



**SECURITY SECTOR REFORM:
THEMATIC LITERATURE REVIEW ON
BEST PRACTICES AND LESSONS LEARNED**

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FOREWORD

Security sector reform (SSR) aims to support the development of “effective, inclusive and accountable security institutions so as to contribute to international peace and security, sustainable development and the enjoyment of human rights by all.” Achieving these normative goals is a long-term, complex, and political process. To be durable and effective, security sector reform must address sensitive and often contentious questions, including what the most critical security needs are, what the security sector “should” be to best meet those needs, and how to get there. In practice, conflicting approaches and priorities among international, national, regional, national, and local actors has led to ad hoc, inconsistent, and uncoordinated SSR implementation. Given its lofty goals, security sector reform in practice has far to go.

Policy and guidance materials on security sector reform programming have proliferated in recent years, articulating multiple approaches and practices scattered across governments, organizations and scholarly sources. This book grows out of the findings of the Stimson Center’s SSR Best Practices and Lessons Learned Repository project, which surveyed SSR policies and practice across governments, international organisations, and non-governmental and civil society organizations with the aim of bridging policy and lessons learned through a comprehensive literature review and interviews with SSR experts. The resulting repository of policy and practice includes more than 600 documents; a thematically indexed spreadsheet of 193 key documents describing SSR policy, guidance, and case studies; and the six practice notes contained in this book. The six areas of focus for the repository and the notes were identified by the SSR Unit in the Office of Rule of Law and Security Institutions, UN Department of Peacekeeping Operations, as areas needing analysis to support the development of consistence guidance to field operations.

The quest for a comprehensive and consistently applied framework for SSR must be balanced against the need for context specificity in its application. The repository and the practice notes therefore aim not to prescribe specific actions but to offer tools and processes to assist decision-makers and insights on how to proceed. Case examples and lessons learned may be viewed as options and may reflect what not to do, what to be aware of, or what to consider in planning as well as what has worked or proved useful.

The repository and practice notes recognize the multiple limitations of security sector reform: first, that it faces immense challenges of coordination and coherence and, second, that no state is ever likely to model every best practice that can be conceived. But the notes also recognize that many leaders are committed to reform, that their populations demand improved security, and that the transformation of security forces and their supporting institutions from what they are into what they could be is a matter of meeting challenges posed by lack of capacity, resources, and expertise. These notes pull together the possibilities.



SECURITY SECTOR REFORM IN STABILIZATION ENVIRONMENTS: A NOTE ON CURRENT PRACTICE¹

By Madeline England

DEFINITIONS AND FRAME OF ANALYSIS

This practice note focuses on planning and implementing security sector reform (SSR) activities in stabilization environments. Stabilization environments are characterized by circumstances related to descent into, continuation of, or emergence from conflict in which the physical security, economic, political, and humanitarian needs of the population are often far greater than the resources available to meet them.² In addition to the challenges of SSR in any context (e.g., shifting power dynamics, limited resources, reconciling donor and host state priorities), SSR in stabilization environments faces challenges exacerbated by the context: security (ongoing threats to civilians and the state), governance (weak state capacity, fragmented authority, destroyed infrastructure), and social fragmentation (divisions within and among communities) (Hansen, DCAF, 41). As the degree of “permissiveness” increases, in a gradual and uneven process, long-term security sector reform programming may be developed in consultation with host state stakeholders and implemented.

Given the variation in possible stabilization environments, the literature on SSR and stabilization focuses on decision-enabling and planning tools for SSR assistance providers (e.g., maintaining flexibility, adjusting expectations, options for engaging with non-state actors, and setting the preconditions for long-term SSR) and on building the capacity of local actors to support decision-making and ownership. SSR must be able to seize windows of opportunity, respond quickly, and adjust appropriately to the context, to changing power dynamics, and to unintended consequences of SSR initiatives.

¹ This practice note is a part of the SSR Best Practices and Lessons Learned Repository, a project which the Stimson Center conducted at the request of the Security Sector Reform Unit in UN DPKO’s Office of Rule of Law and Security Institutions. The SSR Repository was made possible with support from the United Kingdom’s inter-agency Strategic Support for International Organisations (SSIO) program. The views expressed in this note are those of the author and the Future of Peace Operations program at the Stimson Center, and do not necessarily reflect the views of the UN SSR Unit or the UK SSIO program.

² Most of the literature, however, focuses on SSR in environments emerging from conflict or ongoing conflict with a peace agreement in place. In the case of emergence from conflict, this note assumes a peace agreement is in place.

Stabilization environments should be distinguished from stabilization interventions.³ Stabilization interventions are the processes that aim to prevent or reduce violence and set the preconditions for long-term development. The scope of such interventions, which may involve military action and encompass political, economic, social, humanitarian, and security activities, is much broader than that of security sector reform. SSR in stabilization environments likely will be part of a stabilization intervention, and the activities of one will impact the other (United States, 2008, 6.4). Therefore, when initiated during a stabilization intervention, SSR strategy and programs should be planned in conjunction with, and coordinated with, such interventions.

This practice note follows this lead and discusses ways of adjusting SSR programming, as stressed in other practice notes in this series, to the realities of the field environment. The five other practice notes work from the assumption that a permissive to semi-permissive environment exists in which there is space—albeit limited—for engagement and a state—albeit weak and/or rife with corruption—with which to engage. This note works from the assumption of attempting to implement SSR in a state with a collapsed government, or government in which capacity is so low that international assistance has no choice but to shoulder functions of the state temporarily, at multiple levels, under Security Council mandate; informal security and justice providers dominate the provincial and district levels; and/or government action may have triggered the crisis with serious and wide-scale abuses of human rights. This environment necessitates a substantial adjustment of SSR objectives, from what is ideal to what is feasible, and a careful sequencing of SSR with other stabilization activities, all based on a detailed analysis of the context that is frequently updated.

Any host state security sector actors—statutory security forces, civil management and oversight bodies, justice and rule of law institutions, and non-state actors—may have a role in planning and implementing SSR in stabilization environments. Their respective roles, however, will depend on their leadership, commitment to reform and ownership, and whether they themselves need to be (re)built, transformed, or to develop existing capacities. At least in the initial stages, international military assistance may take on a larger role than civilian actors. At minimum, a stabilization environment that involves international intervention likely will have a significant international presence that affects the SSR process.

Bodies authorized to use force (“security forces”) are statutory security forces (regular armed forces of the state such as army, navy, coast guard, marines/marine infantry, and air forces); state-sponsored paramilitary forces (gendarmerie or equivalent, and border security forces); customs, and immigrations services, police, presidential guards, intelligence and secret services, prison services, coast guards, reserves or local security units (national guards, militias), or any other security services with a state mandate to use force (Ball et al., 2004, 2.2; Hanggi, 10).

Civil management and oversight bodies include statutory executive and legislative bodies as well as customary and traditional authorities. Executive bodies include the president and/or prime minister, national

3 Doctrine and guidance in this area have been elucidated primarily by the United Kingdom, using the term “stabilization interventions,” and the United States, which prefers “stability operations.” The United Kingdom’s Stabilisation Unit defines stabilization interventions as “support to countries emerging from violent conflict in: preventing or reducing violence; protecting people and key institutions; promoting political processes that lead to greater stability; and preparing for longer term non-violent politics and development” (United Kingdom, 2008b, 8). The United States defines stability operations as including reconstruction and stabilization: “Reconstruction is the process of rebuilding degraded, damaged, or destroyed political, socioeconomic, and physical infrastructure of a country or territory to create a foundation for long-term development. Stabilization is the process by which underlying tensions that might lead to resurgence in violence and a breakdown in law and order are managed and reduced, while efforts are made to support preconditions for successful long-term development” (United States, 2008a, 1.12). This note uses the term “stabilization interventions” for consistency. The United Nations also engages in multi-dimensional peacekeeping operations as a form of intervention in stabilization environments. Because there is a lack of guidance on planning for SSR in stabilization environments, reference to the broader topic of stabilization interventions is included here where relevant.

security advisory bodies, ministries of defense, interior, foreign affairs, and justice, other ministries that may affect security matters (transportation, immigration, agriculture), financial management bodies (finance ministries, budget offices, financial audit and planning units), and any other civilian authorities that direct, manage, and oversee the security forces. Legislative bodies include parliament or the legislature and select parliamentary or legislative committees overseeing the security forces and security policy. This category also includes independent oversight bodies (auditing boards, anti-corruption agencies, and procurement agencies), and statutory civil society organizations (public complaints commissions and civilian review boards), which are financed by the government, but maintain complete independence in decision-making and report only to parliament (Hanggi, 10; Ball et al., 2004, 2.2).

Justice and rule of law institutions include criminal investigation and prosecution services, civil and criminal courts and tribunals, military courts and tribunals, and customary and traditional justice institutions; ombudspersons and human rights commissions; and corrections systems. Formal justice institutions are the primary statutory bodies responsible for legal accountability of the security sector, upholding the constitution, rule of law, and respect for human rights (Ball et al., 2004, 2.2; Hanggi, 10; OECD, 2007, 113).

Non-statutory security forces or armed groups include liberation and guerrilla armies, private bodyguard units, political party militias, private security companies, non-statutory paramilitaries, civil defense forces, local and international criminal groups, and any other non-state groups with the capability to use force but without a mandate (DCAF, 2009, 2–3; Ball et al., 2004, 2.2).⁴ These have varying degrees of legitimacy, and some of them (private security companies, or civil defense forces) may provide effective security and, as with non-statutory justice providers, may have more public legitimacy than statutory security forces (United States, 2003, 6-4; Baker and Scheye, 512).

Non-statutory civil society includes professional organizations, research and policy analysis organizations, the media, political parties that may affect security policy, the business community, advocacy organizations, religious organizations, concerned public, and other non-governmental organizations involved in monitoring and/or evaluating the security and justice sector, providing policy analysis or advice, disseminating information and raising public awareness about the security and justice sector (Hanggi, 10; Ball et al., 2004, 2.2).

CORE PROGRAM DESIGN ISSUES

The scope of SSR is defined by the context, especially in stabilization environments. Those seeking to provide assistance should first determine if the timing and conditions are appropriate to support SSR. Making that decision requires an assessment of context and mutual understanding of the roles that international actors and host state (formal and informal) actors would take in the reform process. If the decision is taken to proceed, program design should include coordination mechanisms with all stakeholders, and SSR should be carefully coordinated with other activities undertaken in a stabilization environment.

Is SSR appropriate?

Stabilization environments require a substantially different approach and analysis from other prospective environments for SSR, in particular shifting focus from an ideal, holistic approach to what is feasible under specific circumstances. These circumstances may even be enabling: If host state security sector actors,

⁴ Some bodyguard units or private security companies may have a state mandate and should be considered as part of security forces in such situations.

and particularly leaders within institutions, are willing to engage and are committed to reform, substantial progress may be made, as a severe governance crisis may both demonstrate clearly the need for reform and persuade local parties—inside and outside government—of its value. Moreover, “the early establishment of structures and mechanisms to protect and regulate public administration...can be a crucial confidence-building step,” and “[e]xisting inter-agency mechanisms help to ensure that security considerations are addressed at early stages” (United Nations 2008, A/62/659, para. 10).

However, shifting power balances and alliances, constant threats faced or posed by statutory or non-statutory security forces, and humanitarian crises constantly affect the stabilization environment. Those providing assistance may be so consumed with meeting these needs, establishing a modicum of security for civilians, and earning respect from and building legitimacy with the population—with limited resources—that sustainable reform or rebuilding of the security sector is an ideal impossible to realize (author interviews). Stabilization environments may thus limit initiatives to establishing the preconditions and foundations for long-term SSR.

Considerable debate, therefore, focuses on whether security sector reform *can* take place in stabilization environments, due to the changing landscape and concentration of resources on crisis management. Equally contentious is the debate on whether SSR *should* take place, since reform may empower illegitimate actors. In many contexts, it is only after basic stability has been achieved, including the completion of disarmament and demobilization, the return of refugees, the completion of emergency humanitarian operations or the election of a new national government, that substantial political attention and resources can be directed to security sector reform (United Nations 2008, A/62/659, para. 27).

Although many argue that there is no option but to begin transforming the security sector, to better enable the state to deal with threats (author interviews), stabilization interventions are frequently resource-limited, with a very short focus on technical assistance and defense sector train-and-equip programs, rather than longer-term institution-building and governing oversight. Therefore, SSR priority assessments may find that the timing and conditions for SSR are simply not right during a stabilization intervention and that in some cases it is reasonable to await the formation of legitimate government before attempting to determine the appropriate size of security forces and the focus or scope of SSR programming.

Decision-makers should also understand four implications of undertaking SSR in a stabilization environment that differ substantially from other environments. First, although a comprehensive approach and strategy is recommended to promote SSR effectiveness and sustainability, it is often impossible in stabilization environments for a variety of reasons.⁵ Limited resources and capacity of either the host state or international actors may require addressing other immediate needs first. Beleaguered host governments may resist a comprehensive approach as a donor agenda, or prefer to focus on particular institutions or needs prior to development of an SSR strategy (Powell, CENAP/NSI 2007, 22–23; Hendrickson, 2007, 30–31). The demands of stabilization environments or the mandate may require engagement on other needs. Therefore, those arriving in country should identify needs, priorities, context, and key elements that will contribute to the development of a strategy at a later stage (e.g., potential partners, noting how those

⁵ A comprehensive approach is discussed in more detail in the practice note on governance and oversight. Such an approach is not a comprehensive engagement of the entire security sector but a comprehensive *review* to determine priorities and sequencing (Ball et al., 2007, 8). It requires balance where SSR does engage: between governance and operational effectiveness, between decentralized local government bodies with centralized government, and between the components of a particular function (e.g., for justice: police, courts, and prisons). With SSR being a multi-dimensional challenge, an “integrated security sector strategy and policy framework” is essential for “sound programmatic—e.g., on force sizes, equipment—and public expenditure decisions” and sequencing and integration of issues during design and implementation (Collier et al., 2006, 67).

partners are viewed by local communities; system-wide needs; issues or actors that contribute to instability; and appropriate degrees of decentralization) (Ball et al., 2007, 9). Ad interim, the elements of a stabilization strategy should be adjusted as the environment changes and contextual understanding deepens. Indeed, a fully comprehensive strategy at an early stage in stabilization environments may be detrimental to the degree of flexibility needed to cope with a constantly changing environment (Albrecht and Jackson, 2009, 7). A major challenge for SSR in stabilization environments is supporting short-term activities to create space for long-term planning without limiting future opportunities and jeopardizing long-term goals (Ball et al., 2007, 9).

Second, although a goal of SSR is to make the security sector fiscally sustainable, undertaking SSR in a stabilization environment may require an increase in security sector resources far beyond what the national economy can afford, either to adequately address threats and establish rule of law, or to complete (re) building of the security sector. Afghanistan's defense sector, for example, in 2004–2005, cost 293% of domestic revenue and 13% of GDP (Hodes, 2007, 55), while Sierra Leone was forced to downsize its security sector in years following the military integration due to inability to pay salaries (author interviews). In the short term, international actors can support expansion, but program design and implementation should anticipate and plan that, as support tapers off, states may have no choice but to downsize the level of security forces, as happened in Sierra Leone. If economic development—itself a long-term endeavor—has not occurred in tandem with SSR, unemployed security forces will have few economic opportunities and will be a source of instability. The obvious policy implication would be to coordinate SSR with economic stabilization activities and development, discussed in more detail, below. To understand the implications of these SSR resource decisions, and facilitate ownership and build capacity, a ministry of finance, once established, should participate in all SSR resource decisions and understand the short, medium, and long-term implications (OECD 2007, 104–105). Building capacity to assimilate security costs into the national budget also requires full transparency, cooperation, and planning in terms of off-budget support from the international community (OECD 2007, 104–105). One of the key challenges in Afghanistan's security expenditure management reform, for example, has not been a lack of security sector understanding by parliamentarians but that a majority of the security sector's "budget" is off-budget, often because donors "fear ministerial incompetence" (Fair and Jones, USIP 2009, 30). It is also parceled according to donor timelines, making it difficult to build capacity, assess comprehensive long-term costs, and evaluate particular programs (author interviews).

Third, although locally owned SSR processes in which donors support host state initiatives are preferred, local ownership in a stabilization environment may be difficult to generate. The two main obstacles to local ownership are "unwillingness or a lack of capacity to drive change." Local actors may be neither willing nor able, willing but not able, or able but not willing (Hansen and Wiharta, FBA 2007, 8). In some cases, international actors may be forced to make sensitive security decisions in place of a host state; they should be given the mandate and resources to make decisions.

Fourth, although states "define and pursue security according to their particular contexts, histories, cultures and needs" and "no single model for a security sector exists," the end state of SSR is a security sector with a monopoly on the legitimate use of force subject to principles of good governance, including accountability, respect for human rights, and civilian control (United Nations 2008, A/62/659, para. 14–17). This goal is based on a Weberian (Western) concept of the state that may not exist for a state in a stabilization environment, which is rarely, and may not have ever been, the primary security and justice provider for those under its nominal sovereign jurisdiction. A common polity that transcends tribal, ethnic, or religious

loyalties and bestows legitimacy through representative institutions may not exist and civil society as an agent for holding the state accountable for its actions may never have developed (Egnell and Halden, 2009, 33–41). In many SSR processes, “deep-seated differences in state structures between Western countries and host countries are missed because of what may seem like similarities in formal organisation and assumptions that the latter can be reformed, reconstructed or enhanced as if they were indeed Western” (Egnell and Halden, 2009, 36). The existence of statehood matters less for SSR success than how entrenched (or not) state structures are, and the strength of state control matters less than its engagement with society and the ability of society to influence it (Egnell and Halden, 2009, 46). To achieve SSR goals, therefore, governance and oversight—the defining aspects of SSR that differentiate it from traditional security sector assistance—need to develop organically via state control, legitimate government, civil society engagement, and democratization. This emphasizes the profoundly long-term perspective of SSR since “historically, these developments were preconditions of each other” rather than synchronic developments, as is often stated as necessary for successful SSR (Egnell and Halden, 41). It also emphasizes the extreme danger of generating short-term gains in the operational effectiveness and efficiency of security forces without also establishing some form of interim accountability.

Assessment of Context, SSR Needs and Capacities

The space available for SSR will greatly depend on the context. SSR actors should have a detailed and regularly updated analysis of the context, including conflict and threat assessments and needs assessments.[□] These should be considered for mission needs (risks) as well as security needs of the host state.

If policy makers decide to undertake SSR in a stabilization environment, it should be informed by a needs assessment that includes security challenges and provides a contextual understanding of the mission and conflict. A realistic assessment is essential to avoid underestimating resources required for sustainable SSR and unrealistic expectations (on the part of program providers and recipients alike), and to set realistic benchmarks for later evaluation.

Security and justice needs and perceptions, and expectations of SSR, should be analyzed from four perspectives: national political stakeholders; local justice networks and informal security and justice providers; local citizens, residents, communities, and neighborhoods; and international actors with their own national interests (Ball et al., 2007, 4). SSR must balance these (sometimes competing) interests and integrate the various issues in design and implementation (Ball et al., 2007, 4). Collected information should include stakeholders’ attitudes toward development, institutional capacity—especially capacity to deliver services—justice and security needs of the end users, who currently meets those needs, quality of governance in the public sector, and financial and human resources available to support reform (Ball et al., 2007, 4).

Threat assessments and defense reviews, however, are often performed using military and civilian experts in security and independently of other post-conflict needs assessments (PCNA) (Middlebrook and Peake, 4). Often, the sensitive nature of the process requires limiting access to the detailed results, but ideally assessment results should be made available confidentially to budget offices and legislative committees

and subcommittees. In a stabilization environment, those bodies may not yet be sufficiently reconstituted or reliable managers of information to be trusted with much data, posing a dilemma for SSR managers that can only be resolved on a case-by-case basis.⁶ The assessments may also establish a baseline for future evaluation of program impact.

Since 2007, the PCNA has incorporated a better understanding of the security environment and conflict analysis into the needs assessment (UNDG and World Bank, 5). Although this may help limit unrealistic expectations during the reform (as happened with the 2001 Afghanistan Reconstruction Needs Assessment; see Middlebrook and Peake, 4; and ADB, UNAMA, UNDP, WB, 2004, 79), it is still insufficient for budget planning. The needs of the defense sector, as determined through a defense review or threat assessment, must be considered relative to the needs of other security sector actors as well as government-wide actors. This can only be done if needs are determined through a comprehensive assessment process, even if actual programming is selective or sequential, as dictated by the environment.

Roles of International Assistance Providers in SSR

The skills that international actors need to support SSR in stabilization environments are often drastically different from what they need in other environments. *Managing* a particular security institution, for example, requires an “entirely different set of skills” than building or restructuring the same institution (Scheye, DCAF 2008, 184). International actors should also understand their role when acting as transitional authorities, as well as military and civilian SSR operational capacities in stabilization environments.

International Actors as Transitional Authorities

All international actors prefer that transitional administration of collapsed states be the rare exception to the rule in international operations. Substantial resources are needed to support missions in which the state has broken down, as in the case of UN, NATO, and coalition operations in Kosovo and East Timor, or the large scale interventions in Afghanistan by the United States and NATO. Still, international actors could be given such responsibility again or choose to act under international treaty in a manner that triggers administrative obligations under international humanitarian law.

In situations where the international actor is the transitional authority, international actors must be prepared to rebuild local security forces while acting as the interim authority (Rees, UN DPKO PBPS 2006, 12).

The sequencing of returning authority and operational control to host nation security institutions must balance the need to develop local capacity and the need to generate ownership. If not initiated by the host state, ownership should be established and promoted as quickly as possible, and often one way of doing that is to learn by doing. Numerous evaluations have demonstrated that handing over authority, together with responsibility for credit and blame, is a means of generating ownership even if an international actor must provide extensive administrative support initially (Hansen and Wiharta, 20; Eric Scheye, 2008, 177). Generally, ownership will be stronger when established earlier rather than later. This requires, however, at least a minimal capacity or educational level to perform basic tasks—no small feat when a majority of a population may be illiterate. Mechanisms for transitioning authority often differ greatly by sector and may

6 This dilemma would be most acute in the initial stages of a stabilization intervention and/or a transitional government that emerges out of a power-sharing or peace agreement. If corrupt elements remain with the government through elections, security may necessitate keeping some data confidential and contained within the various ministries. But in some cases, SSR managers must accept that there is only so much they can do. Such is the case in Liberia, in which warlords from rebel groups MODEL and LURD became part of the transitional government and remain elected to the legislature. See William Reno, “Anti-Corruption Efforts in Liberia: Are they Aimed at the Right Targets?” *International Peacekeeping*, August 2008, Vol. 15 Issue 3, pp.387–404.

include sharing authority, consultative mechanisms, traditional power structures, engaging civil society, and building institutional capacity (Hansen and Wiharta, FBA 2007, 15–24). Kosovo’s corrections reform, for example, included a three-month training under UNMIK authority, three month co-working training, and three months under Kosovo Corrections Service authority with UNMIK support.

Roles of the Military in Stabilization Environments

Military forces may assume a more active role in SSR activities affecting the nonmilitary elements of the security sector. Ultimately, conditions of the operational environment determine the role of military forces (United States 2008, 6.4).

When the operational environment is characterized as non-permissive, military forces can expect to lead reform efforts. This reform may include establishing security, establishing civil control, and developing and enabling security forces. Any or all of these tasks may occur—as appropriate to the context—in three progressive phases: initial, transformation, and fostering sustainability (United States 2009, 4.2).⁷

During the initial phase, host state security forces are unable to provide minimum security and assistance focuses on helping to generate, train, or assist new or existing security forces.⁸ Interim civilian expertise is also needed to augment the military assistance, to provide the needed expertise to “develop local institutions to take the lead in national governance, the provision of basic services, fostering economic development, and enforcement of the rule of law” (United States 2009, 4.5). The context (e.g., threats, resources) and the form of civilian expertise (e.g., humanitarian agencies, provincial reconstruction team) will determine the degree of cooperation between military and civilian capacities. As security conditions improve, transition to the transformation phase begins (United States 2009, 4.4–4.5).

The transformation phase aims to stabilize the environment in a crisis state. Security forces may still need full-time advisors and support from international actors, but no longer “need a permanent relationship . . . for tactical operations” (United States 2009, 4.6). The objectives are to improve (as opposed to establish) security, reduce the threat to local populations, build (as opposed to establish) host state capacity in the security sector, and generate a comprehensive approach. Because the environment is more permissive, the possible range of activities is much broader than the three tasks of the initial phase, and reform may include post-conflict reconstruction, stabilization, and capacity-building efforts across the spectrum of stabilization interventions. An expanded civilian capacity from the initial phase is needed to perform tasks associated with the pillars of stabilization interventions (economic, humanitarian/social, political, and security). Although more permissive than the initial phase, military protection will often be needed for civilian actors. As security conditions improve, military support for SSR can expand its area of operations, with a corresponding augmentation in size as needed (United States 2009, 4.5–4.7).

