenya, Malawi, Swaziland, The Gambia, UK, Netherlands, USA, Czech Republic, Thailand, and China.

Kurt Meissner was born on 23 January 1962 in Linz (Austria). He joined the Austrian Armed Forces in 1980. Currently he is holding the position as desk officer for Security Sector Reform (SSR) and Disarmament, Demobilisation and Reintegration (DDR) in the Austrian Armed Forces Arms Control Verification Centre in Vienna. Before that posting he was instructor for Peace Support Operations related training in the Austrian Peace Support Training Centre. His missions abroad were 1989-1991 on the Golan Heights as member of the UN Peacekeeping Force monitoring the ceasefire between Syria and Israel, 1992-1993 in Cambodia as UN Military Observer and 1993-1994 as UN Military Observer in Rwanda. He attended a number of Peace Support, Arms Control, SSR and DDR related courses and seminars as well as having been instructor on PSO courses in Austria, Germany, Canada and Turkey.

Klaus Michael Storn was born on 14 September 1958 in Vienna (Austria). He joined the Austrian Armed Forces 1979. Currently he holds the position as a Head of Section for Security Sector Reform (SSR) and Disarmament, Demobilisation and Reintegration (DDR) in the Austrian Armed Forces Arms Control Verification Centre in Vienna. Before that posting he was instructor in the Austrian Armed Force Motor Transport School. His missions abroad were 1989-1991 and 1993-1994 on the Golan Heights as member of the UN Peacekeeping Force monitoring the ceasefire between Syria and Israel, 1998-1999 in Western Sahara as UN Military Observer, 2000-2001 in KFOR as an Airport Liaison Officer in Thessalonki, Greece and 2004-2006 on Civil Affairs matters in the UN Peacekeeping Mission in Cyprus.

Colonel **Pascal Schumacher** is a police officer in the Luxemburgish National Police. He has an advanced university degree in sociology, criminology and criminal law. During his 20-year career he has amassed a wide range of both national and international experience. He was assigned to

several administrative and operational key positions in the Luxemburgish National Police ranging from Regional Commander to General Secretary. He gained international experience within EUJUST Lex Iraq and was appointed to Chief of Operations of the European Union Border Assistance Mission in Rafah (EUBAM Rafah) after the Israeli disengagement end of 2005 and could participate to the successful operations at Rafah Crossing Point until summer 2006. More recently he became Justice and Home Affairs Counsellor at the Luxemburgish Permanent Representation to the European Union as well as a member of the Europol Management Board. From there he was invited to take the position of Deputy Head of Mission / Chief of Staff of the (EUBAM). EUBAM Rafah is a neutral 3rd Party monitoring/mentoring operation to enable the functioning of the Rafah Crossing Point on the Egypt/Gaza border. He joined EUBAM at a difficult time, just after the Israeli 'Operation Cast Lead' in Gaza. The Mission is politically very sensitive. Despite having had its operations suspended for 2 years, the issue of the Rafah Crossing Point remains crucial, and the Mission remains ready to redeploy as soon as the situation allows.

Victoria Walker is a Security Sector Reform advisor with the International Security Sector Advisory Team (ISSAT) based at the Geneva Centre for the Democratic Control of Armed Forces (DCAF), providing assistance on SSR assessments, programme design, M&E and training & capacity building. Prior to the ISSAT, Victoria worked in several EU civilian crisis management missions and was a commissioned officer in the British Army. She has worked in Albania, Indonesia, Guinea Bissau, Kosovo, Bolivia and the DRC. Victoria has a law degree, an MSc in development management, an MA in social science and is just finishing an MSc in security sector management at Cranfield University in the UK.