When the military is operating as part of a broader stabilization intervention and is required to support SSR, it should be augmented with subordinate units whose sole focus is supporting security forces (e.g., military

7 The United Kingdom’s Ministry of Defense Joint Doctrine Publication 3-40, *Security and Stabilisation: The Military Contribution*, is scheduled to be published in mid-November 2009 and has a substantial section devoted to SSR. Once available, it will provide additional guidance from another donor government on military support for SSR in stabilization interventions. <http://www.mod.uk/DefenceInternet/MicroSite/DCDC/OurPublications/JDWP/JointDoctrinePublicationjdp340SecurityAndStabilisationTheMilitaryContribution.htm>

8 This section of the note focuses on program design and considerations for donor engagement in stabilization environments. As is emphasized in the “appropriateness of SSR” and “program planning” sections, as well as in other practice notes for governance and oversight of the security sector, management, defense sector reform, national security policies and strategies, and threat assessments that security sector institution-building is as essential as operational effectiveness. For a detailed study on institution building, see Hari Bucur-Marcu (ed.), *Essentials of Defense Institution-Building*. (Geneva: Geneva Centre for Democratic Control of the Armed Forces, May 2009).

transition or intelligence support). These units are often most effective when embedded with host state security forces (United States 2009, 4.9).

Once conditions are more permissive, other civilian SSR actors assume primary responsibility for their roles, allowing military forces to relinquish the lead. Initially, the presence of nonmilitary SSR partners may be limited, “requiring military forces to undertake tasks normally performed by other interagency and civilian partners. Even when nonmilitary SSR actors are present, the nature of the environment may require military forces to support those actors extensively as they undertake their respective aspects of SSR” (United States, 2008, 6.4–6.5). In certain stabilization environments, the military establishes security and control to enable other actors to initiate programming, effectively creating the security or humanitarian space, as appropriate. Military-created humanitarian space is of course an unacceptable operating environment for many humanitarian organizations, but stabilization environments may present no good alternatives for humanitarian action.

As the transition proceeds from initial to transformational and fostering sustainability, military primacy recedes, and other civilian agencies and development organizations come to the forefront. They apply their expertise other security sector actors and leave the military to focus on the host-nation defense sector (United States, 2008, 6.25). All of this of course pre-supposes progress in building a legitimate and stable host state government that is capable of assuming responsibility for growing elements of security from international assistance providers.

Roles of SSR Actors in the Host State

Issues involving host state SSR actors, discussed here, include identification of leaders and champions in host state institutions and the use of informal security and justice providers.⁹

Identifying Leaders/Champions in Host State Institutions

SSR should develop strong relationships with local leaders. This does not mean catering to local warlords, but rather “understanding local leadership structures, partnering with good actors, and marginalizing or changing the behavior of bad actors” (McNerney, 35). Determining good and bad actors and ways of influencing them are among the most difficult of SSR activities, and often use an ad hoc approach.

Institutional change can take years, even decades, and finding a leader who will champion a cause can make a drastic difference in SSR progress on institutional change. One of the key reasons for the operational effectiveness of Sierra Leone’s Office of National Security (ONS) was the professionalism and consistent presence of its leader throughout the reform process (author interviews). ONS was assigned a powerful role as the “nerve centre of Sierra Leone’s post-war security architecture” and managed to press for institutional reforms and better operational effectiveness (Ebo, 2006, 488). Peake and Marenin also emphasize that an SSR agenda can most effectively be advanced (in this case with respect to police) by finding

a champion within the institution whose practice/policy platform one is trying to alter. . . Reforms will not become effective unless they are part of the routine managerial practices of police administrators. Reform thus requires ‘translators’ within the organization who make meaningful what is general advice, who translate the jargon of advisors into police lingo, and who have the capacity and the will to insist that reforms be executed and sustained. . . . This supporter needs to

9 For more specific discussion on the roles and responsibilities of the defense sector, civilian management and oversight bodies, and civil society, see the practice notes on defense sector reform, security sector governance and oversight, management of the security sector, threat assessments and defense reviews, and national security policies and strategies.

see the merit of what it is that one is trying to do and push/cajole that policy from within. In the end, all reforms are human efforts not achieved by writing even the most perfect rules, job descriptions, mission statements, and procedure manuals. These are necessary but not sufficient steps along the road to progress. The basic principle is that advice must make sense to the people receiving it and cannot undermine, or be perceived to undermine, existing status, reward, and privileges (Peake and Marenin, 2008, 65).

International actors will rarely gain a complete understanding of the context, and particular local actors will always want to advance their own agenda. International actors' "contextual understanding should become sophisticated enough to comprehend when, why, and how [this] manipulation is taking place" (Ball et al., 2007, 5). On the other hand, assistance providers may mistakenly assume that host state actors hostile to SSR should not be part of initial dialogue. Excluding those actors would be further destabilizing whereas including them would channel their input into the process and possibly alter their attitude towards the process.

In some cases, engaging with less than ideal leadership might be unavoidable, if those leaders are part of a larger peace process that SSR does not want to undermine, especially if that process has self-correcting elements built into it. In Haiti, DRC, Bosnia, Nepal, Timor-Leste, Solomon Islands, and Burundi, for example, assistance providers were aware of corrupt leadership, evidence of corruption was gathered, and new political alliances formed, leading to a gradual replacement of corrupt personnel over a period of months (Ball et al., 2007, 7).

Informal Security and Justice Providers

As many as 80 percent of security and justice providers are informal, "non-state" or "non-statutory" (OECD 2007, 11). Furthermore, good practice has shown that reform must engage with 80 percent of *all* security and justice providers to be sustainable, and non-state security and justice providers in fragile states are often heavily preferred by the public over the institutions of the state (Scheye, Clingendael 2009, 21; Ball et al., 2007, 7). They operate across a broad spectrum of legitimacy and sometimes have direct linkages to or are recognized by state authorities. Given the absence of government authority and proliferation of informal security and justice providers, both of which are especially apparent at provincial and district levels, informal actors can be means of promoting interim stabilization measures.

Assistance providers must first evaluate the potential for a good partnership. Two common assessment methodologies can aid in determining non-statutory actors' motivations and potential for engagement; both concede that there is no easy or satisfying way to determine who will be a good partner.¹⁰ Both seek to determine non-statutory actors' motivations and potential for engagement and their structural placement within a multi-layered government system (Baker and Scheye, 515). Many non-statutory security forces in stabilization environments will have violated human rights egregiously or engaged in criminal activity, or will not hesitate to use violence in pursuit of their objectives; they cannot be part of assistance provider engagement in governance reform. Some may have committed or incited violence but later joined peace and reconciliation processes and will be part of a political solution to the conflict (Schneckener, DCAF 2006, 25, 36). Still others may be genuinely motivated to enhance community security.

10 See Ulrich Schneckener. "Fragile Statehood, Armed Non-State Actors and Security Governance." In *Private Actors and Security Governance*. Alan Bryden and Marina Caparini (eds.). (Geneva: Geneva Centre for the Democratic Control of Armed Forces, 2006). See also William Reno. "Protectors and Predators: Why There is a Difference among West African Militias." In *Fragile States and Insecure People? Violence, Security, and Statehood in the Twenty-First Century*. Louise Andersen, Bjorn Moller, and Finn Stepputat, eds. (New York: Palgrave MacMillan, 2007).

Assessments of the potential payoffs of engagement with such groups should also carefully consider how informal actors are perceived by local populations, and whether they are genuinely preferred or just tolerated because people do not have access to anything better. Their role during the conflict should also be studied. Supporting or reconstituting an informal system alone is not enough; support, in most cases, must be accompanied by reform and strengthening of accountability in order to improve security rather than worsen instability.

Strengthening state oversight of non-statutory security and justice providers can be most effective when engagement occurs through and in conjunction with other actors: civil society or, in some cases, international non-governmental organizations that can act as mediators with the local non-state actors (Scheye, 2009, 5).

Informal security providers operate, as noted, within a broad range of public legitimacy.¹¹ Some private security companies, state-approved civil policing, and informal anti-crime groups provide security more reliably and effectively than the state. Those that do have legitimacy can be very effective and good partners for providing immediate security, as they often continue to operate during conflict, are not as much of a target as statutory security forces, and can be directly accountable to the public. The issue in terms of governance is, as with non-statutory justice providers, strengthening regulation, monitoring, and accountability.

Accountability for private security companies can be strengthened through licensing systems and supervision by the police (if and when police services are again functional). Their personnel should also be vetted and equipment inspected for quality and proportionality to their responsibilities (rocket-propelled grenades, for example, being inappropriate to community policing or static security assignments). Assistance providers can also facilitate the development of training standards, particularly for human rights, professionalism, and weapons proficiency, as well as self-regulating (e.g., internal monitoring) oversight mechanisms (Born et al., DCAF 2007, 23–27; Baker and Scheye, 520–521).

Appropriate international engagement may include support for legislation and administrative measures that better regulate the functioning of such groups. At a minimum, there should be regular communication between them and the public and police, as well as recording and analysis of community disorder and crime where they operate. Community forums can help develop standards of behavior and professionalism (Baker and Scheye, 521–523). These standards must be widely distributed and accompanied with extended training and dialogue with civil society.

It is equally important that assistance providers support long-term state-building, however, as these groups do not lessen the obligation of the state to provide security as a public good. Moreover, non-statutory security and justice providers are rarely comprehensive and inclusive. Many only cater to a particular demographic, for example, wealthy people or businesses that can afford the services of private security companies. Moreover, informal community groups may internalize national violence on a micro level. Those that work on a volunteer basis are often unsustainable, since members may lose interest, or worse, the group members may turn to looting or may target local communities for “payment.” Although statutory security providers may exhibit similar tendencies, they also can more readily earn—or lose—international legitimacy and support based on their professionalism or lack of it.

Anytime support to non-state actors is considered, engagement must also consider how or whether to phase out the non-state security forces, increase their accountability, or integrate them into statutory security

¹¹ Non-statutory security forces that commit acts of violence or act as spoilers of the peace are outside of the scope of this note.

forces. If economic opportunities are not available to those not integrated, they may become (or remain) a destabilizing force (United Nations, IDDRS, 163–166). In addition to long-term right-sizing of security forces (i.e., after the security threat has ended), there are immediate threats to economic instability as well. As one example, informal networks of combatants who do not meet eligibility criteria for DDR programs often maintain linkages with former mid-level commanders of armed groups who are part of DDR and military integration. This alliance benefits both individuals but is a major source of instability, and may lead to the formation of criminal networks (author interviews).

Informal (traditional) justice systems are common in many countries and can reduce the caseload of formal courts and increase access to justice by providing an alternative to the formal system (United Kingdom, 2007, 19).¹² Studies of multiple post-conflict or fragile states have estimated that 90 percent of the population in each country preferred to use customary justice systems to the formal courts (Baker and Scheye, 512). The head of the Southern Sudan Human Rights Commission, a government body, requested that assistance providers support local justice systems, arguing that support for them would be an entry point for reform (Ball et al., 2007, 12). Other benefits of an informal system include physical proximity to clients, efficacy, timeliness of decisions, low transaction costs, support for restitution, high levels of public participation, and restorative—as opposed to retributive—justice (Baker and Scheye, 512).

Informal systems also have many shortcomings: weak accountability for decisions; no necessary adherence to or respect for human rights standards or principles of non-discrimination against vulnerable groups, particularly minorities and women; and sentences that may involve degrading punishments. But these shortcomings may be found within state systems as well, and not engaging with informal systems means fewer opportunities to affect their operation. Informal systems decentralize justice in the immediate aftermath of war and—if they have not themselves been disrupted by war—offer elements of stability and authority while formal structures are rebuilt (Baker and Scheye, 517). With their community access and legitimacy, they can also serve as a powerful source of legitimacy for the state as it rebuilds its authority. In Burundi, for example, customary law courts were used as forums for debating government policies, which allowed public participation and ownership. Chiefs then transferred the discussions upward to provincial and national levels of government (Bellina et al., OECD 2009, 27).

So many different informal networks exist that it is difficult to make generalities about what to do. But specific examples of lessons learned can provide a better understanding of nuance and mechanisms for developing initiatives for engaging with informal security and justice providers. In some cases, merely reconstituting informal justice providers without accompanying reforms may resurrect a source of tension and instability, as did the reconstitution of local chiefdoms in Sierra Leone, as the institution was a contributing factor to conflict in the 1990s (Jackson 2005, 54; author interviews).

In other cases, interim stabilization measures that involve informal networks may undermine other stabilization activities for a zero sum result. For example, US support of informal community police forces (the Afghan Public Protection Force, through the Afghan Public Protection Program (AP3)) as a means of interim stabilization at provincial and district levels in Afghanistan, is viewed by some as a threat to progress of DDR and Disarmament of Illegal Armed Groups (DIAG).¹³ The AP3 has had some positive

12 It is worth noting that many states, including developed states, have legitimate non-statutory justice providers that are commonly used for their greater speed and efficiency over bureaucratic legal systems, e.g., private arbitration and mediation services.

13 To underscore the need to base SSR decisions in part on the effectiveness of other stabilization activities, it should be noted that the DDR/DIAG initiatives had many challenges of their own. Some argue they only achieved superficial gains and never truly “demobilized” armed groups from tribal loyalties. See Antonio Giustozzi, “Shadow Ownership and SSR in Afghanistan,” in *Local Ownership and Security Sector Reform*, Timothy Donais (ed.) (Geneva: Center for Democratic Control of Armed Forces, 2008).

initial results through a 2009 pilot program in Wardak province, but it may be less likely to work in southern or southeastern regions with strong tribal loyalties (Cordesman, CSIS 2009, 135–141).

Reform may include developing a system for explaining, registering, recording, and archiving decisions to increase transparency. Assistance providers also may engage to create mechanisms to appeal decisions of informal justice providers to higher state or non-state courts, or work towards improved human rights standards (Baker and Scheye, 517).

International Coordination and Funding Mechanisms

Stabilization environments often host multiple international donors engaged in security sector reform, which can be an opportunity to capitalize upon comparative advantages in SSR or a cacophony of ad hoc unsustainable initiatives. International coordination and funding mechanisms therefore should be established early, and engage all stakeholders.

Coordination Mechanisms

If donors and stakeholders shared common interests and objectives, coordination problems would resolve to simply facilitating cooperation, for example, formulating agreed rules to achieve those common objectives efficiently (Doyle and Sambanis, 335–337). In most stabilization environments, however, interests and objectives—of donors, state institutions, armed groups, and civil society—are often less compatible, and coordination requires more effort.

Indeed, formal coordination mechanisms are often needed to overcome numerous challenges: differing conceptions of SSR, competition among actors, lack of will to coordinate, and “incompatible mandates, operating procedures, timelines and funding sources” (Schroeder, DCAF 2006, 211–212). Such mechanisms should aim to include all stakeholders (UN OCHA, 2008, 25).

Coordination works best with effective and strong leadership. Leadership can help advance coordination and coherence among multiple donors. Informal interviews with field mission staff repeatedly emphasize the need for a coherent SSR strategy. They also repeatedly emphasize the need for an SSR cell in every mission mandated to engage in SSR (MONUC, UNOCI, UNMIS, author interviews). If such a leading cell is established, it should be given a mandate and resources sufficient to coordinate SSR activities among all actors, and to be effective will need their mutual understanding and respect. Sometimes that can be difficult enough to achieve even within the leader’s parent institution. The principal coordinator on SSR in Burundi, for example, the DDR/SSR unit of the UN Mission ONUB, aimed to keep its international counterparts (Belgium, France, Netherlands, Egypt, UN police, and ONUB gender unit) informed on planned SSR initiatives but was sometimes not informed of SSR-related fundraising within the UN mission itself (Banal et al., DCAF 2008, 52; Powell, 38–39).

Pro-active coordination is most effective and should use tools that identify gaps and overlapping activities, as in the case of ONUB’s extensive mapping of all SSR activities in Burundi. Despite this effort, however, there remained some redundancy, as between the Belgian pre-training information gathering effort and the Dutch/UNDP/ICTJ census on police. Coordination should include sequencing along with discussion of activities, to make activities appropriately iterative. In Burundi, for example, one seminar on developing a comprehensive training strategy took place several months after the development of a basic training program (Powell, 21,49). Coordination should include timely updates to others about changes in sequenced activities, as delays in donor resources can significantly alter delivery schedules.

A common mechanism for coordination is a committee that includes international and local (state and non-state) stakeholders. The functions of such committees unfortunately are usually ad hoc; rarely are they provided with consistent guidelines, making them dependent upon the will and respect of individual members. In Bosnia, for example, the Board of Principals limited cooperation to exchanging information on activities. In contrast (and also in Bosnia), the transition between UN and EU policing operations was enhanced by co-location of staff during the transition period (Schroeder, 211–212).

Coordination mechanisms should develop and distribute detailed plans and operations to serve as terms of reference (Scherrer, DCAF 2007, 190–191). These should be updated as needed and agreed to by all members of the coordination group.

The feasibility of coordination mechanisms may be limited by factors beyond the control of donors. In the Democratic Republic of the Congo, for example, senior government officials strictly limited coordination among donors (Hoeboken et al., ISS 2008, 2; author interviews). In Burundi, although ONUB was mandated to support SSR, and its DDR/SSR unit coordinated among all donors and attempted a comprehensive approach, host government resistance and preference for initiating reform separately by each institution required an adaptation to its preferences (Banal et al., DCAF 2008, 46–47).

Resource and Funding Commitments

Regardless of whether formal coordination mechanisms are established, donors should engage in substantive dialogue among SSR stakeholders, including all international actors, civil society, and host state representatives (if available). This dialogue should develop mutual understanding and reconciliation of every stakeholder's priorities, resource commitments (time, money, personnel, and materiel), and expected outcomes. All stakeholders should develop a common policy outlining the principles under which they work and the assistance they are providing, in order to facilitate agreed objectives (Ball, UNDP 2002, 9–10).

A situation in which the lead donor has significantly more resources and often decides what is and is not possible politically, limits other donors' options (United Kingdom 2008a, 10), and further exacerbates the problem of donor coordination.

Support should include a range of inputs beyond technical assistance. Physical equipment is as important psychologically as it is in real use, but equipment provided should be in keeping with national capacity to maintain it. Host nation operational expenses should be provided where needed and appropriate in some stabilization environments (United Kingdom 2004, 42). This must be carefully considered in the context of what will be sustainable and how to taper operational expenses as SSR financial support decreases.

International actors should avoid means or modalities that undermine national institution-building, such as bypassing national budget processes or setting high salaries for local staff which undermine recruitment and retention in national institutions. Donors should work out cost norms for local staff remuneration in consultation with government and other national stakeholders (Australia, ACFID principles).

One potential approach to aligning donor funding with national budgets is to use “shadow alignment,” which helps to build the foundation for future ownership by ensuring that donor programs comply as much as possible with host government procedures and systems. This can be done, for example, by providing information corresponding to host government budget cycles and classifications, or by operating within existing administrative boundaries (Australia, ACFID principles).

Funding should, as much as possible, be deposited into funding pools for more flexible use by donors and should allow for multi-year financing (United Kingdom 2008a, iv). Especially in early stages, consistent and multi-year funding commitments can facilitate the transition from inception phase to long-term programming. Such funding consistency is critical to give capacity-building programs in stabilization environments the opportunity to develop institutions with reputations for professionalism and effectiveness and otherwise to promote institutional sustainability.

Coordination with other Stabilization Activities

SSR assistance providers in stabilization environments should systematically coordinate and regularly communicate with other actors. Other stabilization activities will affect opportunities for SSR, the public legitimacy of the mission, and local or national acceptance. Likewise, SSR programming can affect the direction, intensity, or longevity of other stabilization activities. Success of SSR, therefore, will depend in part upon the relative success or failure of other stabilization activities.

Linkages between SSR and DDR

SSR and disarmament, demobilization, and reintegration (DDR) are linked in stabilization environments through both supply and demand. In terms of supply, ex-combatants completing DDR will likely feed into the (formal or informal) security sector. Because they become part of the security sector supply, the effectiveness of the DDR process also determines the demand (need and ownership) for SSR. If, for example, DDR effectively reintegrates and overcomes ex-combatants loyalties to former commanders and fellow combatants, more resources would be freed for SSR. If, however, DDR pays more attention to the “disarmament” component rather than the “demobilization” and “reintegration” components, DDR progress may be relatively superficial (United Nations OSAA and DR Congo, 2007, 6, 9). Informal networks will remain strong and a source of instability, suggesting that SSR in such situations must still work to create “space” before being able to implement SSR programs and expect real gains. In other words, ex-combatants, like all new or re-trained security forces, must overcome old loyalties and develop respect for the security forces and commanding officers before they can or will accept their new roles (United Nations OSAA and DR Congo, 2007, 6; Giustozzi, DCAF 2008, 216–218). Effective and sustainable DDR is therefore as critical to SSR as SSR is to building rule of law (Rees, 9). DDR design directly ties into SSR, determining the potential size and scope of military, police, and other security structures. In addition, reintegration of former combatants back into their communities sets the foundation for—and determines the success of—long-term peace building and development programs (United States, 2008a, 6.11). The gap between the end of DDR and the beginning of SSR should be minimal to avoid creating a security vacuum, with a security force (non-state actor or stabilization intervention) to ensure interim stabilization (OECD 2007, 105).

SSR and Economic Development

SSR and economic stabilization and development are mutually dependent on each other for effectiveness and sustainability. On one hand, early economic stabilization “can be a confidence-building measure” effectively generating legitimacy and space for engaging in SSR (United Nations 2008, A/62/659, para. 10). Moreover, long-term gains in SSR and stability are not sustainable without economic development to support security expenditures and pay security sector salaries. (Improving security expenditure management should of course be part of the reform process.) Many economic issues are also security issues. Curtailing illegal taxation by armed groups and warlords, controlling border customs, and curbing illicit trade are all ways of improving security in stabilization environments (Carnahan, CIC 2007, preface). And the ability of the government to generate revenue is critical for long-term development, especially on provincial and district levels that tend to receive less aid (Jackson 2005, 52).

In stabilization environments, economic capacity often depends on humanitarian and development aid and remittances, rather than taxation. A long-term development initiative, which extends authority of the state, is host state taxation reform. If done effectively, state fiscal resources coming from the populace will stimulate popular demand for more effective use of resources (Egnell and Halden, 41). This is challenging in stabilization environments, where domestic revenues may cover less than half of operating expenses, and donor support decreases local incentives to generate revenue. Budgets are developed more as “wish lists,” to which donors will not explicitly say no, but to which they also won’t contribute (Carnahan, 4-6).

In order to improve revenue administration in stabilization, basic infrastructure and information management systems should be established to produce revenue statistics and monitor operations. Essential staff should be appointed. Operationally, post-conflict states need to register and identify taxpayers (sometimes through a unique taxpayer identification number for filing returns) and strengthen customs administration, an expedient means to increase revenue (Carnahan, 4-6).

When international actors agree to multi-year funding, they can establish a contract with the host state to match a percentage of funds collected by the host state up to a pre-established limit. The percentage could decrease over time to allow significantly more donor support in the stabilization period, and might require a trust fund by donors with operational guidelines and revenue expectations approved by international financial institutions. It would require aid flows becoming more reliable, per the 2005 Paris Declaration on Aid Effectiveness (Carnahan, 6).

A simple land tax system can be relatively easy to facilitate and difficult to evade. The dispute over land that is common in post-conflict environments may actually be a window of opportunity, since the power of established landowners may be fractured. Land taxation initiatives should focus on urban areas since land parcels are easier to identify, even if the revenue offices and records have been destroyed (Carnahan, 7). Often, however, many buildings and businesses on land that would generate the most revenue have been destroyed in precisely the areas that need the most revenue, and the lack of means for estimating value is a challenge (Jackson 2005, 55).

For such taxes to be useful, they must be collected applied equitably and collected transparently. In Sierra Leone, for example, taxation reform led to abuse of authority. The means for collection allowed for collusion between two local governing bodies: the district council that sets the level of taxation and the chief who collects it. The two then “share the proceeds” (Jackson 2005, 55–56).

PROGRAM PLANNING

SSR programs in stabilization environments should have realistic expectations, and planners should understand categories of activities that can be initiated, their appropriate sequencing, how certain activities can constitute an entrance strategy for broader SSR, and how entry work links to long-term programming. All plans for stabilization environments should be implemented flexibly.

Realistic Expectations

International actors should have realistic expectations about what they and host state partners can achieve in a given time period with limited resources. These expectations involve not only the resources and capacity of actors but also the way they relate to each other and contextual determinants. For example, a lawyer who spent many years with UNMIK remarked that engagement in the beginning could only “work

towards getting enough power to begin to have results” because they first had to gain legitimacy with local partners and populations (author interviews). Furthermore, their timeline ultimately was determined by the “primacy of the [peace] process” (author interviews). Should the decision be made to wait before making decisions on strategic or long-term elements, appropriate security should be provided by the stabilization intervention in the interim. This underscores the need to perform institutional needs assessments and threat/conflict assessments in conjunction with each other so as to reduce the chances of underestimating the risks associated with engagement, both for international actors and for host state actors.

International actors should also adjust their expectations of what can be accomplished in a given time period. For example, a defense review in Uganda was allocated 6 months but took 18 to complete and obstacles remain to implementation. The longer time frame matches those done for Sierra Leone, United Kingdom, and South Africa, which could have been used as approximations for Uganda (Ball et al., 2007, 6; Hendrickson 2007, 6). Realistic expectations and benchmarks will support a framework for relative success (and long-term planning) rather than relative failure.

Categories of Activities

Ball, Scheye, and van de Goor outline five categories of core activities that would need to be implemented in stabilization environments. The authors refrain from specifying particular activities (e.g., elections) and from addressing other stabilization activities that link to SSR (e.g., DDR, small arms, and mine action). The five categories are: 1) laying groundwork for long-term reform (e.g., developing inventories of infrastructure, laws, and security and justice providers); 2) strengthening the day-to-day performance of security and justice providers at district, provincial, and national simultaneously and enabling the international community to gain in-depth knowledge and understanding of how service delivery is provided and by whom; 3) organizing the international community; 4) followup to successfully completed category 1 activities (e.g., through needs assessments, strategic planning, and improving security expenditure management); and 5) developing a legal framework. The authors acknowledge that the first three categories lay the foundations and plan for SSR, while categories 4 and 5 “can be addressed only after category 1 activities are underway and have largely been successful” (Ball et al., 2007, 11).

SSR as an Entrance Strategy and Inception Phase

Establishing SSR as part of an entrance strategy, with appropriate resources, from the beginning of a stabilization intervention will create opportunities for more comprehensive engagement. In general, the more specific the reference to SSR in a mandate and a peace agreement or other means of engagement with a host government, the better the opening there will be for SSR when peace implementation begins.

Initial steps during an inception phase may include identifying security and justice providers, and may involve a security community census and identification program, to register, verify, and issue identification cards to members of various security sector institutions (OECD 2007, 106).

The immediate potential for SSR may depend on the political context. One UN assessment concluded that, given political uncertainty, “there is nothing wrong with waiting for the arrival of a legitimate government.” Some states can take a long time to re-establish legitimate government, however, especially if there are no external performance pressures on current office-holders. As of this writing, for example, the caretaker government Côte d’Ivoire had contrived to postpone legitimating elections four years running by arranging for conditions unsuited to free and fair elections to arise each time rescheduled elections loomed (United Nations, S/2005/604, paras. 36–38; S/2006/821, paras. 22, 27; S/2007/593, para. 30; S/2008/645, paras. 15, 63; S/2009/495, paras. 22, 51).

An inception phase may take up to 18 months, and perhaps longer, in a stabilization environment. In that phase, resources will be focused on improving immediate security that can create space for dialogue and quick impact programming. All lessons learned should constantly anticipate and coordinate with long-term SSR programming and development (Ball et al., 2007, 15). It is not the case, in other words, that nothing happens during the inception phase of SSR, as conceived here. It is the case, rather, that SSR planners learn their environment, its constraints and opportunities, while the stability of that environment is slowly restored by international action, preparatory to rapid DDR, SSR, and rebuilding of legitimate and effective host state capacities.

Linkages to Long-Term SSR programming

Although more detailed discussions on long-term programming are available in other practice notes, initial steps in support of SSR are mentioned here.

Iterative Training

In terms of individual capacity-building and technical assistance, experience has shown that it is most effective when done with an iterative approach, beginning with rudimentary skills and advancing at later development stages to specialized skills, such as investigative techniques (Ball et al., 2007, 6).

In terms of institution building, initial steps to build institutional capacity can prepare for long-term initiatives. For example, establishing a research capacity (basic resources, staff research training, and basic education) in legislatures can be helpful (Ebo, 494; Sherman, 2009, 1–2).

Given the varied experiences of security forces, from rank-and-file through mid and high-level officers, standardized basic training is a critical first step. Subsequent phases of training should be designed and implemented after incorporating evaluations of previous trainings. Basic training should include prevention of, and response to, sexual and gender-based violence (Powell, 17–19).

Generating Legitimacy and Accountability

SSR can support greater government legitimacy and a closer relationship with society. Legitimacy can come from inputs (representation, participation, and security sector governance), outputs (higher quality, more professional security providers), and shared goals based in community identity (Bellina et al., 15-20). Stimulating popular demand is a means of generating short-term security performance accountability but must be backed by long-term reform to formalize accountability through operational, legal, and political channels (Ball et al., 2007, 23; Lue-Dugmore, 67). The tools for performance accountability include answerability (providing information on a decision), enforcement (strengthening delivery of public services), and organizational change (altering how service is delivered) (Baker and Scheye, 2007, 508). Performance accountability is often called a “short route to accountability” because it doesn’t require a great deal of infrastructure or logistical support. Instead neighborhood or community associations, or some other form of civil society, communicate their needs and concerns to security providers, and thereby stimulate a more effective culture of service (Ball et al., 2007, 22; Baker and Scheye, 508; Sherman, 9).

Flexibility

Program design should be flexible, and include willingness to modify objectives of assistance and mandates, add new programs, and redesign or shift resources within current programs as urgent needs arise. In Sierra

Leone, for example, a component on reforming and strengthening the intelligence services was not included in the initial design of the UK assistance package but was added after six months in response to urgent needs (UK, DFID 2004, 42).

SSR assistance and plans should not attempt to forecast and dictate events too far into the future. Events in stabilization environments rarely progress on a logical, linear path, and plans often underestimate the scope of changes that will occur (United States 2008, 4.18).

Nor should SSR plans for stabilization environments attempt too much detail. While sound plans must include some detail, planning in more detail than needed only consumes limited time and resources. In general, the less certain the situation, the less detail included in the plan (United States, 2008, 4.20).

CASE EXAMPLES: AFGHANISTAN, DEMOCRATIC REPUBLIC OF THE CONGO, KOSOVO, AND SIERRA LEONE

This section presents useful lessons learned on donor coordination, SSR in the context of larger stabilization efforts, and engagement with informal security and justice providers in Afghanistan, DR Congo, Kosovo, and Sierra Leone. They are not complete case studies of SSR in stabilization environments but present snapshots of lessons learned for the thematic areas described in previous sections.

Afghanistan¹⁴

Afghanistan presents useful discussion in terms of provincial reconstruction teams (PRTs) as a model for coordinating SSR at district levels, and coordinating between military and civilian capacities in stabilization environments. Examples of lessons are also provided from the mechanisms that have been established for coordination among donors and the Afghan government and from controversial initiatives to support informal community-policing networks as a means of interim stabilization.

Provincial Reconstruction Teams

PRTs were conceived for Afghanistan in 2002, as the US transitioned from warfighting to stabilization and reconstruction, to blend civilian and military resources at the provincial level. PRTs differ in size, composition, and operational style, due to the flexibility allowed in each PRT and different mandates. They are joint teams of 50–300 military personnel (90–95 per cent of the total and equipped for self-defense only), political advisors, and development experts. The Afghan government has been involved in planning and running PRTs from the beginning, with increasing levels of cooperation, with interior ministry officials providing representatives at PRT headquarters (Jakobsen, DIIS 2005, 2-4).

The quick impact projects that PRTs have used, and have been especially popular with US, have been subject to very little evaluation. Their perceived improvement on the legitimacy of international SSR assistance is in question since most Afghans do not realize who is funding them and tend to conflate all international actors as “foreigners” (Jakobsen, 29–31). Although many models exist, one of the more successful has been that of the United Kingdom, which has cooperated extensively with NGOs, formulated a clear concept of operations, and focused on security rather than reconstruction and quick impact projects (Jakobsen, 32).

14 Because of the extensive discussion on reform of the Afghan National Security Forces in the practice note on defense sector reform, this note looks primarily at means of international cooperation and tools for implementing SSR, and at use of informal actors as a means of interim stabilization.

International Coordination

Following the Bonn Agreement (2001) and donor meetings in Berlin and Geneva (2002), a “lead nation” was originally designated for each of five priority areas: army (United States), police (Germany), DDR (Japan), counternarcotics (United Kingdom), and justice (Italy). Police training has since been incorporated into the US-led Combined Security Transition Command-Afghanistan (CSTC-A), which is also responsible for training and capacity-building of Afghan National Army (ANA).

The UN Assistance Mission in Afghanistan (UNAMA), the UN Development Programme (UNDP), and the UN Office for Drug Control and Crime (UNODC) have provided technical, financial, and administrative support to four of the priority areas (DDR, police, counternarcotics, and justice). UNAMA has also begun supporting institutional building in five areas: human capacity, physical capacity of infrastructure on the ground, technical capacity (information technology), incentives that can attract administrators in various parts of the country (i.e., less developed and/or secure regions have difficulty attracting qualified personnel for regional governing bodies), and a culture of accountability (UNAMA website).

SSR cooperation at the strategic level is difficult to measure due to a lack of transparency among Afghan and donor governments alike. Cooperation is premised on acknowledgement that a comprehensive strategy should include the five priority areas and the endorsement of a democratically controlled security sector. Cooperative mechanisms at this level include dialogue and consultations, exchange of information, and analysis; much of the substance of these mechanisms is confidential due to the sensitivity of the issues they address. One coordination mechanism is the Policy Action Group created in 2006 as a crisis management body that discussed SSR’s role in addressing security concerns arising from the insurgency.

The US, as the largest player in SSR in Afghanistan in size and financing, has limited its coordination efforts to substantive reconciliation of other donor governments’ interests. Because agreement between the US and Afghan government becomes Afghan policy, other donors must work within that framework (Karp and Ponzio, DCAF 2008, 228).

Informal Security Providers for Interim Stabilization

Engagement with informal security actors must be done with care to avoid undermining other stabilization activities. One initiative of the Policy Action Group, for example, was the Afghan National Auxiliary Police (ANAP), intended to be a community-based informal police to increase interim security in the South and Southeast (Karp and Ponzio, 227–229). ANAP, created in 2006–2008, is viewed as a disaster, however, because its members were never appropriately vetted and many of those recruited were criminals. They were also structured according to tribal allegiances, trained minimally, received the same salaries as police who had received more training, and were widely seen to have been ineffective, and to have worsened instability rather than reduced it (Perito, USIP 2009, 9; Cordesman, 135–141).

A new US initiative, the Afghan Public Protection Program (AP3), began as a pilot program in early 2009 and is to be expanded in 2010. It seeks to avoid mistakes of the ANAP. The Afghan Public Protection Forces will receive a smaller salary and slightly longer training of three weeks. Initially set up as a pilot program in Wardak province (west of Kabul), where it showed some positive results, and plans called for a force of 8,000 by July 2009. Recent US legislation agreed to fund an expansion of the AP3 to regions beyond Wardak through 2010 and established reporting requirements to include measures of effectiveness and community perceptions of security where the APPF deploys (United States, 2009, Public Law 111-84 §1228).

The AP3 is controversial because some argue that arming informal policing networks,¹⁵ even lightly, undermines progress in DDR and Disarmament of Illegal Armed Groups (DIAG).¹⁶

The program will face greater challenges in southern and southeastern regions with strong tribal loyalties and serious instability (Cordesman, CSIS 2009, 135–141). A common policy recommendation, for decentralization and local governance reform in SSR programming, is that local governance reform should be part of a comprehensive framework, in order to avoid inconsistencies across a country. Reform should take into account, however, the vast cultural differences that may exist in a country and carefully consider what will work for particular contexts.

Democratic Republic of the Congo (DRC) ¹⁷

Implementation of SSR in the DRC has been hampered by a lack of coordination, coherence, and political commitment for funding and implementation of a stabilization strategy. The main international actors have included Belgium, France, South Africa, the EU, Angola, the UN (primarily through its peacekeeping mission, MONUC), the UK, the US, and the Netherlands.

International Coordination

From the beginning, support in the domain of SSR confronted major coordination and coherence issues. In the months leading up to the second round of presidential elections in October 2006, the relationship between the DRC government and the international community became increasingly complicated, especially in SSR and economic recovery policy domains. The “need for SSR, as conceptualised by the international community, was never internalised by the DRC government” (Hoeboke et al., ISS 2008, 4). For example, World Bank and European Commission (EC) preparation of a ‘governance compact’ for the Congolese government, which incorporated SSR, was included as an annex to the Prime Minister’s government program but viewed as “an imported policy” (Hoeboke et al., 4; Melmot, IFRI 2008, 15).

Part of the problem has been the government’s deliberate prevention of external coordination (Hoeboke et al., ISS 2008, 2). Tension has arisen between those who prefer the often-advocated multilateral coordination, seen as “painstakingly slow and unclear,” or a bilateral approach, which was “clearly preferred by the Congolese authorities and by a number of donors, especially those with a more long-term vision of their relationship with the DRC.” Although the bilateral coordination seemed to move more quickly, the focus on SSR at an operational level and the lack of strategic planning at international and national levels limited the impact and reach of initial activity. For example, there is no defined end-state of SSR efforts to guide implementation (author interviews). “In addition, the government became increasingly protective of its sovereignty and, in order to secure its independence of action, favoured a wide range of bilateral partnerships,” including one-on-one meetings with donors (Hoeboke et al., 4; author interviews).

In the case of police reform, for example, there is little coordination among the main donors—France, EU, South Africa, Angola and MONUC police—on the training provided and the nature of the force being

¹⁵ The weapons are provided by the Afghan Ministry of the Interior.

¹⁶ To underscore the need to base SSR decisions on the effectiveness of other stabilization activities, it should be noted that the DDR/DIAG initiatives had many challenges of their own. Some argue they only achieved superficial gains and never truly “demobilized” armed groups from tribal loyalties. See Antonio Giustozzi, “Shadow Ownership and SSR in Afghanistan,” in *Local Ownership and Security Sector Reform*, Timothy Donais (ed.) (Geneva: Center for Democratic Control of Armed Forces, 2008). Therefore, the ability of initiatives such as the ANAP and AP3 to generate legitimacy and a culture of service based on shared beliefs and participation, and therefore overcoming tribal loyalties, should be questioned.

¹⁷ The practice note on defense sector reform addresses MONUC training and support of Forces Armées de la République Démocratique du Congo (FARDC) and linkages between DDR and army reform and integration.

trained (International Crisis Group 2006, 6). What coordination there is has occurred bilaterally, and in Kinshasa (International Crisis Group, 6).

UN Security and Stabilization Support Strategy

Beginning in 2008 and in response to humanitarian needs and increasing instability, the UN country team—led by MONUC—initiated its UN security and stabilization support strategy (UNSSS) for eastern DRC. The strategy aims to restore security and state authority, IDP returns, and economic recovery. Economic recovery includes regaining control of mines currently controlled by armed groups and ensuring state collection of taxes from resource exploitation (United Nations 2009, S/2009/335, paras. 44–48).

Attempts to develop and (politically) implement the UNSSS have been hampered by lack of funding. In order to secure funds for developing the strategy, “a significant amount of senior leadership time and attention had to be diverted to fundraising, with no ‘start-up’ funds, and no resource slack available to the mission to do this. Secondly, the so-called ‘Amani superstructure’ for implementation of this strategy required UN staff to either chair, or shadow organs and sub-organs. Staff were not available, posts did not exist, and the process for the SRSG to secure new posts is slow and inflexible” (Chandran et al., CIC 2008, 42).

Kosovo

The UN Interim Administration Mission in Kosovo (UNMIK) is an exception in terms of the executive authority granted by Security Council Resolution 1244 (June 1999), but its method of rebuilding the corrections service is worthy of discussion, especially in terms of training, oversight, evaluation, and transfer of authority.

The transfer of authority discussion must be placed in the context of UNMIK’s mandate, which distinguished between “the establishment, pending a final settlement, of substantial autonomy and self-government in Kosovo”; “the development of provisional institutions for democratic and autonomous self-government”; and “transferring, as these institutions are established, its administrative responsibilities while overseeing and supporting the consolidation of Kosovo’s local provisional institutions” (United Nations 1999, S/RES/1244, para. 11). This distinction established phased stages of SSR that, for better or worse, aimed to build capacity prior to transferring authority (Scheye, 2008, 175–177). In contrast, a common recommendation is to prioritize the early transfer of authority which, it is argued, will more rapidly generate ownership and capacity. Therefore, the cohesive strategy and structure of corrections service reform is an exception and stands in contrast to the lack of strategy and inefficiency associated with police and justice reform initiatives.

Kosovo Corrections Service

The development of Kosovo Corrections Service (KCS), through the support of the Prison Management Division (PMD) of UNMIK, has been one of the operation’s more successful elements of SSR. Although initial phase was halted due to lack of planning and resources, the first international personnel arrived in October 1999 and by 2002 KCS had hired 819 personnel and assumed control of the prisons—an astounding timeframe. The staff gender balance is appropriately proportional to the number of female prisoners, and performance has been assessed as “well above the regional norm” (Scheye, 2008, 185–186).

KCS is acknowledged to have had two elements—maintained throughout the seven-year process—which contributed to its relative success: 1) a comprehensive prison management plan; and 2) KCS development by a single team (PMD) throughout the process (Scheye, 2008, 185–188).

The prison management system plan was developed at the beginning of UNMIK and implementers carried out the plan in its entirety, subject to annually developed institutional target objectives. The PMD did not allow lack of resources to stop the initial implementation, for example, opening the first penal facility in November 1999 even though UN funds were not made available until the budget was approved in February 2010.

Essential steps toward implementation of the strategy included the development of job descriptions, standard operating procedures, and wide-ranging managerial policies, which were introduced systematically. Social workers and medical teams were hired and trained within the context of existing resources. Plans for transferring authority from PMD to KCS were developed and implemented for individual facilities within a comprehensive plan, beginning in 2001. This transfer plan involved three months of training staff under UNMIK authority, three months of “co-work,” and three months of mentorship during which the KCS facilities manager held executive authority. Another critical step was PMD’s development of an “internal prison inspection, audit, and compliance system” that included indicators such as the number of attempted escapes, prisoner complaints (number and type), quality of intelligence information on inmate population, medical complaints and treatments (number and type), prisoner visits (number), and inmate self-harming incidents (number) (Scheye 2008, 186–187).

PMD retained managerial control of KCS development throughout the process and personally interviewed corrections officers to ensure consistency in practice and appropriate skills. This helped to ensure that the skills of SSR assistance providers matched what was needed by the context (Scheye 2008, 187).

Sierra Leone¹⁸

Sierra Leone’s initiative, with United Kingdom support, to decentralize governing authority in its post-conflict stabilization environment can be thought of in two parts: 1) the reconstitution of the informal paramount chiefdom system in the initial phase of the stabilization intervention and 2) the creation of town and district councils through the Local Government Act of 2004, which passed in March 2004. Local government elections to decide seats on district councils were held the following May.

The legislation and subsequent constitution of district councils and support to rebuild the traditional paramount chiefdom system reflects several challenges in the post-conflict governance context of Sierra Leone: the need to establish security immediately and the difficulty of measuring the intentions of informal security providers, the difficulty of identifying security providers who have not been a cause of or a threat during the conflict, and the difficulty of reflecting the will of the populace in new legislation when legislation is controlled by self-interested (and possibly corrupt) political elites who may have contributed to the conflict.

On the one hand, the gradually increasing centralization of government power following independence 1961, including the abolition of local government in 1972, was a major source of political tension and instability that contributed to the conflict. On the other hand, one of the effects of the original chiefdom system was abuse of authority through arbitrary fines and alienation of youth through labor “contracts” in exchange for land—also a major cause of the conflict. Following the conflict, however, there was consensus that power needed to be decentralized again, and there was really no other immediately available option to improve security during the initial phase of the United Kingdom’s stabilization intervention (Jackson

18 This case example is largely excerpted from Paul Jackson, “Chiefs, Money and Politicians: Rebuilding Local Government in Post-War Sierra Leone.” *Public Administration & Development*, February 2005, 25 (1): 49-58.

2005, 58; author interviews).¹⁹ The Local Government Act was a means of linking the chiefs with statutory local governing bodies—an often stated policy recommendation intended to strengthen formal oversight of informal networks. The Act created town and district councils that would collaborate with—as opposed to supplant or usurp power from—paramount chiefs on issues such as taxes and planning. The paramount chiefs, however, viewed the introduction of the district councils as a potential threat to their power and immediately sought permanent seats on the councils (which they did receive).

Attempts were made to collect nation-wide input into the composition of the councils through an extensive consultation performed by Sierra Leone’s Ministry of Local Government and Community Development. Although the district level votes were close, the results were clear and reflected popular will through three concrete recommendations: non-party elections for district councils, no reserved seats for paramount chiefs, and special representation of women, youth, and disabled war victims. Ultimately, however, these options were rejected by the officials drafting the Local Government Act (Jackson 2005, 51–52).

The example demonstrates how local parties will attempt to further their own interests, in this case augmented resources for the stabilization intervention. Sierra Leonean officials knew that donors favored decentralization, and therefore “certainly knew that this was a route to obtain external funding” and there was “an incentive for official to ‘say the right things’ to external donors” (Jackson 2005, 51). Furthermore, given complicated national and local political dynamics, it is difficult to assess the degree to which government officials and the populace (through the district vote) truly favored the proposed system or whether they expected it to be a source of tension. Controversial and major policies should be especially careful to understand the context of political sensitivities, authorities, and community perceptions of decision-makers, those benefiting from the policy, and the policy itself (Jackson 2005, 57).

Second, reformers should be aware that decentralizing authority can be just as easily manipulated and abused at the local level as authority can at the national level. Perhaps there were few other options for establishing immediate security, but local governance reform offered an opportunity to improve upon abusive practices and introduce oversight to the paramount chiefs.

Although the UK, through DFID’s support of the Justice Sector Development Programme, intended to reform the justice sector (including the chieftdom system) through training, it lagged far behind other SSR efforts that began in 1999. Delaying justice reform until 2005 allowed several years of chiefs’ consolidation of authority. Recent surveys present differing views of the chiefs in Sierra Leonean communities. One 2006 study painted a picture of corruption, abuse of power, and lack of respect for human rights, particularly gender equality (Rennie, 2006, 5–8). A second study in 2008 seemed to present more positive perceptions of paramount chiefs but was a more objective portrayal of public *use* of various justice mechanisms rather than a qualitative survey of public *perceptions* of legitimacy (Sierra Leone, 2008, 65–67).

ITERATIVE LESSONS OBSERVED

The case examples demonstrate that much of the guidance for designing, planning, and implementing SSR in stabilization environments is valid. They also demonstrate, however, the need for a thorough understanding of complex environments and that guidance can never be blindly implemented—however well-intentioned it may be.

19 For added complexity, it is worth noting that although the chiefs were a source of conflict, they also command respect from the community, particularly among elders. For one more layer, the “traditional” label of the chiefs comes not from Sierra Leoneans themselves but British recognition of them in the Hut Tax War of 1898. Chiefs are elected from a hereditary line of up to three families. Paramount chiefs maintained local order during British rule through monitoring, taxing, and reporting on migration activities (Jackson 2005, 53).

SSR in stabilization environments requires coordination on multiple levels: among international actors, and between donors and host governments, donors and local populations, and civilian and military capacities. Various coordination mechanisms are available, and the context dictates what will be most effective. If the Congolese government prefers to meet bilaterally, and that allows reform to proceed (and security to improve) more rapidly, then that is possibly the best way of moving the reform agenda forward for the benefit of the populace even if it is not an optimal or ideal strategy.

There is also need to balance planning and flexibility. A strategy and a defined end state can allow reform to progress more efficiently and effectively under most circumstances. But with limited resources and a rapidly changing environment, planning in too much detail or too far in advance will be a waste of time and resources.

Whenever undertaking SSR in a stabilization environment, donors must ask a series of questions to determine whether support is appropriate. Those doing the asking must understand the resources and commitment involved with SSR, especially in stabilization environments with a collapsed or extremely weak government. Insufficiently comprehensive initial assessments will likely underestimate the risk involved in undertaking SSR as well as the resources required. And not following through with governance reform and institution building as well as improving the operational effectiveness of security forces will ultimately do more harm than good.

SSR in stabilization environments requires careful consideration of how to engage with informal security and justice providers. Donors should understand that such actors will have varying degrees of legitimacy—including substantial legitimacy—and they should assess how engaging with particular actors will be perceived by the populace and potentially affect security in the short, medium, and long term.

Those providing assistance must be able to identify the leaders who are committed to reform and professionalism for the sake of improved security for local populations. Those leaders should be the owners of the security sector reform process.

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THREAT ASSESSMENTS AND REVIEWS (OR CONFLICT ASSESSMENTS AND DEFENSE REVIEWS): A NOTE ON CURRENT PRACTICE¹

By Alix Boucher

FRAMEWORK FOR ANALYSIS

Threat assessments compile and analyse current and prospective challenges to a country's security and interests, and may be conducted as part of wider reviews of national security and defense policy and institutions. They may serve as the basis for developing national security policy and strategy. They may also serve as the basis for decisions on how to structure the institutions that implement security policy and strategy.² Reviews are typically conducted on a periodic basis to evaluate force posture and to determine new budgetary and human resource requirements to support national security strategy.