Brigadier General **André Defawe** looks back to military career which has started at the Royal Military Academy (RMA) in Brussels in 1972. As first international assignment, in September of 1995, then Lieutenant-Colonel Defawe became the commander of a regiment in operations under the United Nations' Flag in the Former Yugoslavia (BELBAT XI). Between August and November 1997, he was posted in Vukovar (Former Yugoslavia) as Chief of the "Joint Operations Center" at the UN Headquarters for Operation UNTAES (United Nations Transitional Administration for East Slavonia). From 1997-2001, he held various positions, including a teaching post at the Belgian Staff College, a position as Director of military education at the Royal Military Academy, and finally as Chief of the Defence Plans' Section at the Belgian Joint Staff. Promoted to Brigadier General in June 04, André Defawe was appointed as Deputy Chief of Staff for Operations at the Allied Land Component Command HEIDEBERG (NATO Headquarters) – GERMANY. During this appointment he was nominated as NATO/SACEUR's representative to the African Union in order to organize and to command the NATO Support Mission to the African Union Mission in SUDAN (DARFUR) (Jun 05-Nov 05). In May 07, after three years in Germany, Brigadier General Defawe was nominated as Belgian Representative to the Structure Militaire d'Intégration (Democratic Republic of the Congo) and advisor to the Chief of Staff of the Armed Forces of the Democratic Republic of the Congo. In September 08, after his retirement, Brigadier General (ret) André Defawe was selected and nominated as Deputy Head of Mission of the European Mission in DR Congo (EUSEC DR Congo), mission deployed in support of the reform of the Armed Forces.

List of Participants
Course on Security Sector Reform (SSR)
 Stadtschlaining, 6 – 14 June 2009

	NAME	S	CITIZENSHIP Residence (if different)	EDUCATION	PRESENT POSITION (PK/PB RELEVANT EXPERIENCE)
1.	BRABANT, Serge	m	Belgium	MA Military and Social Sciences, Royal Military Academy, Brussels, Belgium	Desk Officer, Defence Staff – Department Strategy – Section Defence Policy – Desk European Union, Brussels, Belgium
2.	BUIK, Christoph	m	Germany	MA Deutsche Hochschule der Polizei	Ministry of the Interior, Germany
3.	DEDIU, Emil	m	Moldova	PhD Law, State University of Moldova, Chisinau	Counsellor, MFA, Chisinau, Moldova
4.	FILLAUD, Myriam Helene Chantal	f	France Res.: Kosovo	MA Human Rights, Humanitarian Law, University of Caen Basse Normandie, France	Assistant to Head of Justice, EU / EULEX, Pristina, Kosovo
5.	HORN, Dominik	m	Austria	MA Political Science, Portuguese and Spanish, Paris Lodron University of Salzburg, Austria	Head of the CIMIC Section in the Operations Planning Division, Ministry of Defence, Vienna, Austria
6.	KHUDAYBERGANOV, Nodir	m	Uzbekistan	PhD Diploma, Tashkent State University of Economics, Uzbekistan	National Project Officer, OSCE Project Co-ordinator in Uzbekistan, Organization for Security and Co-operation in Europe (OSCE), Tashkent, Uzbekistan
7.	KLONOWIECKA-MILART, Agnieszka Maria	f	Poland Res.: Afghanistan	MA Law, Maria Curie-Skłodowska University in Lublin, Poland Judicial Diploma, Circuit Court Lublin, Poland	Senior Criminal Law Reform Expert, UN Office on Drugs and Crime (UNODC CO), Kabul, Afghanistan

	NAME	S	CITIZENSHIP Residence (if different)	EDUCATION	PRESENT POSITION (PK/PB RELEVANT EXPERIENCE)
8.	LEZLIU, Arben	m	Serbia and Montenegro / Kosovo	Third Year of Law studies, University of Prizren, Kosovo	Human Rights Assistant, Security Monitoring Section, OSCE, Regional Centre Prizren, Kosovo
9.	MANCINI, Andrea	m	Italy Res.: Austria	MSc. Development Studies, London School of Economics, Great Britain	Programme Co-ordinator, Asia and Europe Section, Division for Operations, UN Office on Drugs and Crime (UNODCO), Vienna International Centre, Austria
10.	MEISSNER, Kurt	m	Austria	SSR Course, Folke Bernadotte A., Sweden	Desk Officer, Austrian MODS Verification Centre, Vienna, Austria
11.	MLAMBO, Norman	m	Zimbabwe Res.: Ethiopia	PhD History, University of Cape Town, South Africa	Expert-Common African Defence and Security Policy, African Union Commission, Addis Ababa, Ethiopia
12.	MUKUNGU, Allan Cuthbert Kenneth	m	Great Britain Res.: Australia	PhD, University of Westminster, London, UK	Security Sector Support Officer, Economic Adviser, United Nations Mission in Timor-Leste (UNMIT), Darwin, Australia
13.	MUSAVENGANA, Takawira Rinos	m	Zimbabwe Res.: South Africa	MA Public and Development Management, University of Witwatersrand, Pretoria, South Africa	Senior Researcher, Security Sector Governance, Institute for Security Studies (ISS), Pretoria, South Africa
14.	NALTAKYAN, Susanna	f	Armenia	MA Jurisprudence Moscow Law Institute, Russia Train the Trainers Course on International Human Rights and Humanitarian Law, Tbilisi, Georgia	National Politico-Military Officer, OSCE Yerevan Office, Armenia
15.	NGAPNA, Halidou J.	m	Cameroon Res.: France	MA Human Rights, Human Rights Institute of Lyon, France	Representative for Europe and Human Rights Consultant, International Club for Peace Research (ICPR), Lyon, France