This practice note focuses on processes behind the development of threat assessments and reviews, especially but not exclusively in countries emerging from conflict. It discusses ways to ensure that results of threat assessments and reviews are accepted by national authorities and that the process itself is inclusive and legitimate. The note addresses the challenges of conducting reviews and assessments during ongoing conflict, examines the defense review process, and discusses the need to create procedures for periodic reviews of the security sector. The note does not specifically address assessment of public health threats or potential for natural disasters, but *responding* to such events may be a secondary role for national security services. Finally, the note focuses broadly on international support to threat assessment and review processes, since much of the support provided and many of the challenges faced are common to both processes, but items of particular concern to either process will be noted throughout the document.

The host state's national security leadership (which usually includes the chief executive, the ministers of defense, interior, foreign affairs, and finance, and key elements of the legislature) may both mandate the assessment and—in some combination—select those who conduct it. Peace operations providers and/or development donors may assist the host state in its conduct of a threat assessment or review, in part to determine which kinds of assistance may be needed and the ways in which it could be provided to selected institutions. Such outside institutions may prefer to rely entirely on their own personnel (or private companies) to do a threat assessment or review, but doing so risks decreasing the local legitimacy, and therefore local acceptance, of the result.

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- 1 This practice note is a part of the SSR Best Practices and Lessons Learned Repository, a project which the Stimson Center conducted at the request of the Security Sector Reform Unit in UN DPKO's Office of Rule of Law and Security Institutions. The SSR Repository was made possible with support from the United Kingdom's inter-agency Strategic Support for International Organisations (SSIO) program. The views expressed in this note are those of the author and the Future of Peace Operations program at the Stimson Center, and do not necessarily reflect the views of the UN SSR Unit or the UK SSIO program.
 - 2 For more on national security policies and strategies, see the relevant practice note.

When the host state faces an active threat, adding independent local experts as well as other (especially regional) experts to the assessment team may help to ensure that it looks beyond the host state security forces' current operational priorities (Hendrickson, 13). It is especially important in such cases that members of the security forces understand the rationale for the assessment and review, its objectives, and its possible repercussions.

Involving the population and conducting surveys of perceived threats and of security preferences (for example, which institutions should undertake which security tasks), may improve the legitimacy and acceptance of security forces in the eyes of the public over the long term.

CORE PROGRAM DESIGN ISSUES

The main program design challenge is to determine the scope of the threat assessment or review, that is, deciding the breadth and timeframe of the threats to be analyzed and whether the process will be focused on the short, medium, or long term. Another challenge is to decide what the output and outcome of the exercise should be. One approach might use a relatively simple definition of key threats and of the force requirements to meet them. An alternative, longer process would analyze threats in greater detail, determine their absolute and relative importance, determine which forces are to respond to which threats, and determine which threats may not be manageable by the host state alone. It would also lay the foundation for national security policy.

Threat Assessments

Some analysts, in interviews, described the need to assess threats based on a country's interests, which can be grouped into four categories: those that relate to state survival (attack and absorption by a neighbor, for example, or secession of a province or ethnic group); those that are vital (a country may choose to go to war rather than compromise them); those that are major and substantially affect the welfare of the country (but may be dealt with through diplomacy, embargoes, or other means short of military power); and minor interests that, for example, may still have long term economic impact.

Others considered that limiting the definition of "threat" to that which affects primarily the security of the state—while disregarding that which affects the security of its citizens—risks missing important causes of conflict. They argued that human security, measured in terms of violent threats to individuals, should be considered in threat assessments. Still others argue that the conception of threats should be even broader and should include disease, hunger, and natural disasters, because those kill more people than war, terrorism or genocide. (Human Security Report, viii, and Fair and Jones, 2). This note adopts the middle view that assessments should include not just threats to the state and its survival but also threats to the security of its citizens and their ability to live in peace.

Threat assessments should begin with the threat environment—the different categories of actors within and around the host state that hold potential for (or have a recent history of) violence—how these different actors are connected, and how they influence each other. Countries in conflict or recovering from conflict may benefit from a more comprehensive conflict assessment, which may include analysis of the political, economic, and institutional conditions in the host state that precipitated current conflict or may mitigate its recurrence. There is no universally-accepted threat framework on which to build an assessment but there are several potentially useful models, from the US Agency for International Development (USAID), the UK Department for International Development, and RAND Europe for the UK Security Sector Reform Advisory Team.

USAID's Conflict Assessment Framework, which serves as the basis for the US Interagency Conflict Assessment Framework (ICAF) described in the US Army's Field Manual on Stability Operations, provides a useful set of iterative questions. The framework is first examined as part of a desk review, and then used to guide a field team tasked with examining the country's conflict. The desk and field analysis are intended to determine whether realities on the ground threaten peace in a country (USAID, 38–41). The framework suggests examining the conflict in five steps: establish context (determine which long-standing conditions are resistant to change); understand core grievances (for example, perceptions that physical security, livelihood, interest and values are threatened by other groups or institutions and how these factors may affect each other); understand sources of social and institutional resilience (the performance of institutions and social groups in the face of conflict; regime type and legitimacy; inclusion or exclusion of certain groups; rule of law and provision of security; economic governance; and natural resource management); understand regional and international factors (including political and economic dynamics); identify drivers of conflict and mitigating factors (who the key actors are; where they are; what they affect and how they affect conflict; organizational, financial, and human resources; and general questions concerning incentives for violence); and describe windows of vulnerability/opportunity (vulnerability when an event, including a natural disaster, could threaten to lead quickly to conflict; and opportunity when an event could be used as an entry point to bring stability). In short, the framework provides questions to assess the motives (or incentives), the means, and the opportunity for conflict in a country (USAID, 12; United States, FM 3-07, D3-4).

The US Army Field Manual on Counter-Insurgency Operations recommends that prior to developing a program for security force assistance (the US military's terminology for SSR), commanders and leaders should assess the following dynamics "throughout the planning, preparation, and execution of the operations": social structures (organization, demographics, and education level of the existing forces); methods, successes and failures of host state operations; state of training at all levels and specialties and levels of leader education; equipment and priority placed on maintenance; logistic and support structure, and its ability to meet the force's requirements; level of sovereignty of the host state government; extent of acceptance of ethnic and religious minorities; and laws and regulations governing the security forces and their relationship to national leaders. Such assessments should be used to develop troop-to-task analyses and then to determine the required size of the forces and what other kinds of assistance the host state forces need in terms of capacity building, infrastructure management, and procurement. Periodic follow-on assessments (or reviews) should determine whether priorities need to be realigned and programs modified (United States, FM 3-24, vi7–8).

DFID also uses a conflict assessment tool to guide its work in this area. The methodology for conducting an assessment is flexible and "adapt[s] according to the needs and objectives of the end user." Donors should be mindful that assessments may return different results depending on the phase of conflict in which the host state finds itself. As such donors should use a dynamic model of analysis where plausible possibilities are identified based on the analysis of many different actors ("joined-up analysis"). Much like USAID, DFID suggests basing the assessment on different "analytical lenses" including political economy (encompassing but not limited to "greed and grievance"), the structures and actors involved in the conflict, and the dynamics of their interactions. When examining political structures, assessments should analyze long term factors such as security and the political, economic, and social situation in the country. Factors requiring analysis include interests, relations, capacities, peace agendas, and incentives.

Analysis of dynamics requires looking at long trends in the conflict, triggers for increased violence, capacities for managing conflict, and likely future scenarios (Vaux et al., DFID, 2002, 7–10).³

RAND Europe’s framework categorizes factors that affect national security as either permanent or contingent, and as domestic or external. Permanent factors include geography, climate (including propensity for natural disasters), and natural resources. Contingent factors include conditions created by conflict (combat-experienced but otherwise unemployed youth, for example, damaged infrastructure, and flight of professional talent and foreign investment). Domestic security concerns include homegrown terrorist or insurgent threats, public health threats (food security, or risks posed by contagious disease), transportation security, and ability to manage exploitation of domestic natural resources. External concerns include neighboring states (both for risks of conventional conflict and for risks of mass inflows of persons fleeing conflict in neighboring states or elsewhere in the region), access to needed external resources (oil, food), and threats from non-state actors who are based in or funded by other states (Bearne et al., RAND 2005, 21).

Defense Reviews

The first step in a defense review is to determine the current state of the security forces, their current capabilities, the threats to which they are expected to respond, and whether their current structure and doctrine is suited to their current needs. In addition, the review should examine the existing state of defense management and oversight structures, including the relevant ministries, parliamentary committees, and other oversight bodies. Before beginning the review, assessing the capacities of the institutions expected to take part in the process may also be helpful, particularly when even limited training by donors or others could help expedite the process and increase its legitimacy.

In conducting a defense review, national ownership is important and the process should be open and transparent, even while technical and political challenges require more host state mentoring. At the same time, donors should not conflate government ownership with national ownership, particularly in countries recovering from conflict (Hendrickson, 11–12, 29). During conflict, a defense review may require “trade offs between meeting immediate security needs and satisfying longer-term institutional transformation.” Thus, even with a 10–15 year focus, a defense review will inevitably be affected by ongoing operational requirements (Hendrickson, 13, 40).

The review should examine the structures required to support effective and capable forces. In Uganda, the review included seven areas: policy and planning, logistics, procurement and infrastructure, financial management, information technology, accountability mechanisms, and civil affairs. It may also require balancing defense spending needs with donor requirements for improved efficiency of financial and personnel management (e.g., removal of “ghost soldiers” from payrolls) (Hendrickson, 38, 30–31).

The assessment or review should consider local resources, both financial and human, expected to be available in the near and long term, as force structures must be locally sustainable (United States, FM3.07, vi-12). Finally, donors should recognize that political sensitivity may prevent the defense review from covering all topics. There are risks both for donors and the host state government associated with being part of a defense review, arising from possible disagreements over national ownership, threat definition, and so forth. (Hendrickson, 33).

3 Organizations that use similar frameworks are the Swedish International Development Cooperation Agency and the Dutch Ministry of Foreign Affairs.

Defense reviews should have a clear methodology with a broad conception of host state requirements. Consultation and the involvement of multiple agencies will also increase the legitimacy of the process. Donors should also be aware, however, that some may not back the process initially and it is important to find ways to obtain their buy-in (Hendrickson, 17–18). In Uganda, the review also required balancing analysis of the country’s wider security needs with the choice of the defense sector as an entry point. In some cases, holding a workshop to familiarize the key players with the adopted methodology can be helpful (Hendrickson, 33–36).

Similarly, it may be useful to set up a special committee to discuss sensitive issues (classified information) within the military capability assessment (Hendrickson, 2007, 40). In the defense review, donors and the host state must “achieve a common understanding of the full range of security threats, military and non-military” that the host will face in future. The review then helps to clarify roles of the various defense actors in meeting these threats (Hendrickson, 35). The fact that a defense review is underway should be publicized and the resulting white paper should be widely disseminated.

PROGRAM PLANNING

The planning process has several steps: first, specify current donor activities; second, identify conflict drivers and gaps not addressed by existing efforts; third, specify challenges to addressing these gaps; fourth, describe the risks associating with failing to address the gaps; and fifth, describe opportunities to address gaps, entry points and windows of opportunity (United States, FM 3-07, D6-7).

The threat mapping process should be as inclusive as possible. An important part of threat assessment is to determine the importance of each threat, but based on the perspective of individual actors. What constitutes a threat in the eyes of host state authorities may seem less important to assistance providers. These different perspectives need to be reconciled so that all threats, not just those viewed by one party as important, can be effectively addressed (Fair and Jones, 7). Acknowledging threats in this fashion can improve coordination in addressing them.

A defense review or threat assessment requires the creation of robust project management structures.□ While support from donors may not always be required to create such a structure, donor programs should ensure that the host state develops a plan to adequately manage a threat assessment and review program. In countries recovering from conflict, lack of capacity (and thus inability to conduct a comprehensive assessment or review) may affect the eventual outcome of the process. In such cases, creating a formal management structure to discuss program planning challenges may be necessary. Doing so might be particularly necessary in cases where concerns about overly informal processes for such efforts may affect the ability of the host state authorities to sustain or duplicate efforts in the future. In countries recovering from conflict, donor support to formal process can serve to create good practice in project management across the host state institutions involved. In other cases, where capacity is sufficient, donors may choose to encourage participants in the host state to share program management concerns in a more informal manner (Hendrickson, 14–15). As part of the defense review, the host state and donors should develop a “defense professionalization and modernization plan set in a context of competing needs and resource constraints across the public sector” (Hendrickson, 36).

Technical assistance in managing the assessment or review should “complement, facilitate and enhance” host state efforts, but this does not mean that donors should do the work for the host state government. Before the process begins, donors should “assess national institutional resources in order to identify gaps

and the specific requirements for technical assistance.” Donors should then consider providing basic training to host state administrators because, if their capacity is very low, training before the process begins can increase confidence and ownership. Donors should receive advance assurances from the host state that newly trained officials will not change jobs in the middle of the assessment/review process. As much as possible, donors also should ensure continuity in their own teams of advisors, even when they are not based inside the country. While project management software may be helpful if its users are adequately trained, it may be too complex to be used effectively in the host state (Hendrickson, 16–17, 46).

The assessment/review process should ensure stakeholder involvement by increasing their capacity to debate security issues (Hendrickson, 17–18). Donors should identify stakeholders, understand their individual interests, assess their level of support for the process and its potential outcomes, and develop strategies for managing stakeholder expectations (Hendrickson, 46–47).

A public information campaign on the need for an assessment and review could include efforts to disseminate information in various media, including newspapers and radio, at meetings in the legislature, and via civil society organizations. A challenge to organizing effective workshops as part of an assessment/review may be the depth of stakeholders’ political, economic, or emotional involvement in the conflict and the resulting difficulty of generating objective feedback. Donor staff should take such considerations into account (SIDA, 6).

FIELD EXPERIENCES

This section looks in greater detail at assessments or reviews in Uganda, Sierra Leone, and Liberia.

Uganda

The Uganda Defense Review reflected a comprehensive effort on the part of the United Kingdom to support a review process in a country that was still recovering from conflict. It occurred in three phases. In the first phase, Ugandan authorities and UK advisors conducted a strategic security assessment that detailed the roles of the various government agencies in responding to security challenges. It also outlined missions for the Ugandan Peoples Defense Force (UPDF) and requirements for its modernization and reform.

The assessment also included the development of three scenarios (worst, middle, and best) for Ugandan development over the next 10–15 years and how such scenarios would influence the security of the state and its people. Threats were rated, within scenarios, according to their likelihood and impact. As part of this process, the Foreign Ministry assessed the ability of defense actors to meet Uganda’s foreign policy goals, including participation in peace operations (Hendrickson, 36).

In the second phase of the review, the UK and the government estimated the UPDF’s operational requirements to meet anticipated challenges within each scenario, which included analysis of institutional support systems and structures that would be needed for the UPDF to operate effectively. Based on this analysis, four strategic options were presented to the government, each detailing human resources, equipment, training, and funding required to operationalize the option, including the “supporting institutional structures and processes needed to deliver this operational capability effectively and efficiently” (Hendrickson, 37). The review identified, under each option, key tasks for meeting priority threats and the capabilities required to undertake those tasks. A paper detailing the rationale for each option was also produced (Hendrickson, 38). As part of the review process, UPDF service chiefs were asked to conduct institutional gap analyses—assessments of

what their service would need in order to meet the operational objectives of each strategic option. Local consultants were hired to assist each of the service chiefs (Hendrickson, 39).

In the third phase, the findings of the defense review were submitted to senior civilian and military leaders for evaluation. The evaluation led to the production of a White Paper on Defense Transformation.

Sierra Leone⁴

In 2003, the UK's International Military Assistance Training Team (IMATT) supported the Sierra Leonean MOD's efforts to develop a Defense White Paper and an accompanying "Plan 2010" for its implementation.⁵ Based on this document, the Sierra Leonean Office of National Security (ONS) first began an initial review of the country's security sector in late 2003. The efforts continued through 2005. This security sector review, based in part on Plan 2010, aimed to "evaluate the main threats to the political, social, and economic development of Sierra Leone" over the ensuing 5–10 years (Conteh, 3). The review, which formed part of Pillar One of Sierra Leone's Poverty Reduction Strategy Paper, also aimed to clarify the roles of the security institutions (Jackson and Albrecht, 2008, 3; Albrecht and Jackson, 2009, 102–105).

Stakeholders in the security sector review process formed a Working Group which included the military, police, prisons, fire service, members of the parliament, the judiciary, the private sector, traditional rulers (Paramount Chiefs), and civil society (NGOs, the media, and women's groups). The Office of National Security prepared a Framework Document that identified corruption, revenue loss, organized subversion, cross-border issues, persistent delays in implementation, human rights violations, and lack of confidence in government institutions as the major threats. The Framework Document was used at a series of workshops held across Sierra Leone. The workshops were intended to build the legitimacy of the security review process and to increase public confidence in the government. Participants were divided into groups and asked to discuss their vision for Sierra Leone for 2025 and threats that could jeopardize that vision (Conteh, 3). Consultations also included participation in radio programs. Finally, the Security Sector Review process included eight steps: conduct a strategic environment review, determine national threats, develop a security policy framework, develop individual institutions and agencies policy frameworks, conduct a gap analysis, develop transformation strategies, address cost and affordability, and implement transformation strategies (Albrecht and Jackson, 122).

In the next phase, the Working Group (again through workshops) developed a review that examined the current institutions, the institutional and force structure requirements for meeting threats, development of specific roles for all actors expected to counter the threats, and an analysis of gaps in roles and capacities of the existing institutions (Conteh, 4). The process also led to a definition of which institutions fell under the "security sector" label, finding that institutions included governance and oversight mechanisms, the ONS and intelligence agencies, the ministries of Interior, Justice, Defense, Foreign Affairs and Finance, uniformed services, the judicial system, the Truth and Reconciliation Commission, private security companies, non-state paramilitary forces, and civil society (Albrecht and Jackson, 120).

By 2005, the Review process determined that because the Sierra Leone Police (SLP) is charged with responding to the internal threats it had identified as most severe (disgruntled ex-combatants, corruption, etc), it required authorities to codify Military Aid to Civil Power (MACP). While such legislation existed, it needed to be modified and an MOU had to be developed to ensure civilian control and determine systematic

⁴ This section is largely drawn from Peter Albrecht and Paul Jackson, *Security Sector Transformation in Sierra Leone, 1997-2007*.

⁵ For more on the Defense White Paper, its contents and development, see the National Security Strategies and Policies practice note.

mechanisms for allowing the RSLAF to assist the SLP in case of threats to internal security (Albrecht and Jackson, 151–152). The signing of the MOU in particular played an important role in defusing long-standing tensions between the two institutions. Today, if the SLP requires assistance, it must formally request it from the RSLAF (Nelson-Williams, 6; Le Grys, 8).

Sierra Leone's Office of National Security now conducts more frequent security assessments. The ONS includes a Joint Assessment Team, which receives reports on threats from the Central Intelligence and Security Unit. Assessments are developed weekly and discussed in meetings of the Joint Intelligence Committee. Discussions within the JIC are designed to vet assessments by examining their context and determining whether they may be politically motivated before they are provided to higher ranking officials. If decisions need to be made based on assessments and intelligence collection, the ONS-led Strategic Situation Group, which includes the Ministries of Defense, Foreign Affairs, Information, and Internal Affairs (among others) examines the assessments and recommends action (Conteh, 5). Overall, one of the main remaining challenges is retaining qualified staff for assessment and review and insufficient funding for either personnel or facilities for these tasks (Conteh, 7).

Liberia

In Liberia, the International Crisis Group divided threats into two categories: political, and economic and social. Political threats include unemployed ex-combatants, particularly youth; insurgency (from the formation or reformation of an armed group); and the less likely external attack. Social and economic threats include food riots, violent crime and vigilantism, and land disputes (Crisis Group, 5–8).

A RAND study commissioned by the US Department of Defense focused on internal versus external threats. Internal threats include widespread unemployment, disaffected (and often still armed) youth, associated lawlessness, and the risk that these actors will form militia, rebel, or insurgent groups and threaten the state. Given instability in the sub-region, external threats are possible, but would more likely come from non-state actors (Gompert et al., RAND 2007, 9). To determine Liberia's security requirements, the RAND analysts examined the reasons for lack of legitimacy and effectiveness in Liberia's previous security forces. They found the security sector to be "corrupt, bloated, incompetent, and unsustainable." Any new security apparatus, they argued, should meet four basic criteria: coherence, legitimacy, effectiveness and affordability (Gompert et al. 17–18). The study laid out principles on which Liberian forces should be based, determined roles and missions for each service branch, and offered recommendations for a security architecture and three force structure options. The study analyzed each option's capacities, cost, and anticipated cost effectiveness. It recommended the creation of a medium-sized police force with a quick response unit, a small army, and a small coast guard. The study process included an exercise to test the force plans against predicted threats (Gompert et al., 30, 32, 35–37).

ITERATIVE LESSONS LEARNED

Lessons in developing threat assessments and reviews remain extremely limited, largely because of the sensitivity of such processes and the ensuing lack of publicly available documents containing relevant lessons. While numerous donor governments have been involved in supporting such efforts, their officials do not routinely publish lessons learned from their experiences—it is therefore necessary to find individuals directly involved and discuss their experiences with them.

Nonetheless, from the limited existing literature, national ownership appears to be key to conducting a successful assessment/review. Assessments/reviews should seek input beyond the governmental security

community, both for an accurate reading of security perceptions and needs amongst various groups and areas of the country, and also to legitimize the post-conflict security system amongst those consulted. A noted good practice is the organization of a workshop or workshops for stakeholders in the security system, broadly defined.

Training for key security administrators before the assessment/review begins is logical, resource effective, and ultimately time-saving.

Balancing immediate security needs against needed long term capacity is another core concern, as the two needs may point toward different security solutions. Recommendations that flow from threat assessments and defense reviews must, however, pay close attention to the projected ability of the host state to sustain recommended courses of action both in human and financial terms, on the basis of nationally-generated revenues and realistic expectations of other assistance. Reviews should be explicit about the trade-offs that resource limitations may impose regarding states' abilities to meet different threats, and how the pattern of trade-offs changes with different policy options.

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NATIONAL SECURITY POLICIES AND STRATEGIES: A NOTE ON CURRENT PRACTICE¹

By Alix Boucher

FRAMEWORK FOR ANALYSIS

A national security policy (NSP) is a government-wide analysis and description of the strategic-level concerns a country faces; it addresses how the government plans to deal with these concerns. A national security strategy (NSS) is a government's overarching plan for ensuring the country's security in the form of guidance for implementing a country's national security policy. The NSS is considered essential for the integration and coordination of activities by various national security actors. It defines the role of each national actor in dealing with national security needs, determines processes (and chain of command) for making decisions when response to threats or crisis is required, and delineates conditions for using security forces. Additionally, an NSS may detail cooperation mechanisms between various security actors, rationales for involvement in regional or international peace operations, and justification for intervention in other countries' security affairs. Generally, an NSS is based upon threat assessments (provided by the various intelligence collection and analysis actors) and reviews of the existing state of the country's security sector.²

In many countries, national security policies are determined by a National Security Council (NSC) structure. The NSC can be either advisory or executive in nature (Bearne et al., RAND 2005, 2). Generally, the main actors devising the NSS will include the Chief Executive, the ministries of Defense, Foreign Affairs, Interior, Finance, the National Security Advisor, senior military officials, and senior intelligence officials. The NSC, as both a developer of security policy and an oversight body, can also help to maintain the integrity of security sector policy-making and manage policy implementation (Kinzelback and Cole, 2006, 66).

The parliament generally provides oversight for national security policy and for financial matters related to the use of security institutions in application of national security policy. In post-conflict countries, international agencies including the UN and donor governments may support both the development of an NSS and the implementation of national security policies. In some countries, civil society groups are acquiring a greater voice and role in determining national security policy despite the resistance of some governments who consider national security issues to be the domain of security officials and not the general public.

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2 For more on threat assessments and reviews, see the relevant practice note.

National security policies vary by country but much of the writing on the subject has tended to be focused on powerful western states. The national security policies of countries such as the UK, US, France, Canada, and others assume that states are large, wealthy, and have an expansive array of security concerns (Chuter, 1). In smaller and weaker countries that are also emerging from conflict, however, viewing security concerns as global and expecting resource-strapped countries to play more than a small role in regional security can lead to unrealistic expectations about security and its implications. In these countries, national security strategies could more productively focus on the tasks that security institutions can perform to contribute to the country's security needs (Chuter, 5). Additionally, a national security strategy can usefully be embedded into a national development strategy which includes plans for government-wide institutional capacity building and sustained economic development efforts. Framing national security strategy within wider efforts also allows for more realistic financial planning, not just for development of the security sector (which often uses threats outlined in national security strategies to justify military expenditure) but also for broader infrastructure, institutional, and economic development. In other countries where the UN supports security sector reform, national security policy determination and implementation mechanisms may either not exist at all or may not be functional and thus may require external support to build up both their effectiveness and legitimacy. In other cases, the existing NSC structures may not be guided by strategic vision, which the development of a national security strategy can help generate. In such contexts, an initial national security strategy may also play an important role in determining a comprehensive strategy for security sector reform. Indeed, a competent, transparent, and effective security sector is a requirement for successful implementation of a national security strategy, which can be effectively used to assess and redefine the role of the security sector based on a current threat assessment and the expectations of the country's population. In short, the NSS can be a tool for building legitimacy of security actors in the eyes of a population.

This practice note discusses the challenges to reforming national security structures, as they relate to drafting appropriate national security strategies, and provides examples of ongoing efforts in Afghanistan, Liberia, and Sierra Leone.

CORE PROGRAM DESIGN ISSUES

In cases where a national security structure needs to be established or substantially reformed, core issues affecting program design include the constitutional or legislative framework for national security policy and strategy, the security structure's "as found" effectiveness and legitimacy, how those attributes can best be improved, and how the security sector should be (re)organized so that peacekeepers leave behind a capable, legitimate, and sustainable national security structure.

Basis for National Security Policy and Strategy: Framework, Legitimacy, Transparency, and Accountability

Developing a national security policy and national security strategy requires an adequate policy *framework*. The framework should detail the main sectoral priorities and fundamental values, legal basis, and role of key actors in national security policy making and implementation. Based upon democratic principles and delineating the relationship and hierarchy between security organizations and civil authorities, the framework should include a policy process for the security sector and base the policy on accountability, participation, and a culture of inclusivity, with an accessible process that guarantees transparency, efficiency, and ownership.

The existing constitutional framework and accompanying national security legislation should be examined to ensure that they define the basic responsibilities of each security actor. The law should also mandate civilian control over security forces and the chain of command for policy implementation and force employment decisions, mandate separation of civil policing and internal defense, and define the principles on which security actors base their actions, (Norwegian Ministry of Foreign Affairs, 6, 12, 24, 40; Ball et al., 71–79).

The legal or constitutional framework should also include clauses for the role of the legislature in national security policy formulation and oversight. Legislatures, and in particular the relevant policy and financial oversight committees, should have a legal basis for access to information on security sector issues. Similarly, legislators should have a say in declaring war and have the capacity to oversee budget decisions and expenditure for the security sector. The legislature may also be given authority to approve of the nomination of senior security sector officials, whether in the civilian executive branch or senior echelons of the security forces. The legislature should also be able to advise on and approve of decisions on executive emergency powers. Finally, the law should prohibit military interference in politics.

The policy process should be managed and administered in a credible fashion where the process ensures *legitimacy* by being continuously reviewed to ensure it adheres to specified standards, guarantees appropriate participation (ownership) and where debate helps to address conflicting aims and views.

The legitimacy of a national security document rests on the manner in which it is developed and the degree to which consultations with stakeholders, as well as the concerns of the population concerning security, are integrated into the final document. Its legitimacy can also be affected by the legitimacy of national security decision-making and implementation institutions. Legitimacy can be bolstered by reducing the number of potential blockage points in security decision making. Such blockage points can exist at different levels and with different actors involved in either making national security decisions or in the oversight of national security mechanisms. Avoiding blockage points requires consulting different actors, securing the commitment of targeted groups to policy objectives and in some cases conducting information campaigns to ensure transparency.

For both policy determination and policy implementation, civilian control can assist with transparency and accountability, as does parliamentary oversight and possible involvement in the decision-making of non-governmental specialists. Similarly, the UN (and donors in general) can support transparency and accountability by requiring that security actors understand the structures and the processes they use to make decisions (Bearne et al., 22–23).

Transparency and accountability represent a challenge for national security policy, strategy, and corresponding structures, in terms of drafting and decision-making as well as implementation, particularly in countries where the public legitimacy of security institutions has not previously been established or where, because of a history of conflict, transparency itself can be perceived by leadership as threatening. Without some transparency and clear accountability, however, national security institutions may fail to develop the necessary public legitimacy or rapidly lose whatever temporary legitimacy they acquired by signing a peace agreement. For decision-making, the creation of a centralized NSC can itself be a barrier to transparency because members can make decisions without seeing much need to consult with outsiders, even if the outsiders are part of agreed mechanisms for oversight such as the relevant committees of the legislature, let alone the media and civil society.

National Security Implementing Structure: Presidency, Ministries, NSC, Armed Services, and Intelligence Services

The institutions involved in national security policy-making, implementation, and oversight require support to ensure the legitimacy and effectiveness of their efforts. This section discusses challenges to developing institutions for these purposes, particularly in war-torn states. Institutions include the presidency, ministries, the NSC, armed services leadership, and intelligence services. Each plays an important role in the four phases of national security policy and strategy formulation and implementation: development, decision-making, implementation, and assessment and lessons learned (Fluri et al., 28–29).³

In most cases, the *presidency* will supervise the development of national security policy and strategy and make final national security decisions, particularly concerning national security policy and implementation of national security strategy. When competing or dissenting analyses are presented and members of the NSC or equivalent body are unable to agree, the president is often the arbiter. On matters such as foreign deployment of the armed forces, however, the president should be mandated to request parliamentary approval.

This executive role is increasingly facilitated by a national security advisor who “may play a key role in centralizing decision-making, the development of threat assessments, giving advice on national security issues, implementation of policy decisions and oversight” (Bearne et al., 25). When the advisor plays an important role, that office should be subject to effective oversight. The national security advisor also requires access to as wide a range of information, intelligence, and analysis sources as possible.

In post-conflict countries, or in countries where the UN is supporting an ongoing transition to peace, the UN may find itself in the difficult position of supporting government efforts that it cannot directly control. The UN may also need to express concern over the government’s lack of commitment to national security strategy implementation. In some cases, the host state’s president may even deny the existence or validity of security concerns the UN views as crucial peacebuilding. The presidency may, for example, not want to include dealing with the remnants of an insurgency as part of an official national security strategy for fear that it would impede the government’s ability to operate freely (and perhaps outside of acceptable human rights law). It is important that all such national security challenges be discussed with host state leadership and addressed accordingly.

The *ministries* of Foreign Affairs, Defense, Interior, and Finance play particularly important roles in the development and implementation of national security policies and ensuing strategies. Their ministers participate in NSC meetings and ministry officials work closely with relevant counterparts to share information and implement policy. Ministries should also be required to participate in assessment and lessons learned from decision-making and implementation processes. Lessons learned may not always be flattering or politically palatable but they may be ignored at the institutions’ peril; those who would raise such lessons may need protection, via some form of ombuds-mechanism or whistleblower law.

National Security Councils play an important part in all four phases of national security policy and strategy formulation and implementation. During the development phase, national security decision-making structures, whether formalized into a standing NSC and support structure or implemented by the relevant agencies involved, can be used to review joint security assessments, resource allocations, or oversight reports, and can determine security priorities and provide emergency coordination between crisis responders (Bearne et al., iv, 28).

3 Although the four phases are applied by Fluri et al. to the legislature, they are equally apt for other security actors.

National security decision making structures may have just an advisory role or an additional executive (implementation) role. While not all countries require a specific NSC structure, countries that need the capacity to respond to emergencies or that face acute, ongoing security threats may find such a central decision structure helpful (Bearne et al., 28). Security sector reform could be one such area where an NSC could help determine policy; coordinate, monitor and evaluate its implementation; and be the principal forum for policy adjustments.

An NSC can also function as an information integrator. For most national security related issues, information typically gets integrated at lower levels and moves up only as necessary, for example, when ministries disagree on policy or its implementation. (Bearne et al., 24–25). During the implementation phase, most NSCs coordinate the various line ministries with roles in national security, helping to ensure that policy is carried out with a focus on national-level (versus ministerial) objectives. The working levels of the NSC also provide important coordination (both informal and formal) with working levels of the implementing actors. An effective NSC would need the support of the country's senior leadership and adequate resource allocations of its own (Bearne et al., 24, 29).

NSCs require balance between civilian and military influence. In countries that are reforming their security sectors, balancing the civilian and military functions is crucial, particularly in countries transitioning from conflict. An appropriately balanced NSC can help to deter the intervention of military forces in domestic issues (Bearne et al., 26).

The leadership of the armed forces can most legitimately influence national security policy and strategy development by offering accurate assessments of force capabilities and analysis of the force generation, infrastructure, and other implications of proposed policy and strategy. They can also influence the decision-making phase by expressing reservation concerning the likely impact of a proposed policy or strategy on the above variables.

In post-conflict states where UN peacekeepers are supporting reform of the armed forces, implementation of the national security strategy may require extensive lustration, new recruitment, vetting, and training of the country's forces. Using these tools to build the legitimacy of the new forces will be a key task for peacebuilders.

In countries that use gendarmerie type forces for public safety, the national security policy should clearly delineate the role and chain of command for use of these forces, as it should do for the regular armed forces supported, as necessary, by legislation (Chuter, 17).

In cases where national strategy proposes to use the armed forces in regional or international peacekeeping missions, it is important to keep in mind that newly-rebuilt security forces may require some years of training and operations before they are prepared to meet the more challenging environment of international assignments (Chuter, 13).

During the development phase, *intelligence services* provide some of the information and analysis on which threat assessments are based. National security policy should provide guidance on types of intelligence these services *should* collect, rather than what is easy or intended to cement certain political leaders hold on power (Chuter, 15; United States, 6.16). The purpose of intelligence collection, however gathered, should be clearly defined and the means of collection should be delineated within the law to protect human rights. □

For the purpose of forming national security policy documents, “intelligence information should be distributed as widely as possible, so that it can be evaluated and commented upon by experts” other than the collectors themselves (Chuter, 16). When competing or dissenting analyses are produced, an effort should be made to produce consensus; failing that, analysis should be assigned to a single producer who is trusted to reflect the full spectrum of views to decision-makers (Chuter, 16).

During the decision-making, implementation, and lessons learned phases, intelligence services should provide information and analysis on the risks associated with certain decisions, policy choices, and the effects of those decisions on national security policy and strategy.

Key Oversight Actors: the Legislature, Media and Civil Society

Legislatures, and national security parliamentary oversight committees in particular, can play an important part in all phases of national security policy and strategy. Their involvement can help to ensure the legitimacy of national security structures and decisions (Fluri et al., 26–44). The main role of parliamentarians throughout the process is to share public concerns over security policy with the executive.

During the development phase, which is primarily an executive responsibility, parliamentarians can still try to ensure that the policy or strategy meets the needs of their constituents. Executive branch drafters should consult early with the relevant parliamentary committees to make sure that various political visions for security are taken into account. During this phase, drafters should meet with legislators and prepare for the parliament’s debate of the policy. Doing so will also help with obtaining approval for the policy or strategy, since parliamentarians will already be familiar with the rationale behind the policy (Fluri et al., 28–29).

During the decision-making phase, if the national security policy document is submitted to parliament for approval, legislators must have sufficient time to study the document. The relevant committee should consider holding separate debates for the security policy document as a whole and for its component security-related appropriations. Parliamentarians also should be apprised at this time of the budgetary implications of the national security policy document, and public hearings should be held to increase public awareness and support and to build legitimacy for national security policy. In short, framework legislation alone is not enough to establish an effective national security process. “[P]arliament’s most important influence is usually exerted through budgetary appropriation” (Fluri et al., 29).

During the implementation phase, legislatures play an important role in ongoing oversight both at the political and budgetary levels (Bearne et al., 22).⁴ Legislators should therefore examine the activities of security actors, work with other monitoring and oversight mechanisms, and determine whether appropriations are properly used. This can also involve reviewing the results of outside audits of security actors. Finally, parliament may also play a role in approving decisions to deploy troops abroad, declaring a state of emergency, or beginning an inquiry in case legislators believe that key principles of the adopted national security policy have been violated (Fluri et al., 30). The relevant committees should hold hearings with executive officials and security forces leaders to ask questions and validate implementation of the adopted policy.

During the assessment and lessons learned phase, parliament plays a role in auditing how its appropriations have been spent. Such audits can help confirm, modify based on recent developments, or suggest the need

4 For more on governance, oversight, and management of the security sector, see the relevant practice notes.

for a new national security policy (Fluri et al., 30–31). Parliament should develop legislation that delineates its role in all four phases of national security policy-making.

When national security policy determines that the country should be party to important international agreements, parliaments have an important role to play in debating the appropriateness of such a commitment and then of ensuring that existing policy or policy that is under development complies with the terms of the agreements (Fluri et al., 32–36). In particular, since most post-conflict countries are UN members, their national security policies and strategies should comply with the UN Charter. Parliaments should also examine which agreements the executive proposes to adhere to and work with the executive to determine whether continued adherence is appropriate. Similarly, discussions should consider which agreements the country would do well to join, whether on the international, regional, or bilateral level. To ensure transparency and legitimacy, the executive should not “conclude secret treaties or bilateral agreements without the knowledge and consent of the parliaments.” In particular, agreements that “affect the sovereignty, the territory, and the international status of the country should most certainly be subject to parliamentary debate and approval” (Fluri et al., 34). Some agreements may also be subject to popular referendum. Concerning treaties as a whole, parliamentarians, and particularly the relevant committees, should take part in negotiations, obtain constituent views on the agreement, and share views and concerns with the executive officials leading the negotiations. Parliaments should take the time they require to ratify treaties and to add reservations or interpretative clauses to the agreements.

Effective oversight of national security policy-making also requires legislation to ensure that the *media and civil society* can monitor the making and implementation of such policy. Legislation should ensure public access to basic national security documents (Fluri et al., 36–44).

PROGRAM PLANNING

The national security strategies of stable states assume a relatively homogeneous view of security concerns and that “citizens have common interests to be protected, and common interests to be pursued” (Chuter, 10). In post-conflict countries, however, such assumptions may not only be erroneous but damaging to peacebuilding and reconciliation. Developing a national security strategy in the politically fractured circumstances in which many UN operations function requires the involvement and consultation of as broad a group of stakeholders as possible. The Technical Assessment Mission (TAM) should verify the scope of the work to be done in this area and the role of all the players involved. Mission planning should assign responsibility for managing the security strategy process, including a framework for the interaction of identified players.

In most cases, a national security policy and ensuing national security strategy will draw upon a comprehensive (and multi-agency) assessment of the internal and external security threats the country faces. The NSC (or equivalent) should collect threat-related information from all relevant actors, as such “all-source assessments” can be derailed by lack of information sharing and unwillingness by various players to consider information sources other than their own (Bearne et al., 27).⁵

A comprehensive list of security issues should inform initial steps toward policy and strategy development.⁶ The development process should involve both military and civilian officials but be civilian-led, both to reinforce the concept of civilian control, to promote greater process transparency and accountability for

⁵ For more on governance, oversight, and management of the security sector, see the relevant practice notes.

⁶ For discussion of the elements and process of threat assessments, please refer to that practice note.

results. The process should involve public stakeholders through public information campaigns and perhaps through formal consultations at different levels of society, including, as appropriate to the society, traditional community leaders. Where the state lacks capacity to organize formal community consultations, informal individual consultation may be a vehicle for building relationships and improving transparency.

Developing and implementing a national security strategy requires adequate administrative and financial support. Donor assistance—financial and technical—may be required initially, but donors should not do the work for the country’s authorities (Hendrickson 64–65). Each actor should develop a clear statement of how their institution can be structured to develop and deliver the required capabilities to implement the national security policy. Such a statement should include plans for capital acquisition, facilities, and personnel, and their implementation plans for short to medium term operational tasks. Some administrative capacity (e.g., within the NSC structure) will be required to manage and monitor national security policy implementation, including development and execution of budgets. Monitoring should also ensure that national security actors continue to operate within the confines of the law.

Other program planning issues relate to the need to balance openness of policy and debates with legitimate needs for secrecy; the tension between freedom of action and limits on the actions of leaders; the cost of conducting regular security reviews and evaluations in both human and material terms; and the need to balance public debate and ownership with the input of experts (DCAF, 2005, 3).

Liberia’s National Security Strategy Implementation Matrix, discussed below, provides an example of how the UN can support monitoring and evaluation of the national security policy-making and implementation process. Similarly, the UN may wish to consider setting up advisory mechanisms for this process as has often been done with defense sector reform.⁷ Advisers can be useful in helping host-state officials develop their capacity to implement policy within the standards envisioned by the leadership.

FIELD EXPERIENCES

This section describes the processes undertaken in Liberia, Sierra Leone, and Afghanistan to reform national security structures and draft national security strategies and policies.

Liberia

In 1999, former President Charles Taylor requested and received approval from the legislature to establish an NSC, but it was not used during his tenure. President Ellen Johnson Sirleaf reactivated it upon taking office but had no staff to support it. Cabinet members who are part of the NSC nonetheless meet. As part of MoD training, the US provided assistance in developing guidelines on how the NSC is supposed to work, including guidelines for the military. In 2006, the USG commissioned RAND to conduct a study on Liberia’s national security needs (Gompert et al., RAND 2007; Crisis Group, 2009, 5).

The study assessed the country’s security environment and requirements for meeting internal and external security challenges. It offered a concept for meeting these challenges and described core functions for the various national security institutions, balancing costs against the country’s need for effective and legitimate national security structures.

⁷ For more on advising and mentoring, see the defense sector reform practice note.

The study recommended, first, that the NSC be used for “policymaking, resource allocation, and crisis management,” be chaired by the president, and include ministers of justice, defense, finance, and foreign affairs. The head of national intelligence, senior police and armed force officers and the Liberian National Security Advisor (LNSA) should provide advice. The NSC system, under the coordination of the LNSA, should be “extended downward from the cabinet level to working levels to ensure interministerial cooperation.” The report suggested that a national security law was also required to codify missions and roles, ensure political buy-in, and promote public acceptance and understanding. (Gompert et al., 76–80) Since the report recommended that Liberia continue to seek assistance for SSR within its overall reform plan, this is one country where a more capable NSC could perhaps be of assistance in monitoring and coordinating reform (Gompert et al., 77–78).

In January 2008, President Johnson Sirleaf approved the National Security Strategy of Liberia. The document defines the vision of national security in the country and the issues that threaten this vision (Liberia 2008a, 2). The strategy defines the roles of the various security actors, the mechanisms for coordinating their actions, and the means for their oversight and management. To increase the legitimacy of the security sector, the strategy was developed in part by asking Liberians about their security needs, as the new NSS is intended to ensure that “security agencies...will protect the people rather than only those in power in the context of a country-wide fragile security situation” (Liberia 2009, 1).

To assist with implementation of the strategy, an integrated National Security Strategy Implementation Matrix was also developed that details steps for building capacity within each relevant institution and describes gaps in expected funding for each of the steps. The matrix can be considered as a road-map for reforming the security sector and also as a means for monitoring and evaluating progress towards an effective, legitimate, and competent security sector. The matrix was developed by Liberians with the support of international partners and is a “synthesis of the strategic and budgeted plans for each security agencies, taking account of the main challenges and threats that the security agencies must confront individually and jointly to deliver the peace and stability required for Liberia’s continued resurgence” (Liberia 2008b, 6). The Implementation Matrix also details steps required from the various security agencies to allow UNMIL’s planned withdrawal and the Liberian authorities’ assumption of full responsibility for security functions, and lists critical security sector priorities for government and donor support. (Beneath “critical,” in decreasing order of urgency, are “highly important,” “highly desirable,” “important medium term,” and “important long term.”) (Liberia 2008b, 7) The matrix details priorities for the ministries of Justice (covering police, immigration, corrections, and fire service), National Defense (armed forces and coast guard), Finance (including customs), and the Office of Presidential Affairs (including the Office of the National Security Adviser, National Security Agency, and Special Security Service).

The NSS calls for the development of county and district based mechanisms to “provide effective and accountable security coordination, implementation of the rule of law, and joint working with local government as well as civil society, and traditional leaders in the interest of the wellbeing of all the people of Liberia” (Liberia 2008a, 15). County Security Councils and District Security Councils, respectively chaired by Superintendents and District Commissioners, are to gather representatives of the security agencies, local government authorities, civil society groups, and community members for periodic briefings on Liberia’s national security activities (Liberia 2008a, 4).

The NSS divides security concerns for Liberia into three main areas: domestic, regional, and global. Domestic concerns include the effects of civil war, the struggles of a nascent democracy, a dependent economy, youth

vulnerability and exclusion, porous national borders, and rebuilding the police and armed forces. Regional concerns include regional conflict and insecurity, the role of Liberia in regional security and standby forces arrangements, and regional economics. Global concerns include the war on terror, international serious and organized crime, and debt relief and the international trade regime. Within this context, the NSS prioritizes domestic threats as the most important (including, under “effects of civil war,” a lack of respect for rule of law, poor natural resources management, deactivated and unemployed ex-servicemen and ex-combatants, crimes such as corruption, robbery, drug abuse and trafficking, illegally held arms, land property disputes, ethnic hatred and tensions, prison overcrowding, a poor justice system, and HIV/AIDS). External threats are mostly regional in nature and derive from the situation first in the Mano River Union, and second within ECOWAS. Importantly, the National Security Strategy also serves as Pillar One of the country’s Poverty Reduction Strategy Paper (Liberia 2008a, 2; IMF, 2008, *Poverty Reduction Strategy Paper*, 51–60).⁸

The NSS defines the Liberian NSC as “the supreme security policy coordination body operating within the domestic, regional and global contexts which affects Liberia’s national security agenda” (Liberia 2008a, 4). It discusses the role of the National Security Agency and the need to establish an intelligence unit within the Liberia National Police. The NSS also calls for a “thorough Defense Review and Defense Policy and Strategy that will, among others, clarify and determine the mission, doctrine, character, appropriate size, functions, and duties of the [Armed Forces of Liberia]; and provide direction for the development of the military” (Liberia 2008a, 8–12).

Sierra Leone⁹

Since 1999, the UK’s International Military Assistance Training Team (IMATT) has supported efforts to increase capacity of national security institutions in Sierra Leone. The 2002 National Security Act established a National Security Council (NSC) and an Office of National Security (ONS), which serves as the NSC’s secretariat. One of IMATT’s initiatives was to support the development of a Defense White Paper, under the coordination of the Ministry of Defense (MoD). As part of the process, the MoD consulted with stakeholders both inside and outside the defense sector, including the relevant ministries and parliamentary committees (Albrecht and Jackson, 102–103). A Sierra Leonean NGO, Campaign for Good Governance, received support from the US-based National Democratic Institute to organize meetings in several towns.

When the Defense White Paper was issued in July 2003, its aim was “to share with the people of Sierra Leone the way in which their government’s plans for defense are developing and to stimulate debate on this vital issue” (Sierra Leone Government, Defense White Paper, para. 1002). The White Paper would also serve as the basis for a defense review (which later became a Security Sector Review). The White paper defined Sierra Leone’s security environment, identified internal threats and challenges, suggested security priorities, and looked to the future for the country’s defense mechanisms. The White Paper also discussed the role of IMATT in SSR and defined the parameters for reforming the Ministry of Defense. It called for the establishment of an MoD staffed with civilians that coordinates its activities with the ONS. The White Paper also set out initial provisions for military aid to civil authorities, determined mechanisms for defense procurement and defense support (including health and welfare support for the armed services) and listed tasks for the various components of the security sector. In 2004, after the white paper was completed, the

8 Poverty Reduction Strategy Papers (PRSPs) are prepared by governments in low-income countries through a participatory process involving domestic stakeholders and external development partners, including the IMF and the World Bank. A PRSP describes the macroeconomic, structural and social policies and programs that a country will pursue over several years to promote broad-based growth and reduce poverty, as well as external financing needs and the associated sources of financing. International Monetary Fund, <http://www.imf.org/external/np/exr/facts/prsp.htm>.

9 This section is largely drawn from Peter Albrecht and Paul Jackson, *Security Sector Transformation in Sierra Leone, 1997-2007*.

MoD, with the support of the IMATT Commander, also developed an implementation plan, called “Plan 2010.” (Albrecht and Jackson, 102–105). This process was followed by a security sector review which was specifically designed to be part of the country’s Poverty Reduction Strategy (Jackson and Albrecht, 2008, 3; Albrecht and Jackson, 2009, 102–105).¹⁰

Afghanistan

The United States, United Nations, and other donors have supported the development of the Afghan National Development Strategy (ANDS) as well as of some of its components, including the Afghan National Security Strategy and the Afghan Security Sector Reform Strategy. The ANDS details portions of the Afghan National Security Strategy and describes major contemporary threats to Afghanistan, including terrorism and illegal armed groups, narcotics, and mines and other explosive remnants of war. The National Security Policy looks ahead five years and is reviewed annually. Within it, the SSR Strategy “establishes a mechanism to regulate relations between ministries and departments to ensure effective coordination” and is based on the OECD DAC implementation framework for SSR. The SSR Strategy aims to reform the Afghan National Army and Police, and to build a security sector that is effectively coordinated, operationally capable, and fiscally sustainable, where corruption is reduced, the public trusts the government to deliver security and justice, and the narcotics industry is less prevalent (Islamic Republic of Afghanistan, 54–73).