	NAME	S	CITIZENSHIP Residence (if different)	EDUCATION	PRESENT POSITION (PK/PB RELEVANT EXPERIENCE)
16.	SCHMERTZING, Leopold	m	Austria	MA Economics and Strategic Studies, Johns Hopkins University SAIS	JP, Austrian Federal Ministry for European and International Affairs, Vienna, Austria
17.	SCHNEIDER, Heinz Martin	m	Austria Res.: Kosovo	Ongoing (Security and Safety Management), Donau University Krems, Austria	Section Chief of Public Safety Development Section, OSCE Mission in Kosovo, Department for Security and Public Safety, Pristina, Kosovo
18.	STORN, Klaus Michael	m	Austria	DDR Course, NODEFIC, Norway	Head of Section, Austrian MODS Verification Centre, Vienna, Austria
19.	SULIEMAN, Nizar Alnour	m	Sudan Res.: Ethiopia	MSc. Peacekeeping Management, University of Torino, UN Staff College, Torino, Italy	Senior Advisor for Counter-Terrorism Program (ICPAT), Intergovernmental Authority for Development (IGAD – Ethiopia, Sudan, Djibouti, Kenya, Uganda, Somalia), Addis Ababa, Ethiopia (Nov. 2008 to May 2009)
20.	TEIXEIRA, Marco André Moreira de Sá Assunção	m	Portugal	MA Deviant Behavior (Crime, Violence and Victims), Oporto University, College of Education Sciences and Psychology, Porto, Portugal	Second in Command of The Criminal Investigation Division, Public Security Police, Porto, Portugal
21.	TRAJKOVIC, Jelena	f	Serbia	Law Faculty, Vranje, Serbia	Human Rights Assistant, Security Monitoring Section, OSCE Mission in Kosovo, Gnjilane, Kosovo
22.	WINCKLER, Henri	m	France	MA German, Strasbourg III, France MA English, Paris, Sorbonne, France	Kosovo Protection Corps KPC, Head of Operations, UN P5 International Staff, United Nations Mission in Kosovo (UNMIK), Pristina, Kosovo (July 2004 to February 2009)
23.	WULFING, Monica	f	Sweden	MA Political Science, Uppsala University, Sweden	SSR Desk Officer, Folke Bernadotte Academy, Stockholm, Sweden

Peace Center Burg Schlaining

The *Peace Center Burg Schlaining* consisting of the Austrian Study Center for Peace and Conflict Resolution (ASPR) and the European University Center for Peace Studies (EPU) is situated in the medieval town of Stadtschlaining/Austria.

The ASPR was founded in September 1982 as an independent, non-profit and non-partisan organization with the aim of contributing to the world-wide promotion of peace and peaceful conflict resolution on all levels. Programmes organized by the ASPR include the International Civilian Peace-keeping and Peace-building Training Program (IPT).

The EPU, established in 1988, is an international organization with UNESCO status. Its programmes enjoy university status according to Austrian law. The EPU offers graduate and post-graduate study programmes in peace and conflict studies in English.

Both institutions conduct joint research programmes on peace policies, development issues and practical conflict transformation and were awarded the 1995 UNESCO Prize for Peace Education.

In 1997 the EPU's UNESCO Chair on Peace, Human Rights and Democracy was established which organizes, *inter alia*, subregional UNESCO seminars as a Permanent Forum on Education for a Culture of Peace and Human Rights.

ISSN 1027 - 1430

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