The ANDS explains that the Afghan National Security Council “is the highest institution for indentifying and addressing national security issues.” The president leads the council, which develops strategies, determines priorities, coordinates and oversees the various security actors. The National Security Advisor “identifies the needs and requirements of the [security] sector and leads the Policy Action Group,” an emergency response mechanism for coordinating activities in the southern part of the country. The ANDS also describes the structure and roles of the various security institutions including the national army, national police, the National Directorate of Security, and the ministries of Defense, Interior, Foreign Affairs, and Counter-Narcotics (Islamic Republic of Afghanistan, 57–60).

Concerning security sector reform, a three-phase strategy was developed to ensure that SSR efforts would be fiscally sustainable. The first phase consists of “an accelerated development in the number of Afghan security forces that are adequately manned, equipped and trained to defeat all internal and external threats.” The second phase aims to transition from a coalition-led to an Afghan-led and NATO-supported effort. In the third phase, army capacity will have increased to the point that “the partnership with allies will become one of normalized defense relations” (Islamic Republic of Afghanistan, 59–60).

ITERATIVE LESSONS LEARNED

National security policies and strategies should be developed by host state leaders in consultation with the population. International advisory teams can contribute to the policy-making process but the UK experience in Sierra Leone suggests that advisors should be flexible. They should recognize domestic capacity constraints even as they engage in a process of building capacity to reduce those constraints. Widespread popular consultation elicits the views of key population segments not only regarding what they consider the most pressing security issues but also their expectations of the country’s security actors.

National security policies and strategies should outline the roles and boundaries of the country’s various security actors, appropriate mechanisms for coordinating their activities and rules for cross-agency support

¹⁰ This security sector review is discussed in more detail in the Threat Assessments and reviews practice note.

(as, armed forces for police). They should specify whether national security policy/advisory institutions have a coordinating or an executive role. In countries recovering from conflict, national security strategies should be embedded within wider development strategies. National security strategies should include a realistic assessment of the costs and sustainability of security institutions and plan for their development accordingly. Host state governments should not exclude certain threats from national security policy and strategy for the sake of political or military expediency. That is, host state leaders must have the will to develop an honest national security policy in order to develop a realistic implementing strategy.

Concerning support to the development of national security strategies and policies, the UN and other donors should make sure that they provide the assistance required to create sustainable (and repeatable) processes. National security strategies and policies are not static and require periodic updating. Additionally, donors should ensure that processes are not overly dictated by the host-state's immediate military priorities but rather by a combination of short and long term considerations for maintaining security for the country's population.

Overall, the public literature on support to national security strategy and policy development is limited and devoted largely to transitional, post-communist countries or middle-income to fully-developed countries. The literature that to any significant degree, addresses, the development of security strategies in post-conflict countries—those most frequently of concern to complex UN peace operations—is sparse.

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SECURITY SECTOR GOVERNANCE AND OVERSIGHT: A NOTE ON CURRENT PRACTICE¹

By Madeline England

Governance has a fundamental role in security sector reform. Every element of security sector reform implies a functioning government in place: performing a threat assessment, planning a national security strategy, developing constitutional, legal, and policy frameworks, managing the security sector, and overseeing and holding it accountable. Moreover, performing these tasks successfully and sustainably requires a government in place that is willing to take ownership of the reform process, and has some capacity to do so and to engage with external actors (such as peacekeepers and assistance providers), with its public, and with itself (managing and coordinating policies and actions).

Yet principles of good governance of the security sector—democratic and civilian control of the security sector; transparency, oversight, and accountability for security policies, decisions, and practices; respect for human rights; compliance with international law; and legitimacy of the security sector in the eyes of the public—are largely aspirational, as no state will perfectly adhere to such standards at all times. For added complexity, basic receptivity of local parties to these good governance principles is a necessary precondition for governance reform as well as its desired end state.

Principled security sector governance (SSG) faces severe challenges in post-conflict, fragile, or failed states. Government in such states may be factionalized, too weak to deliver essential services, or largely destroyed by war or other calamity. Under such conditions, in what the Secretary-General has defined as the immediate aftermath of conflict (“the first two years after the main conflict in a country has ended”; United Nations 2009, Summary) outside actors may hope but should not expect that host state leaders and agencies will take effective ownership of reforms, cooperate with each other, or open up to the public. The implication is that governance of the security sector will not conform to good governance principles in that early period, and that concerted outside leverage, exerted at many levels, will be required over an extended period to give those principles a chance to embed themselves in everyday government practice.

We have no illusions that the guidelines in this note will solve the problem of governing, or reforming the governance of, a security sector in these contexts. We do hope that these guidelines give assistance providers, host/partner governments, their peoples, and other stakeholders some insight into how to proceed with changes that will ultimately help people to live in less fear, with more hope for the future and a little more trust in their governing institutions.

¹ This practice note is a part of the SSR Best Practices and Lessons Learned Repository, a project which the Stimson Center conducted at the request of the Security Sector Reform Unit in UN DPKO’s Office of Rule of Law and Security Institutions. The SSR Repository was made possible with support from the United Kingdom’s inter-agency Strategic Support for International Organisations (SSIO) program. The views expressed in this note are those of the author and the Future of Peace Operations program at the Stimson Center, and do not necessarily reflect the views of the UN SSR Unit or the UK SSIO program.

This practice note begins with definitions and frame of analysis to delineate the scope of discussion and list relevant security sector actors. Core program design issues introduce essential approaches for integrated missions, country teams, and donors to consider, and good governing principles that apply to assistance providers, host governments, and stakeholders alike. Program planning discusses the planning constraints and tools for oversight and accountability of the security sector. Iterative lessons learned will summarize the best practices in security sector governance and oversight.

DEFINITIONS AND FRAME OF ANALYSIS

Although definitions for security sector governance vary, reform centers around two dimensions that enable effective oversight and accountability of the security and justice sector: 1) an institutional dimension to (re) build transparent mechanisms and processes for security policy, decisions, and practice, and 2) a normative dimension to transform relationships among security and justice providers, governing and oversight bodies, and the general public to embody principles of “good governance”—transparency, accountability, responsibility, participation, respect for human rights, compliance with international law, and regional peacebuilding (ECOWAS, 2008, paras. 72, 74, 75; Hanggi, DCAF 2003, 11; Law, DCAF 2007, 18; Ball et al., CDD 2004, 1.1; United Kingdom DFID, 2002, 18; United Kingdom DFID, 2000, 46; United States 2009, 4).²

Traditionally, SSG reform efforts targeted support toward two security sector actors: bodies authorized to use force and civil management and oversight bodies. This approach is now widely agreed to be too narrow and state-centric given the importance of justice and rule of law institutions in providing security, the prevalence of non-state security and justice providers, and the need to include civil society for public participation and legitimacy (Hanggi, 9; OECD, 2007c, 6). Therefore this practice note will look at all formal and informal actors with a role in influencing security sector governance (Ball et al., 2004, 2.2). Actors with a formal role include bodies authorized to use force, civil management and oversight bodies, and justice and rule of law institutions. Actors with a typically informal contribution to security sector governance include non-statutory security bodies and non-statutory civil society groups (UNDP, 2002, 87; Hanggi, 10; Ball et al., 2004, 2.2).

Bodies authorized to use force (“security forces”) are statutory security forces: regular armed forces of the state (army, navy, coast guard, marines/marine infantry, and air forces); state-sponsored paramilitary forces (gendarmerie or equivalent, and border security forces); customs, and immigrations services, police, presidential guards, intelligence and secret services, prison guards, coast guards, reserves or local security units (national guards, militias), or any other security services with a state mandate to use force (Ball et al., 2004, 2.2; Hanggi, 10; DCAF, 2008, 2-3).

Civil management and oversight bodies (“civilian authorities”) include statutory executive and legislative bodies as well as customary and traditional authorities. Executive bodies include the president and/or prime minister, national security advisory bodies, ministries of defense, interior, foreign affairs, and justice, other ministries that may affect security matters (transportation, immigration, agriculture), financial management bodies (finance ministries, budget offices, financial audit and planning units), and any other civilian authorities that direct, manage, and oversee the security forces. Legislative bodies include parliament or the legislature and select parliamentary or legislative committees overseeing the security forces and security

² Institution-building corresponds closely with professionalism and capacity, which is addressed in practice notes on defense sector reform (for all security forces except police) and management of the security sector (for all other actors in the security sector, including police).

policy.³ This category also includes independent oversight bodies (auditing boards, anti-corruption agencies, and procurement agencies) and statutory civil society organizations (public complaints commissions and civilian review boards), which are financed by the government but maintain complete independence in decision-making and report only to parliament (Hanggi, 10; Ball et al., 2004, 2.2).

Justice and rule of law institutions include criminal investigation and prosecution services, civil and criminal courts and tribunals, military courts and tribunals, and customary and traditional justice institutions; ombudspersons and human rights commissions; and corrections systems. Formal justice institutions are the primary statutory bodies responsible for legal accountability of the security sector, upholding the constitution, rule of law, and respect for human rights (Ball et al., 2004, 2.2; Hanggi, 10; OECD, 2007a, 113).

Non-statutory security forces or armed groups include liberation and guerrilla armies, private bodyguard units, political party militias, private security companies, non-statutory paramilitaries, civil defense forces, local and international criminal groups, and any other non-state groups with the capability to use force but without a mandate (DCAF, 2009, 2-3; Ball et al., 2004, 2.2).⁴ These have varying degrees of legitimacy, and some of them (private security companies, civil defense forces) may provide better security and, as with non-statutory justice providers, may have more public legitimacy than statutory security forces (United States, 2003, 6-4; Baker and Scheye, 512).

Non-statutory civil society includes professional organizations, research and policy analysis organizations, the media, political parties that may affect security policy, the business community, advocacy organizations, religious organizations, concerned public, and other non-governmental organizations involved in monitoring and/or evaluating the security and justice sector, providing policy analysis or advice, disseminating information and raising public awareness about the security and justice sector (DCAF, 2008, 2-3; Ball et al., 2004, 2.2).

With so many actors vying for influential roles, and many of them lacking professionalism and institutional capacity, reform of security sector governance is a long-term, uneven, and inexorably political process (Sherman, CIC 2009, 6; Ball, UNDP, 2002, 21-22). The process aims for good governance principles but is rarely able to fully achieve them in practice, even in the most stable and developed of countries (Ball et al., 2004, 3.3.2). Institutional mechanisms and legal frameworks may codify the rights and mutual obligations of security and justice sector actors, but the relationships among them and the communities they serve are full of complex and informal norms and practices that may diverge from international standards, pre-existing national laws, or national laws developed as part of SSR programming (Sherman, 6; Ball et al., 2004, 1.3.2). This divergence is often inevitable and necessary for an effective context-specific approach to reform (Ball et al., 2004, 1.3.2). The best results occur when the process is clearly defined through an integrated policy, locally driven, and culturally appropriate, and external assistance providers commit to sustained engagement with state and non-state security and justice providers, governing and oversight bodies, and civil society (Ball et al., 2007, 2-4; OECD, 2007a, 63-64, 66; Clingendael, 2008, 2).

³ Parliament or legislature terminology depends on a country's political system. This practice note will use legislature terminology.

⁴ Some bodyguard units or private security companies may have a state mandate and should be considered as part of security forces in such situations.

CORE PROGRAM DESIGN ISSUES

Core SSG program design issues relate to both process and objectives. This section discusses widely-used approaches to effective SSG programming and commonly accepted good governance principles that guide such programming.

Programming Approaches

Effective security sector governance programs use multi-layered, whole of government, process-focused, harm-avoiding, and context-specific approaches that have demonstrated abilities to promote local ownership and sustainability. They often face implementation challenges, however, due to lack of resources, interest, or consensus among external assistance providers, host governments, and other stakeholders. These approaches, common to all SSR, are explained below in terms of governance reform and the benefits they bring to it. Although they can be mutually supportive, there can also be tensions, as between the human rights approach and necessary context-specificity.

Multi-layered Approach

The multiple agendas of those involved in or affected by security sector governance reform can give rise to key disagreements. Although the goal of reform is to enable government to provide for the “enhancement of effective and accountable security for the State and its peoples,” disagreement often arises over whether priority should be given to effectiveness or accountability (United Nations, A/62/659, para. 17). Assistance providers, wanting to use limited resources effectively, argue that sustainable good governance and management are means to improve efficiency and do more with available resources. The host government, possibly facing threats to its leadership and existence, tends to emphasize the need for more immediate, effective security to quell internal and external threats in order to create the political space for long-term reform. This dilemma surfaced during the Uganda defense review, but the tension between effectiveness and accountability often applies when reforming governance (Hendrickson, 30; Baker and Scheye, 505). The local population, in effect the end user, wants the violence stopped, regardless of who makes it happen. The problem, of course, is that internationals’ priorities are long-term, and much of their support is allocated to statutory security and justice actors. Although these actors are critically important, this focus fails to meet the immediate security needs and wishes of the local population in most post-conflict situations and fragile states, where up to 90 percent of citizens’ security and justice needs may be met by non-statutory security and justice providers. Good practice has shown that reform must engage with 80 percent of *all* security and justice providers to be sustainable, and non-state security and justice providers in fragile states are often heavily preferred by the public over the institutions of the state (Scheye, Clingendael, 21; Ball et al., 2007, 7). Whether this is a cause or an effect of state weakness, a state-centric approach to SSG simply will not produce desired results, especially in the short term (OECD, 2007a, 11; Baker and Scheye, 505, 512).

If good governance is to be a major element of sustainable reform, assistance providers should blend short- to medium-term initiatives involving statutory and non-statutory actors to improve justice and security delivery with long-term programs of institution building that support good governance—a multi-layered approach (Ball et al., 2007, 8; OECD, 2007a, 11, 67). These two objectives are not incompatible. Providing immediate security does not require imposing an artificial government structure; not only has that proven unsuccessful but it could be destabilizing. With an understanding of local power structures and dynamics, and where actors sit on the state/non-state continuum, effective support can be given to both statutory and non-statutory justice and security providers (Scheye, 12-13).

The risks of engaging with non-statutory security and justice providers are real and the path of engagement is less predictable. Many non-statutory actors may have been fighting with the host government, making engagement with and funding of them a political issue (Scheye, iv). Supporting strong and legitimate non-statutory actors could potentially be destabilizing rather than an interim security structure, if such an actor uses its new strength and legitimacy to undermine the state's monopoly on the use of force (Scheneckener, DCAF, 25). Assistance providers must therefore be prepared to manage risk and quickly address unintended consequences (Scheye, 41). Maintaining firm program grounding in human rights is absolutely necessary to that end, as is assessing and understanding potential partners early in the programme and updating those assessments as experience with them accumulates.

As part of their initial information gathering and assessment of the security and justice sector, assistance providers need to determine who *is* actually providing security and justice, not just who “should” be doing so; assess the real providers' capacity (or lack of it); and incorporate these findings into their strategy (Baker and Scheye, 516).

Multi-layered approaches recognize the reality of day-to-day service delivery, the choices of local communities through engagement with major non-statutory justice providers, and long-term governance objectives through resource support to the host government (human, infrastructural, administrative, and financial). The idea is to gradually link the two together as the state grows stronger and more capable of effective security, while strengthening accountability for non-state actors (OECD, 2007a, 68; OECD, 2007b, 18; Ball et al., 2007, 8). Strengthening state capacity to provide accountability for non-statutory actors is key, not only for the benefits of transparency of decisions, but also because non-statutory actors can easily be co-opted by political elites through patronage (Scheye, 23).

Whole of Government Approach

Because security sector governance reform is an inherently political process—due to changing power balances between civilian authorities and security forces, executive and legislative authorities, and civilian authorities and civil society—a comprehensive and common understanding of various actors' motivations and priorities on the part of assistance providers is essential (Ball, 2002, 13).

A whole of government approach (WGA) to the host government engages in consultations across sectors in the host government, including at senior diplomatic and political levels. The process helps to establish a mutual understanding of different mandates and skills of stakeholders and creates opportunities for linkages among security sector actors and other stakeholders (OECD, 2005, 5). The point of a WGA is not for assistance providers to over commit to reform initiatives in every sector but to initiate a dialogue and form linkages with stakeholders, which will make reforms more sustainable wherever they do engage.⁵

This process benefits security sector governance in two ways: First, WGAs can establish a common agenda of good governance principles that can and should be incorporated into every SSR initiative. In cases where a WGA leads to the development of an integrated SSR strategy or a comprehensive legal framework, good governance principles can be articulated for all security sector actors (Clingendael, 2008, 7; EU, 2005, 11; OECD, 2007a, 112). Second, reforms targeted at governance and oversight require the comprehensive understanding and multi-stakeholder dialogue that a WGA can generate. It can improve relations among

5 A coordinated and complementary approach by assistance providers—from UN integrated missions through bilateral donors and their implementing partners—ideally neither double-covering nor missing key issues, is a necessary element of an efficient whole of government approach with the host state. Such coordination and complementarity is difficult to achieve in practice, however, and the breadth of considerations involved go far beyond the writ of this note. For discussion, see Clingendael 2008 and Patrick and Brown 2007.

elements of the security sector and help build the linkages that a strong, layered system of oversight and accountability requires. That is, oversight bodies need checks on their authority; oversight mechanisms for one part of the system (e.g., for police) will accomplish little without similar oversight of the judiciary and prisons. Non-statutory security and justice providers also can be linked into accountability-building oversight mechanisms. □

WGAs are challenging to implement for a variety of reasons. Inadequate time commitment, lack of expertise, or insufficient funding may undermine a comprehensive approach. Assistance providers may implement their own strategies regardless of whether they work in the local context. The perspectives of various stakeholders (security forces versus development actors, for example) can be difficult to reconcile and prioritize, especially with many competing needs and limited resources (Ball et al., 2007, 7; Hendrickson, 30). A post-conflict state with depleted resources, damaged infrastructure, and lack of capacity also may not be able to support a whole of government approach (Baker and Scheye, 509).

Where a whole of government approach is not possible, security sector-wide approaches and institutional approaches may apply the same concepts of creating external linkages but with a progressively narrower focus (OECD, 2007a, 77). Both should continue to seek linkages with external stakeholders. Occasionally assistance providers will be under pressure to start operations with incomplete information. In these situations, quick-impact programming with a smaller institutional focus, or engaging in dialogue about mutual priorities, could be part of inception phase programming that expands its reach and impact as knowledge becomes more complete. If previous initiatives have worked sector-wide or institutionally, it may be more appropriate to build upon those efforts rather than starting anew with a whole of government approach (OECD, 2007a, 11).

Governance as a Process

Despite much discussion of security sector reform as a process, in practice many assistance providers may revert to previous strategies or their funding may only allow for support for discrete high-profile projects (assisting a threat assessment or writing a defense white paper) or for ad hoc projects unconnected to an overall strategy (not linking the security strategy to extensive training in expenditure management, for example) that produce piecemeal results for local populations.

Governance reform especially benefits from a process approach. Examples may include extensive discussions and dialogue between security forces, civilian authorities, and civil society on women's participation in SSR or on human rights in community settings (OECD, 2004, 36). In Guatemala, although an extended dialogue among government officials, military leaders, and civil society organizations did not produce immediately tangible results, it may have led to two unintended but substantial achievements: the promotion of a leading civil society organizer to a Deputy Minister of Interior post, and the formation of a Central American network of civil society organizations involved with SSR (Ball et al., 2007, 7).

Multi-year planning schedules and funding cycles could provide the time to conceive of a strategy and work with the security sector in a long-term process. This extended planning should be complemented by six month interval reporting on outcomes with realistic expectations on what is actually achievable, especially in the initial post-conflict stages (Ball and van de Goor, 2008, 4). Planning should include an inception phase of one to three years to develop long-term objectives, and allow for a minimum of four years before a full SSR program emerges. This understanding can help target resources more effectively in the short term as well, as in Southern Sudan where the "unanimous but publicly unacknowledged judgment

of the international community [was] that the possibility of building a comprehensive state-centric system lay more than 30 years in the future.” Acknowledgment would have made the advantages of a multi-layered approach obvious (Ball et al., 2007, 8). Short-term engagement can still build the foundation and consensus for long-term reform, formulate a strategy, build the foundation for basic legislative capacity for research prior to elections and complex structural adjustments, implement short-term projects that generate ownership and government legitimacy. The key challenge in the initial stages is balancing short-term projects and how they will merge with or at least not run counter to long-term goals and strategies that may be still in their nascent stages.⁶

Do No Harm, While Promoting Human Rights

Outside support inevitably changes the dynamic among security sector actors. Engagement may even, unintentionally or inadvertently, cause harm to the very people that programs intend to serve. This is especially true in security sector governance, given the political sensitivities and balances that are affected. A human rights approach must be incorporated to “do no harm,” an accepted development concept that can be applied to any engagement in a highly unstable environment (OECD, 2007b, 6). This bestows an obligation on assistance providers to understand the security environment, the dividing lines of conflict and connecting strands of peace, and how every actor’s actions may impact the environment. Doing no harm is a minimum requirement in governance reform, and indeed SSR generally, given the political sensitivities, careful maneuvering, and at times necessary engagement with security sector actors who have less than honorable intentions (McCartney et al., 2004, 21).

Assistance providers should proactively assess the environment and adjust their programming to avoid direct harm to a population (elevating one demographic at the expense of another, for example) and indirect harm that may stem from heedlessly supporting any security sector actor who causes harm to local populations. Programming must constantly be reviewed and adjusted in light of new information (Anderson, 70-73). Following discovery of corruption or human rights violations, outsiders should carefully review their activities for impact on domestic reform, conflict, poverty, and insecurity. Withdrawal of aid, particularly mid-cycle, should be done incrementally and as a last resort. If programs are not withdrawn, responses should be harmonized and graduated, account for overall government trends and consider the possibility of adjusting the level, target, and beneficiaries of funding, or (positive) conditionality if necessary (OECD, 2007b, 6; OECD, 2004, 20).

Women, minorities, and disadvantaged groups are major stakeholders in public security yet usually are under-represented in the security sector. A human rights approach requires inclusivity and representation in governing the security sector. Assistance providers should seek greater representation for women, minorities, and other underrepresented groups in all parts of the security and justice sector and especially in positions of authority (Netherlands, 2007, 10). In practice equitable representation is difficult to achieve, but assistance providers should try to prevent a concentration of one demographic group in military command billets or their equivalent civilian equivalents (Afghanistan, for example, has presented such problems) (Katzman, 10-11). Efforts should also be made to prevent representatives of security forces from discriminating and using violence against women and to facilitate justice access for female victims (Netherlands, 2007, 10). In Sierra Leone, for example, a Family Support Unit with female officers was established, with UNAMSIL assistance and with requisite recruitment and training, to facilitate gender-based violence cases (OECD, 2007a, 174). Including a gender perspective can help build gender norms into the governance process (UNIFEM, 2005, 2).

⁶ This concept of planning in unstable environments is discussed in more detail in the practice note on SSR in stabilization environments.

Context-specific Approaches

Given the inherently political nature of governance, understanding the operational environment and relationships among key actors is essential. Differing political systems and philosophies, legal structures, and the influence of non-statutory security and justice actors necessitate that all security sector governance programming be designed to work within the sub-state, state, and regional context.

At national and provincial levels, more centralized political systems will prefer to fund and administer reform initiatives centrally, whereas federal/provincial political systems may prefer to decentralize authority (Ball et al., 2004, 2.3).⁷ Assistance providers must reconcile their strategies and institutional knowledge with the specific context, but neither approach is risk-free. For example, a high level concentration of fiscal and political state authority for security forces can be destabilizing by making the whole institution vulnerable to abuse and corruption (Gompert et al., RAND 2007, 44). Developing provincial and local capacity may better serve local needs and be more efficient, as opposed to placing direct management of daily operations under the sole control of one security apparatus or ministry (ECOWAS, 2008, 53(h)). Decentralizing authority to provincial or local governments and promoting their autonomy also decreases the likelihood that one demographic element of the population will control the entire security and justice sector and encourages more community participation and representation (United States, 2004, 16). However, local corruption by political elites can be just as endemic, and too much decentralization can lead to inconsistency, inefficiency, and confusion (Gompert et al., 42-43). Complex issues that can fuel conflict are often better addressed by local government, yet local government typically lacks the resources and skills, and often the mandate and legitimacy, to adequately address those issues (United States, 2004, 16).

At the national level, legislatures have varying levels of oversight strength and participation (Ball et al., 2004, 3.4.2). Legislative capacity, often the primary means of oversight for executive authority and defense expenditure, can be extremely constrained, particularly in political systems with strict party discipline or where the legislative role has traditionally been marginalized relative to the executive. This limited oversight role renders the legislature and relevant oversight committees unable to contribute substantively to security and defense policy decisions, and implies that institutionalizing oversight mechanisms and capacity building would have limited impact without broader political reform (McCartney et al., 58). When civil management and oversight roles are constrained, independent and public anti-corruption initiatives (such as anti-corruption commissions with the power to prosecute) can help in deterring or uncovering systemic, large-scale corruption and abuse, if those initiatives can avoid becoming corrupt or politically manipulated themselves (United Kingdom, 2008, 41). Legal mechanisms and justice reform also must be adapted to systems of common, civil, customary, or religious law.

A context-specific approach also requires understanding the local implications of the regional security situation, cross border security issues, and the potential for collective regional responses to collective security challenges (Ball et al., 2004, 6.2). Meeting these challenges means neighboring states and regional bodies must agree on common principles and strategies, which should be managed through bilateral agreements or international and regional organizations.

Fundamental Principles of Governing the Security Sector

Commonly accepted essential principles of security sector governance are democratic and civilian control of the security sector, accountability and oversight, transparency, prioritization of human rights, compliance

⁷ Ball et al., 2004, describe this in the context of justice sector reform, but the concept can be applied to civilian authorities as well.

with international law and agreements, and public legitimacy.⁸ These reflect the rights and mutual obligations that civil authorities and security personnel have toward each other and the communities they serve, and are critical to fostering good relations and trust among the three (Ball and le Roux, SIPRI 2006, 18; United Kingdom, 2000, 46; ECOWAS, 2008, para. 72). As necessary preconditions for effective security sector governance, programming should not only aim for them but embody them, even where local political realities work against a transparent and participatory process.

Security sector governance and oversight reform build these principles into national security strategies and constitutional, policy, and legal frameworks for the security and justice sector and translate them into institutional oversight mechanisms.⁹ These principles also characterize the ideal relationships among security and justice providers, civilian authorities, and the public.

Assistance providers inevitably will encounter actors (international, regional, national, and local) who profess adherence to good governance principles but ignore them in practice. Investing in governance of the security sector will inevitably involve tradeoffs with the shady or corrupt institutions or leaders. As both partners in reform and watchdogs in good practice, outsiders must decide which compromises they are willing to make. When making a decision, they should anticipate the public's interpretation of the decision taken and its impact on longer term good governance objectives. In situations with no other alternative but to engage, the very sensitive challenge is weakening the corrupt influence of such actors while still furthering the reform agenda and persuading necessary partners and stakeholders to remain engaged (OECD, 2007a, 231). In cases in Haiti, DRC, Bosnia, Nepal, Timor-Leste, Solomon Islands, and Burundi where assistance providers were aware of corrupt leadership but did not want to undermine the fact that the officials had been democratically elected, evidence of corruption was gathered and new political alliances formed, leading to a gradual replacement of corrupt personnel over many months (Ball et al., 2007, 7).

Democratic and Civilian Control of the Security Sector

A commonly stated element, or goal, of good governance in the security sector is democratic and civilian control over the security sector, meaning that ultimate authority on security issues and decisions must remain with elected civilian representatives whose authority is grounded in a democratically agreed constitution and national laws (OECD, 2004, 5; United Nations, A/62/659, para. 18). This relationship ideally should be embedded in a clearly defined and accepted institutional hierarchy with clearly stated mutual rights and obligations for the civilian authority and security forces (United Kingdom, 2000, 46; ECOWAS, 2008, para. 72). Few organizations or governments have clearly articulated provisions on democratic governance of the security sector, however, even though democratic and civilian are not necessarily synonymous terms in practice.

“Civilian control” means that civil authorities have both adequate authority and the obligation to exercise political control and legal oversight of security forces and their operations, of relevant revenue collection and of public expenditure. They are also obligated not to politicize the security forces and to prevent inappropriate, unauthorized, or accidental military expenditure or use of resources (Ball and le Roux, 18; Wulf, 2004, 22; OSCE 2007, 10-11; OSCE 1995, 20-28; UNDP, 2002, 90; Tjønneland, CMI 2003, 12-13). Democratic supervisory instruments at their disposal that protect the hierarchical relationship include constitutional principles, laws, and administrative rules. These instruments, and the established processes

8 The general consensus, established through literature reviews and interviews, is that control of the security sector must be both democratic and civilian as a principle of good governance.

9 For more information on developing national security strategies and creating frameworks, see the practice note on national security policies and strategies.

by which they are administered, make democratic and civilian control subject to checks and balances that improve and safeguard their functioning. These include executive decision-making authority, parliamentary oversight, and independent judicial review (COE, 2008, 31; COE, 2005, para.7). Their relationships may shift during states of emergency and in response to political events (COE, 2008, 30-31). Democratic and civilian authorities should facilitate activities aimed at fostering a good and participatory relationship among the security and justice sector, civil authorities, and civil society representatives (COE, 2005, para. 7).

The security forces should be depoliticized through a carefully structured reform process and, to maintain political neutrality, should receive professional training consistent with norms of democratic societies and human rights (Ball and le Roux, 18; McCartney et al., 22; OSCE, 2007, 10-11; OSCE, 1995, 20-28; UNDP, 2002, 90). In cases where civilian authorities attempt to misuse security forces or security resources, security forces have an obligation to guard against abuse of authority, which is why defense sector reform, particularly improving professionalism and capacity to respond to internal threats (as well as external) to security and stability, is important to balance civilian authority and oversight (United States, 2004, 22).¹⁰

Each actor authorized to use force should have a primary agent of civilian control, typically the ministry of defense for the defense sector, which would operate with interagency linkages to and possibly share responsibility with cabinet-level civilian oversight for intelligence services, presidential guards, and border security forces. For law enforcement agencies the civilian oversight leadership is typically provided by the ministry of justice or the interior. As host nation capacity for law enforcement increases, and particularly when multiple ministries are responsible for civil security, competition among security force leaders for supremacy in the management hierarchy can generate conflict. This can be mitigated somewhat by creating coordination and communication mechanisms among the relevant ministries. The legislature also provides an important civilian oversight capacity for all security sector actors by deciding and evaluating funding levels and providing the statutory framework for planning and implementation (United States, 2003, 6.10-6.11).¹¹

Civilian management and oversight bodies should consult with civil society on a regular basis in the formulation of security sector policies and practice, and create a political environment conducive to active civil society participation as an expression of democracy. Civil society should have the means and capacity to monitor the security sector and to provide constructive input into political debate on security policies. Potential partners should not assume that civil society's first priority is the public interest, as some civil society groups may have strong political interests or other priorities, as with groups that spread hate propaganda during the Rwandan genocide (United Kingdom, 2000, 12, 46; Ball and le Roux, 18; Wulf, 22; OSCE 2007, 10-11; OSCE 1995, 20-28; UNDP, 2002, 90; OECD, 2007, 232).

Accountability

The hierarchical relationship between civilian control and oversight bodies and security forces obligates security forces to explain their actions to civil authorities and civil society on a regular basis and when asked. Civilian authorities and oversight bodies, including statutory civil society (public complaints commissions and civilian review boards), must have the ability to impose effective sanctions for inappropriate actions or if actions are not sufficiently explained. Non-statutory civil society's tools for enforcing accountability would be elections, lobbying, petition, and public protest. Accountability is a means of enforcing oversight

10 For more information on defense sector reform and threat assessments, see the relevant practice notes. For more information on professionalism for other security sector actors, see the practice note on management of the security sector.

11 This is discussed further in the practice note on national security policies and strategies.

and therefore, like oversight, must be applied at multiple layers of institutional, command, and individual accountability for misconduct (Ball and le Roux, 18; Lue-Dugmore, 2003, 71-72).

Transparency

Security sector governance reform should be transparent at every stage of the reform process, and governance should continue to be transparent, consistent with meeting legitimate and well-defined needs for confidentiality, which should be subject to regular, independent oversight.

All information about security sector financing, for example, should be publicly, widely, and easily accessible to civilian authorities, justice and rule of law institutions, and the public. Some documents and information pertaining to security forces will be highly sensitive and must remain confidential, but a careful and reasonable balance must be struck between the need for confidentiality and the need for accountability (Bearne et al., RAND 2005, 10-11). War plans, public safety plans for pursuing and prosecuting criminals, and much of the work of intelligence services may need to remain confidential, but procurement practices, military and other expenditures, and violations of human rights should not be exempt from public scrutiny or the rule of law. Therefore expenses should never be off-budget or covered by off-budget revenues. The political environment should be conducive to civil society playing an active role and consulted on security policies, resource allocation, and other relevant issues on a regular and frequent basis (Ball and le Roux, 18; Aasen, 2007, 24).

On the part of justice and rule of law institutions, a lack of rule of law and judicial transparency and accountability creates an environment that enables or fails to prevent human rights abuse and corruption and undermines the professionalism of the security forces. The failure to pursue particular criminals or human rights abuses, corruption or malfeasance of security forces, weak corrections systems, and the names of detained, arrested, and released prisoners all should be disclosed publicly and be widely accessible to civil authorities and the public (Ball et al., 2004, 3.2.1).

Respect for Human Rights

Respect for human rights should be built into the reform process and include not only reactive mechanisms, such as venues for filing complaints and ensuring remedial action, but also proactive mechanisms for educating and training the security sector on human rights standards, monitoring their behavior, and ensuring representation of minority or disadvantaged groups in decision-making governing bodies. Security forces training programs should inculcate a culture of service in which they are not beholden to any particular party or individual in power but serve the country and its people (Gompert et al, 23).

Human rights complaints mechanisms should allow for the following process: documenting violations, bringing the complaint to the attention of the security sector personnel concerned and their commanding officers, taking remedial action through a full independent investigation and subsequently proportional disciplinary action or prosecution, and referring the violation upwards or to independent oversight bodies if remedial action is not taken. In the case of an executive mission or occupying authority, and without a clear legal mandate on which law should be applied, the head of mission should provide interim guidance in keeping with international human rights standards (United Kingdom, 2007, 44).

High-ranking officials should also be responsible for concerns of gender, of minorities, and of other disadvantaged groups. This would include responsibility for actions of the security and justice sector among civilian populations and within elements of the security and justice sector, ensuring that personnel's

needs are being met. Gender considerations, for example, may include, at a minimum, ensuring female and minority representation in specialist positions and higher ranks, females being issued appropriate gear and uniforms, and establishing open dialogue in which female personnel can voice their concerns and find solutions to those concerns to the greatest degree possible (United Kingdom, 2007, 45-46).

Compliance with International Law

The statutory security sector, as an organ of the state, and its personnel are bound to comply with the state's obligations under international law (UN ILC, 2001, art. 4,5). A state has breached international law when an act or omission that constitutes a breach is attributable to the state under international law (UN ILC, art. 2). Compliance is viewed by civil society and the international community as an indicator of adherence to good governance principles and as a means of achieving international legitimacy (African Union, 2006, para. 26(a), 28).

Many international legal obligations for states are codified through the international treaties and agreements to which the state is a party, including but not limited to the UN Charter, human rights treaties, the Geneva Conventions, Hague Conventions, and regional agreements. The obligation to uphold treaties to which the state is a party is accepted and uncontroversial (Simma and Alston, 83). In addition to treaty law, international law includes customary law, which builds from general and consistent practice by states that derives from a sense of obligation (*opinio juris*) (ICJ, Art. 38; Simma and Alston, 88). A subset of customary international law includes peremptory norms (*jus cogens*), which are binding on all states, the violation of which is "universally condemned as violative of the basic concept of human dignity." These norms include slavery, genocide, torture, mass killings, prolonged arbitrary imprisonment, systematic racial discrimination, or any consistent pattern of gross violations of internationally recognized human rights (Schachter, 336)

There is a growing body of international law that holds individuals criminally accountable for war crimes and violations of humanitarian law (Ssenyojo, 405-408). Commanding officers and individual security force personnel are also individually accountable under national laws, which should in turn reflect international norms (OSCE, 1995, 30-31; ECOWAS, 2006, Art. 4,6). Civilian authorities are obligated in turn under international law to respect the rights of security forces, including in the recruitment or call-up of personnel, to clearly document their rights and duties, and to specify alternatives to and exemptions from service in the security forces (OSCE, 1995, 27-28).

Security sector governance also should promote compliance with international laws in respect of sanctions, arms and trade embargoes, natural resource exploitation, border security agreements, and other agreements and laws (OSCE, 2007c, 13, 18; African Union, 2006, 25(b); United Nations, 2003, S/RES/1521).

Public Legitimacy

Public legitimacy refers to a particular quality conferred upon an entity by those who are subject to it or part of it, indicating that they accept its authority (Bellina et al., 3). Every security sector actor possesses varying degrees of legitimacy (United States, 2003, 4-8, 6-4). As legitimacy depends upon peoples' beliefs, perceptions, and expectations, legitimacy increases when the security sector is responsible to, representative of and responsive to the community it serves and the community is able to influence the security sector (Bellina et al., 3; UNDP, 2002, 53).

Legitimacy comes from four sources: input, output, shared beliefs, and international.¹² The first three are most relevant for the security sector's relationship with local populations. Input legitimacy stems from the degree to which the security sector organizes itself, behaves according to agreed rules and principles, organizes public participation in the public security process, and requires internal accountability (Bellina et al., 16).

Output legitimacy stems from service delivery. Since security is a public good, what matters to local populations is the quality and cost of the service. The public will consider the state 'more legitimate' only to the extent that it delivers better security than non-statutory actors (Bellina et al., 17).

Shared beliefs can help create a legitimacy that overcomes other sources of legitimacy (tradition, ethnicity, or religion, for example). This shared identity can be an ethnic-cultural or civic-political community, or a looser sense of 'community,' but it generates a mutual recognition among citizens despite differences and a common acceptance of a state (Bellina et al., 18-19). Often shared beliefs will be a weak source of legitimacy for a post-conflict state in which people have been targeted due to their ethnicity, beliefs, or other identity, and a strong source of legitimacy for non-statutory security and justice providers.

International legitimacy is conferred by the international community, and receiving international legitimacy may help develop public legitimacy. It is also reflective of the security sector's adherence to human rights and professionalism in decisions, policies, and practices (Bellina et al., 20).

Public legitimacy is not uniform. Some demographics benefit greatly through patronage during conflict while others are targets or violence or discrimination. In reforming security sector governance, the state must seek to overcome these divisions and create legitimacy through shared beliefs, participatory input, and effective service output. Effort should be made to incorporate underrepresented or disadvantaged groups at every level within the various security sector bodies through fair and non-discriminatory recruitment and promotions (COE, 2005, para. v; United Kingdom, 2007, 49).¹³ The security sector has a responsibility to listen to public needs and concerns, either directly through community activist groups or indirectly through public complaints commissions, ombudsmen, and civil review boards, and to respond appropriately, effectively, and promptly. Security sector actors operating locally should represent the communities they serve (United Kingdom, 2007, 49). Freedom of the press should be a priority of legitimate security sector governance, as the press is part of civil society that can provide additional oversight as well as facilitate communication with the public.

Maintaining public legitimacy of the security sector also implies an obligation on the part of civil society to contribute voices to the process, particularly on behalf of politically or economically underrepresented or disadvantaged groups. Participation promotes collective community agency as well as individual agency; social and political movements have often been instigators of progress on many human development issues that are now part of security sector governance and good governance generally: protecting the environment, promoting gender equality, fostering human rights. Participation and other human development gains also can be mutually reinforcing (UNDP, 2002, 53).

12 Bellina discusses the legitimacy of the state, but the same sources of legitimacy also apply to non-statutory security and justice providers. Indeed the ability of non-statutory security and justice providers to provide security as an output, increase community participation, and generate shared beliefs, and therefore generate legitimacy, which is why non-statutory security and justice providers become so popular with local populations.

13 This manual referenced good governance for police, but the principles apply to other security bodies as well.

PROGRAM PLANNING

Implementation of security sector governance and oversight reform involves transforming the good governance principles, as articulated through national security policies and strategies, into operational realities.¹⁴ To facilitate ownership and long-term engagement in governance of the security sector, assistance providers should promote open and regular communication and continuous engagement to foster good relations and trust among the security sector actors, non-statutory security forces, and non-statutory civil society. This section first looks at governance and oversight tools and mechanisms, then explains governance and oversight mechanisms for the five categories of actors that influence security sector governance.¹⁵

Planning Constraints

When engaging in a post-conflict or fragile state, assistance providers will quickly be confronted with certain operational realities and challenges, including extremely limited resources and legal issues involved with declarations of states of emergency by host governments.

Limited Resources of a Fragile State

The reality of fragile states forces assistance providers to acknowledge very quickly the limited resources—material, human, financial, and public legitimacy—of the state and how this impacts the reform strategy and process.

The basic infrastructure needed for security service delivery (physical, constitutional, legal, and administrative) is likely decimated. Financial resources are likely depleted as well due to unreliable revenue collection and a budget bloated with security spending. Human resource capacities, particularly for professions essential to the rule of law, will have been depleted, as lawyers, judges, police, and political figures are often targets during conflict due to perceived or actual grievances on the parts of one or more armed groups (Baker and Scheye, 508-509).

States with ineffective security sectors—which includes most post-conflict states—fail to uphold the most fundamental obligation in the social contract: guaranteeing the safety and security of their citizens. Public legitimacy of the state is likely very low, often much less influential and legitimate than non-statutory security forces. Non-statutory justice providers have particular influence and often more public legitimacy than the statutory justice system (OECD, 2007c, 9, 22; Baker and Scheye, 512).

These challenges present assistance providers with choices that they must address when deciding where and how to engage in reform, the first being whether to focus on building institutional mechanisms or on the capacity of individuals who staff those institutions and the institutional culture that they embody. Some who support a technical-institutional focus argue that the resources and time (years or decades) required to alter institutional culture, are greater than either public interest or immediate needs for public security can tolerate (Baker and Scheye, 508). Others who favor institution-building argue that, because personnel turnover is often high, especially in legislatures, capacity-building for individuals does not produce as sustainable a result as capacity building for institutions (Sherman, 6). Combining technical capacity building with political capacity building can be more effective in the short term, and strengthening institutional foundations that support long-term reform (Sherman, 8).

¹⁴ For more information, see the relevant practice note on national security policies and strategies.

¹⁵ Oversight for and checks on authority for oversight bodies is addressed in the practice note on management of the security sector.

How to engage with non-statutory security and justice providers is a second issue for assistance providers. Engaging them may be viewed as deflecting resources from statutory security and justice providers and may incur ill will from the government or other stakeholders. Failing to engage them, however, means failing to engage institutions that most people in post-conflict states see as their most effective venues for dispute resolution.

Derogations from Constitutional and Legal Frameworks

Constitutional and legal frameworks that clearly define roles of the security sector, and develop with strong input from civil society, are the foundation for institutionalizing good governance and a potential entry point for reform.¹⁶ At times, however, emergency situations may lead governments (through executive authority) to adopt exceptional measures that permit derogation of obligations to individuals that infringe upon their individual rights. Statutory guarantees must be incorporated into constitutional and legal frameworks to prevent misuse of such exceptional measures. Such derogation is permitted under the *International Covenant on Civil and Political Rights* (ICCPR) only when the situation constitutes a “public emergency which threatens the life of the nation, and the state must have officially proclaimed a state of emergency”; therefore armed conflict alone is insufficient to derogate unless it truly threatens the life of the nation. The state must communicate to the United Nations and the public exact time limitations, geographical area of coverage, the material scope of the state of emergency, and any measures of derogation (UN HRC, 2001, para. 4; COE, 2005 paras. 9, 10(i)). The exceptional measures should be strictly limited and proportional to the situation, and should be equitably applied and non-discriminatory (UN HRC, 2001, para. 12).¹⁷ Justification for the measures should be communicated promptly to the public, the United Nations, and other organizations of which it is a member state, specifying exact time limitations, geographical area of coverage, the scope of the state of emergency, and any measures of derogation (UN HRC, 2001, para. 2; United Kingdom, 2007, 49). At no point is the state permitted to lift laws that protect non-derogable rights: right to life; prohibition of torture or cruel, unusual, or degrading treatment; prohibition of slavery; prohibition of imprisonment for debt; the principle of non-retroactivity; and freedom of thought, conscience, and religion (UN HRC, 2001, para. 7).

Government Tools for Oversight and Accountability

All actors influencing security sector governance have a variety of tools at their disposal to ensure adherence to the principles articulated above. These include accountability tools that are a means of enforcing oversight. Oversight and accountability are then described in more detail as they are enforced by or applied to the various security sector actors.

Accountability Tools

Instruments for security sector accountability are not mutually exclusive and may be political, financial, legal, or operational. The first three tools are institutional in that they depend on a functioning political system, financial systems or material resources, and functioning justice sector; none of these will likely be

¹⁶ Frameworks are discussed in detail in the practice note on national security policies and strategies.

¹⁷ These obligations are excerpted from *General Comment 29, States of Emergency* issued by the United Nations Human Rights Committee (HRC). The HRC, an independent panel of 18 legal experts, is a treaty-based mechanism to oversee states' compliance with the provisions of the *International Covenant on Civil and Political Rights* (ICCPR), which entered into force in 1976 and had 164 parties as of August 2009. To clarify confusion on treaty provisions, the HRC occasionally will release a General Comment, which is the Committee's interpretation of the treaty obligations of every state party. Parties may stipulate reservations that limit their obligation under specific treaty provisions; these are available on the website of the UN Office of the High Commission for Human Rights (OHCHR). Certain rights are not subject to derogation or reservation for any reason. See <http://www2.ohchr.org/english/bodies/hrc/comments.htm>.

a viable option in a fragile state, at least in the short- to medium-term. In the short term, then, operational accountability is one of the few ways to hold statutory forces accountable for security performance.

Political accountability holds security sector personnel responsible for control of the security sector through investigation by independent oversight bodies or removal from office through free and fair elections or legal, equitable, and transparent disciplinary mechanisms (Lue-Dugmore, 44; United Kingdom, 2008, 41). As with all state expenditure, security sector institutions and personnel must be financially accountable for the resources allocated to them, often managed and overseen by a legislative subcommittee (United Kingdom, 2008, 41).

Legal accountability enables the application of rule of law for misconduct through the codification of governance principles into laws and their application to security sector personnel. Their application should occur within the constitutional and legal framework that govern fair legal processes, but two fundamental principles are worth highlighting for the security sector: 1) procedures for punishment should be clearly laid out and should not be retroactive; and 2) all accused individuals, both civilians and military, should be tried in open courts and allowed to select their own lawyers from the civilian or military population (Ball et al., 2004, 3.3.1).

Operational accountability is “accountability as it is actually practiced . . . [which] reflects a range of informal relationships and methods of achieving goals, along with—it is hoped—international norms and principles and national law. [Such] informal relationships . . . must operate in accordance with the country’s legal framework and international law.” (Ball et al., 2004, 3.3.2).

Performance accountability can be thought of as a subset of operational accountability, with the relational emphasis on responsiveness of policymakers and security providers to public needs (Baker and Scheye, 508). It requires willingness of security and justice providers, governing authorities, civil society, and the public to take ownership and engage in dialogue (Hannah et al., RAND 2005, 36).

The tools for performance accountability include “answerability (providing information or a decision), enforcement (strengthening achievement of service norms), and organizational change (changing the way service is delivered)” (Baker and Scheye, 508). Performance accountability is often called a “short route to accountability” because it doesn’t require a great deal of infrastructure or logistical support. Instead the public communicates their needs and concerns directly to security providers, and the providers’ response generates a culture of service (Ball et al., 2007, 22; Baker and Scheye, 508). In cases where assistance providers have very limited resources, performance accountability can be a very effective tool, enhanced by the quick-impact projects preferred by the public. The communication of needs and concerns is the beginning of a process and the security providers’ response, if effective, helps to build trust. As a key component of a multi-layered approach, performance accountability should be complemented with long-term initiatives to formalize political and legal accountability and professionalize operational accountability (Ball et al., 2007, 23; Lue-Dugmore, 67).

Oversight Needs, Capacities, and Mechanisms by Actor

All oversight and accountability mechanisms described here should be built into constitutional, legal, and policy frameworks that clearly define each actor’s role and how to hold each other accountable.

The oversight mechanisms depend on the actor’s institutional role, and whether it needs to be subject to or administering oversight. Security forces and non-statutory security forces and justice providers—actors

that require oversight and accountability—must be subject to the oversight mechanisms. Actors that provide oversight—civil management and oversight bodies, including independent oversight bodies, rule of law and justice institutions, and civil society—must develop the institutional and professional capacity to apply and enforce the oversight and accountability mechanisms upon the security forces.

Of course, all bodies that provide oversight for the security sector should themselves be subject to oversight in a layered system of checks and balances. This note may touch upon these checks and balances mechanisms, but explaining them in detail would take more space than is available.

All security actors authorized to use force. *All security forces* must be subject to internal oversight mechanisms that are “lawful and legitimate,” based in national legal frameworks developed with input from civilian authorities, military leaders, and civil society (COE, 2005, para. 6). Oversight functions for all security sector actors are effective internal management and public accountability and transparency through the legislature, judiciary, and civil society (Gompert et al., 58).

There should be oversight measures in place at multiple levels, beginning with a legal framework and universal code of conduct that incorporates good governance principles. These are executed through internal and external monitoring, reporting, and disciplinary procedures, all of which should be clearly explained and enforced. Internal oversight also includes supervision, proactive monitoring, internal complaints mechanisms, a disciplinary system, internal review of performance and control of assignments, human resources, the selection, retention, and promotion system, and freedom of information (OECD, 2007a, 112).

Internal accountability requires that security sector actors establish systems to effectively monitor, detect, and respond to any inappropriate conduct or performance on the part of individuals. Internal mechanisms can have more immediate and direct impact. Furthermore, officers are more likely to cooperate with other officers during investigations, which have the potential to be more thorough and extensive, and may be able to identify root causes of systemic problems. They also can employ a wider variety of formal and informal control mechanisms. (Masuku, CSV 2005, 11-13). Internal oversight can include supervision through lines of command, internal system of review, proactive monitoring, internal complaint mechanisms, codes of conduct, disciplinary system, performance review, control of assignments, freedom of information, and human resources (selection, retention or dismissal, and promotion) (OECD, 2007a, 112).

In addition to internal oversight and accountability, all security sector actors should be subject to external oversight, answering to the legislature, judicial review, higher executive oversight, and civil society. These oversight mechanisms are described in the following sections by actor.

Functioning of *intelligence services* must be based on clear and appropriate legislation supervised by the courts (COE, Rec 1713, para. 10(i)). The executive often has ultimate command authority for coordination, control, and guidance of intelligence agencies (domestic, foreign, military, and/or criminal). Due to the confidential and sensitive nature of intelligence activities, ministers with direct access to the president or prime minister should be tasked with the oversight of intelligence agencies. They in turn are responsible for regularly updating the president/prime minister on intelligence activities and receiving direction and feedback. Some states also have created a body—an Inspector General or oversight board—that is attached to the central coordination control and management body functions separately to monitor intelligence activities and report to the president/prime minister, or legislative oversight committees, on the agencies’ compliance with laws and policies (Hannah et al., 11-12, 35-36).

Clear processes for central coordination of and oversight for intelligence agencies may help in preventing overlap and rivalries between intelligence agencies and in establishing clear lines of accountability. Central oversight has the added benefit of clearly conveying supervision of intelligence to the public. Strong executive control over intelligence is required for effective oversight and functioning; experiences where authority is dispersed to avoid concentrating too much power in one ministry have resulted in confusion and inadequate involvement from the president/prime minister (Hannah et al., 36).

Oversight for *police and other law enforcement officers* is provided by governing authorities, but this oversight should remain separate from operations (United Kingdom, 2007, 42). Government interference with managing police operations or political hiring and firing of police authorities is inappropriate because it interferes with police independence, efficiency, and the merit-based system for promotion or appointment (United Kingdom, 2007, 43).

Several options exist for police oversight and accountability; all involve a board for professional oversight and a national ombudsman for public accountability, but differ structurally according to the context. One option involves two completely independent oversight bodies to emphasize independence from the police. A second provides for two internal oversight bodies, one an inspector general to receive complaints and conduct internal investigations. A third option is for an internal inspection body to work with independent national ombudsmen. Any police oversight structures should liaise with deputy regional ombudsmen to spread the oversight mechanisms and norms beyond the capital (Gompert et al., 59-60).

These police oversight roles would not entail managerial or operational responsibility or control, which would be covered by the Ministry of Justice and national police, respectively. Depending on the context, they may not have authority to hire or fire police authorities; if not, their reports should be used by the legislature and executive to take action. Regional community policing boards should be established to communicate local priorities and concerns, which should be incorporated into the oversight process; this will increase the public's voice in the process and deliver context-specific oversight appropriate to each region (Gompert et al., 60).

The oversight bodies should be thoroughly and promptly responsive to complaints and requests for investigation, whether they originate from governing authorities or the public. They should also have the capacity and authority to launch regular periodic unannounced investigations and to publish regular reports on the state of police, including corruption, public confidence, reports of abuse, arrests and detentions, and government uses of police, and results of individual investigations. The reports should be widely distributed to members of the legislature, the executive, community policing boards, and the public (Gompert et al., 60-61).

Civil Management and Oversight Bodies. Civil management and oversight bodies have a governing and an oversight role through the executive, legislature, and independent oversight bodies, including statutory civil society groups.

Given the low levels of education in many post-conflict societies, educational support should be provided for all civil management and oversight bodies. Mandatory minimum educational requirements would greatly restrict the number of qualified individuals and therefore are often counterproductive in these environments, but promoting greater selectivity and professionalization with political parties, civil society, and potential applicant pools can result in better candidates. Literacy and numeracy programs should be

incorporated into training (Sherman, 10). Civil authorities should also have access to basic security sector guidelines and information (Sherman, 10-11).

Executive oversight takes the form of ultimate command authority over security forces. It includes setting basic security policies, priorities, and procedures, selecting and retaining senior personnel, reporting mechanisms, budget management, and the power to investigate claims of abuses (OECD, 2007a, 113). Administrative matters on appointing cabinet officials, defense spending, and procurement for example, as well as operational security decisions, such as the declaration of war, deployment of troops abroad, declaring a state of emergency, are all part of executive authority and control. The more influence security forces are able to exert in decision-making authority, the less control the executive has (COE, 2008, 31). In many systems, the executive is held accountable for his decisions and policies by the legislature.

Legal frameworks should afford the executive or his national security advisor provide them with sufficient powers to exercise control over the agencies, including the right to demand information, while specifying the scope of their authority (Hannah et al., 35). In particular the process for authorizing surveillance and information-gathering, and limitations therein, should be clearly laid out. Management of surveillance and information gathering should be governed by comprehensive legislation on all activities, strictly observe rule of law, employ investigative techniques proportional to the threat and weighed against ensuing constraints on civil liberties and democratic structures, and employ the least intrusive techniques possible. It should also be subject to layered control of discretion, meaning higher invasions of privacy require higher levels of authorization (Born and Leigh, 2005, 40). Constitutional provisions should afford the president/prime minister the authority to appoint a director of intelligence, ideally with the input of at least one other cabinet member, and in turn give parliament the vote to approve or veto the appointment (Born and Leigh, 34).

Parliamentary and legislative oversight responsibilities include developing legislation that regulates the behavior of security forces, control over defense expenditures, and provides other oversight for the security sector. Oversight mechanisms include hearings, budget approval, investigations, enacting laws, visiting and inspecting facilities, subpoena powers (OECD, 2007a, 113). Legislative oversight should have a constitutional and legal mandate to oversee the entire security sector and its ancillary departments and officials (horizontal scope) and may have oversee the following components of intelligence activities (vertical scope): legality, efficacy, efficiency, budgeting and accounting, conformity with human rights laws and conventions, and policy and administration. If the vertical components are not covered by parliamentary oversight bodies, they should be covered by other independent oversight bodies and avoid overlap (Born and Leigh, 125; Hannah et al., 12).¹⁸ Parliamentary resources and legal powers should correspond with the scope of its mandate (Born and Leigh, 125).

Legislatures can influence the security sector in a governing role preemptively during pre-legislation, especially for parliamentary systems, by initiating or amending legislation and approving or rejecting legislation, or in oversight through hearings, budget approval, investigations, visiting and inspecting facilities, and the legislature should have subpoena powers (OECD, 2007a, 113). The legislature also should have the authority to establish independent government commissions that study and report on an issue prior to developing and implementing legislation, informing and educating security sector actors on the need to accept and cooperate with them. They can also pass resolutions expressing the will of legislators on issues,

¹⁸ Born and Leigh were referring to intelligence oversight, but the scope of authority would apply to all security forces. See the practice note on defense sector reform for defining the roles of security forces and the practice note on national security policies and strategies for information on legal frameworks.

preferably binding resolutions—although even non-binding resolutions can be used to express legislative positions. Both security sector actors and the legislature should understand the rules of procedure.

The legislature should encourage and participate in extensive consultation with rule-making bodies at every stage during the lawmaking process. The greatest degree of participation would involve consultation with Parliament prior to introducing significant laws and budgets, the ability of any member of the legislature—including opposition, individuals, and backbenchers—to introduce bills, an active hearing schedule in which the legislature has subpoena power and the authority and expertise to debate the proposals, and the training, staff, and capacity to analyze proposals and develop alternatives. The scale of participation may, in some cases decrease to more limited consultations prior to introducing legislation, member bills have limitations, an environment in which legislative authority or responsibility to question is stifled or not permitted, and the legislature ability to develop an agenda is hampered by lack of resources, training, or political will (Ball et al., 2004, 3.4.1). SSR programming should encourage and promote extensive participation as much as possible.

Legislation should distinguish between security and intelligence services on one hand, and law enforcement agencies on the other (COE, 2005, para. Ii(b)). Police action must show regard for proportionality, particularly during public demonstrations. When dealing with classified documents and issues, legislative committees may meet behind closed doors if necessary and should be able to request and receive without delay any information that does not disclose necessarily classified information on current operations or the names and employees of intelligence services. The committees should then report to the plenary legislature with a public debate on non-classified issues.

Legislative or parliamentary oversight committees typically perform the oversight functions and report to full parliament. A large security force will require more specialized committees (COE, Rec 1713, para. 10(i); Born and Leigh, 125). Committees should be clearly owned and managed by the legislature, and parliament should be responsible for appointing and removing, if necessary, politically diverse (cross-party) members of oversight bodies. Government ministers should not be allowed membership, and the chairman of the oversight body should be designated by parliament or independent oversight body, not the executive branch. The committees have functions and powers based on legislative rules of procedure generated from legal and policy frameworks. More robust authority enables more effective oversight; a broad scope should include authority to set its own schedule, receive complaints from the public (in some cases this is performed by the judiciary) and intelligence personnel, instigate investigations, subpoena and interview personnel, demand that government officials of any rank testify at meetings, examine budgets, the legality of operations, and executive tasking. If they require access to sensitive and confidential materials, the members should be vetted using clear, robust, public, and consistent standards. When and if disputes arise over clearance, procedures should be put in place for parliament to provide final approval (Born and Leigh, 126).

Even when committee authority is initially, simple steps to build capacity and institutional resources can establish a foundation for a more active and knowledgeable committee, for example, research staff and resources to provide analysis and better understanding security sector structures, institutions, leaders, policies, and practices.

The committees should also have unrestricted access to any information necessary to perform their oversight function, albeit kept confidential when necessary, and receive it directly from the agencies as opposed to

through the government (minister, president, or prime minister). Meetings may take place behind closed doors for security and confidentiality when necessary. They must report annually to parliament without

disclosing classified information, and ideally have full control over that report. Finally they should have the authority to disclose information to better serve the public interest (Hannah et al., 12, 37-38).

A specialized committee should be established to oversee the intelligence services, supervising intelligence remittances and budgets as a minimum requirement (COE, Rec 1713, para 10(i)). The perpetual challenge in oversight of intelligence is the need to balance confidentiality requirements and security interests with principles of full disclosure and oversight. Agencies or individuals should be able to report illegal activity, and the committee should have the authority to investigate and take remedial action on substantiated accusations. As stated above, it should have full access and authority to examine budgets, legality of operations, and high-level tasking of the agencies. Legislation that did not permit these measures seriously weakened Czech Republic's oversight authority for intelligence agencies in 1994 (Hannah et al., 37).

Committee members may, intentionally or unintentionally, disclose classified information, a risk that governments have claimed justifies non-disclosure of information. Intelligence oversight committees must also have secure office space and storage for classified materials to minimize this risk and it should be decided through a consultative process whether and how they need to be vetted. Sometimes legislators, for personal or professional reasons, may not wish to know what intelligence agencies are doing (Hannah et al., 12).

Independent oversight bodies may fall under the Executive, Legislature, or Judiciary, according to the context and country, but in any case should be completely independent and truly autonomous (Ball et al., 2004, 2.5). Their role is to receive complaints from the public, raise awareness of human rights within the general public and within security and justice institutions, research relevant issues, investigating claims of failures and abuses, and ensure compliance with policy and the rule of law (OECD, 2007a, 113). These bodies are stronger and have more impact when they have the authority to compel the state to take action, through mandates, resolutions, subpoenas, or indictments, and may have little impact if they can only make recommendations (Lue-Dugmore, 72). They should also have adequate capacity to continuously monitor the security sector actors for whom they provide oversight and their compliance with the decisions or results of the oversight process (Lue-Dugmore, 72). The audit office provides independent financial and legal oversight to ensure the proper use of public funds for the security sector according to the standards of optimality, effectiveness, and efficiency. The financial oversight mechanisms must verify the accuracy, reliability, and thoroughness of finances and of the executive and all public departments, for all functions but particularly in this case as the finances concern the security sector. The audit office's role is typically reactive and performed at the request of the legislature. The audit office should have unrestricted, accurate, and timely access to security sector actor's accounts.

Judicial review and oversight. The judiciary is the primary means of legal accountability for misconduct by security forces. Its role is to adjudicate cases brought against security services and individual employees, protect human rights, uphold rule of law, monitor special powers of the security services, assess constitutionality, provide an effective remedy, and review policies of security and justice providers in the context of prosecutions (OECD, 2007a, 113). The judiciary should have timely and full access to any information it requests in order to evaluate the constitutionality and lawfulness of the behavior of security

sector actors (Ball et al., 3.2.4). One challenge is managing the transfer and disclosure of confidential information outside of the intelligence agency or confidential committee that has custody of it.

A military commission or court may exist to prosecute statutory security forces but should not prosecute civilians, including police. Assistance providers do not often engage in military justice reform, but when they do, it is often best when undertaken in conjunction with reform of the civilian justice system. Where a functioning judicial system exists and is used for civilians and security forces, special judicial procedures for military personnel should be clearly regulated and monitored and pertain only to the military (OECD, 2007a, 125).

In post-conflict settings, the judiciary may not have the capacity or the integrity to fulfill these roles. If courts are functioning, corruption and bribes may be common. Therefore, as much as the justice system must be a forum of independent review of state practice and misconduct, it often must undergo long-term institution and capacity building as well. This underscores the need for a multi-layered approach and viewing reform as a long-term commitment and process.

Non-statutory justice systems are common in many countries and can reduce the caseload of formal courts and increase access to justice by providing an alternative to the formal system (United Kingdom, 2007, 19).¹⁹ Studies of multiple post-conflict or fragile states have estimated that 90 per cent of the population in each country preferred to use customary justice systems to the formal courts (Baker and Scheye, 512). The head of the Southern Sudan Human Rights Commission, a government body, requested that assistance providers support local justice systems, arguing that support for them would be an entry point for reform (Ball et al., 2007, 12). Other benefits of an informal system include physical proximity to clients, efficacy, timeliness of decisions, low transaction costs, support for restitution, high levels of public participation, and restorative—as opposed to retributive—justice (Baker and Scheye, 512).

Informal systems also have many shortcomings: weak accountability for decisions; no necessary adherence to or respect for human rights standards or principles of non-discrimination against vulnerable groups, particularly minorities and women; and sentences that may involve degrading punishments. But many of these shortcomings may be found within state systems as well, and not engaging with informal systems means fewer opportunities to affect their operation. Informal systems decentralize justice in the immediate aftermath of war and—if not themselves disrupted by war—offer elements of stability and authority while formal structures are rebuilt (Baker and Scheye, 517). With their community access and legitimacy, they can also serve as a powerful source of legitimacy for the state. In Burundi, for example, customary law courts were used as a forum for debating government policies, which allowed public participation and ownership. Chiefs then transferred the discussions upward to provincial and national levels of government (Bellina et al., 27).

Reform may include developing a system for explaining, registering, recording, and archiving decisions to increase transparency. Assistance providers also may engage to create mechanisms to appeal decisions to higher state or non-state courts or work towards improved human rights standards. They should also work in the context of broader justice reform to exchange information (Baker and Scheye, 517).

¹⁹ It is worth noting that many states, including developed states, have legitimate non-statutory justice providers that are commonly used for greater speed and efficiency over bureaucratic legal systems, e.g. private arbitration and mediation services.

Non-statutory Security Forces. Non-statutory security forces are usually grouped together in security sector reform to include any group operating without legal status, but they operate within a broad range of public legitimacy.²⁰ Some private security companies, civil policing, and informal anti-crime groups may provide security more reliably and effectively than the state. Those that do have legitimacy can be very effective and good partners for providing immediate security, as they often continue to operate during conflict, are not as much of a target as statutory security forces, and can be directly accountable to the public. One issue in terms of governance is, as with non-statutory justice providers, strengthening regulation, monitoring, and accountability.

Another challenge is the security providers, who often are provided with at least light weapons (often through the host-state approved SSR initiative), and whether they undermine progress in other post-conflict stabilization efforts (e.g., disarmament, demobilization, and reintegration).

Assistance providers therefore must first evaluate the potential for a good partnership. Although two assessment methodologies are available for determining non-statutory actors' motivations and potential for engagement, both concede that there is no easy or satisfying way to determine who will be a good partner. Both seek to determine non-statutory actors' motivations and potential for engagement and their structural placement within a multi-layered government system (Scheye, 15; Schneckener; and Reno). Many non-statutory security forces have violated human rights egregiously or engaged in criminal activity, or will not hesitate to use violence in pursuit of their objectives; they cannot be part of assistance provider engagement in governance reform. Some may have committed or incited violence but later joined peace and reconciliation processes and are an inevitable part of a political solution to the conflict (Schneckener, 25, 36). Still others may be genuinely motivated to provide security and did so during the conflict, as happened with vigilantes in Liberia and resulted in a positive public perception (interviews).

Accountability for private security companies can be strengthened through licensing systems and supervision by the police. Their personnel should also be vetted and equipment inspected for quality and proportionality to their responsibilities. Assistance providers can also facilitate the development of training standards, particularly for human rights, professionalism, and weapons proficiency, and self-regulating oversight mechanisms (Born et al., DCAF 2007, 23-27; Baker and Scheye, 520-521).

State approved civil policing may include work-based associations or citizen crime prevention groups. Work-based associations in markets and among professional associations are often recognized by city councils and in theory accountable to either the councils or directly accountable to people through elections. Often there are forums for removing these security providers for non-performance of duties. Citizen crime prevention groups may be accountable either to the police or to the communities they serve, or both; how they engage with the community to discover public needs or communicate with the police will vary by locale. Appropriate international engagement may include support for legislation and administrative measures that better regulate the functioning of such groups. At a minimum, there should be regular communication between them and the public and police, as well as recording and analysis of community disorder and crime where they operate. Community forums can help develop standards of behavior and professionalism (Baker and Scheye, 521-523). These standards must be widely distributed and accompanied with extended training and dialogue with civil society.

20 Non-statutory security forces that commit acts of violence or act as spoilers of the peace are outside of the scope of this note.

The primary initial challenge for all of these groups is strengthening accountability. But it is equally important that assistance providers support long-term state-building, as these groups do not lessen the obligation of the state to provide security. Moreover, non-statutory security and justice providers are rarely comprehensive and inclusive. Many only cater to a particular demographic, for example, wealthy people or businesses that can afford the services of private security companies. Moreover, informal community groups may internalize national violence on a micro level. Those that work on a volunteer basis are often unsustainable, since members may lose interest, or worse, the group members may turn to looting or may target local communities for “payment.” Although statutory security providers may exhibit similar tendencies, they also can earn—or lose—international legitimacy based on their professionalism or lack of it.

Strengthening state oversight of non-statutory security and justice providers can be most effective when engagement occurs through and in conjunction with other actors: civil society or, in some cases, international non-governmental organizations that can act as a mediator with the non-state actors (Scheye, 5).

Oversight by Non-statutory Civil Society. As a (typically) informal oversight mechanism, civil society can provide technical assistance, expertise, and insight into security policy; can lobby and demand change; can act as a watchdog to investigate, monitor, and report on security and justice sector actors; and can provide an alternative and independent view of those actors to the public (OECD, 2007a, 113; Ball et al., 2004, 2.6). The watchdog role should not only challenge and investigate government policies and daily operations but inform the public on and provide input into reform and decision-making processes. Correspondingly, the security and justice sector should be made aware of civil society groups’ roles, should acknowledge their input, and should create mechanisms and forums to incorporate their suggestions and reforms.

Civil society’s input is not always informal as it may provide a pool of expertise and candidates for staffing government agencies. Civil society actors may join staff review boards or other independent oversight bodies. They may also provide training to various security and justice sector actors according to their expertise (Ball et al., 2004, 2.6).

Since the capacity and interest of civil society groups to engage in SSG depends on the context, an early assessment of civil society should be performed to gauge that context, their potential roles, their public legitimacy, and past practice (OECD, 2007a, 225). Civil society is subject to politicization and differences of opinion and may lack internal accountability and oversight mechanisms, and as a result create more problems than they help to overcome. Ideally civil society groups participating in SSG programming would perform their roles using many of the same approaches recommended earlier—multi-layered, whole of government, process-oriented, human rights-supportive, and context specific—but at minimum should not contradict those approaches. Civil society may only be able to sustain a role in SSG if the perspectives and the information that it brings to the table are credible and verifiable, respectively. Civil society may also choose to disassociate from governance reform to avoid the perception of becoming too political (Ball et al., 2004, 2.6).

Different types of civil society organizations provide research, expertise, awareness raising, advocacy and/or lobbying, training, monitoring, opinion surveys, budget analysis according to their expertise and in the context of security and justice sector actors (Caparini and Cole, 55). They can provide a dual role reporting to the public on security and justice sector activities and reporting to security and justice sector management bodies on public opinion. Relevant civil society organizations are wide-ranging and may include international NGOs; large think tanks or NGOs based in the capital, especially those with a focus on security, defense,

and justice; human rights groups; local community groups; women's organizations; lawyers' associations or other groups providing legal support; environmental groups; investigative journalists, press and media; and sociological research companies (Caparini and Cole, 55).

Potential entry points for civil society organizations include peace processes, DDR programs, national security and defense reviews, poverty reduction strategy papers, national development plans, parliamentary budgetary discussions, delivering justice services (especially legal services), community forums, and public education programs.

There are several challenges to civil society and civilian input to SSG. Security forces often resist civilian input in the reform process, and civil society often has limited knowledge of complex security issues and operations. Participatory roles for non-state actors are best enhanced when assistance providers require such roles as a condition for assistance (OECD, 2005, 82).

ITERATIVE LESSONS OBSERVED

Strengthening governance and oversight of the security sector is a tremendously complex and political issue, but the primary goal is, and should always be, improving the safety and security of people within the borders of the state. The long-term objective is enhancing state capacity and building institutions to provide security. Democratic and civilian control, transparency, accountability, human rights, and compliance with international law are the essential elements because they generate more professional behavior, greater public legitimacy, and thus more effective security. Meeting the long term objective requires engaging with statutory and non-statutory actors, over the short and long term, to strengthen institutional and personal capacity and integrity for providing public security.²¹

Intelligence and security force rivalries, legacies of abuse of authority, replacing abusive personnel with people who may have little experience or expertise, and deep public mistrust of intelligence services in post-conflict societies are all significant challenges that partner governments will face in rebuilding their legitimacy and effectiveness. They underscore the idea that policy and legislative reform can only take the process so far. A substantial component of governance reform is a long-term process that involves reconstituting trust and building a culture of service.

The need for legitimate civil society involvement at every stage of the reform process is essential, for communicating public concerns to security and justice providers, and communicating the impacts of international assistance initiatives to the public. They can also provide informal external evaluation of security sector performance and compliance with international norms.

The twofold challenges of lack of civilian expertise and resistance of security forces to include civilians in reform should be addressed early in the process through discussions with both sets of actors on the roles they will play. Despite the attractiveness of one time projects to assistance providers (supporting a defense white paper or threat assessment, or doing human rights training), it is much preferable that they engage in a process and not just a series of projects, and maintain continued discussions and dialogue among key stakeholders. Capacity building should be technical and political, and support basic literacy, numeracy, and other educational training.

²¹ Capacity and professionalism are addressed in the practice note on management of the security sector.

Stimulating the direct participation of the end user (the public) in how their security service is delivered is one of the quickest and most effective means of improving accountability (i.e. performance accountability, also known as “the short route to accountability”). Mentoring and training for security and justice providers should be tailored to address their concerns and needs that emerge from the use of performance accountability. This should also be just the first step in generating accountability, and should be complemented by long-term efforts by the state to create and enforce political and legal accountability. Operational accountability should be professionalized as much as possible.

All security sector decisions, policies, and practices should be transparent and subject to internal and external oversight and accountability. All defense expenditure should be recorded on-budget. Reporting to the legislature should be required at regular intervals and when the legislature requests information. Clear measures for the transfer and handling of classified intelligence documents should be established.

A state-centric approach, or engaging with primarily statutory security and justice providers, will not produce sustainable justice or security in a post-conflict environment where non-statutory providers are more established and prevalent, and have more public legitimacy. Particularly in terms of immediate security considerations, assistance providers must recognize the limitations of state capacity and work with legitimate non-statutory security and justice providers who are willing and committed to reform. The state still has the primary obligation for public security, however, and initial engagement with non-statutory providers should be balanced with long-term engagement to build the state’s institutional capacity.

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MANAGEMENT OF THE SECURITY SECTOR: A NOTE ON CURRENT PRACTICE¹

By Madeline England

DEFINITIONS AND FRAME OF ANALYSIS

Management of the security sector is the implementation, direction, and operation of security policies, decisions, and practices. Management requires horizontal and vertical capacities, and often structural reorganization, among and within security sector actors to improve efficiency and effectiveness. These capacities include, for example, building and maintaining professional security forces, allocating scarce resources, reducing corruption, and engaging with civil society, all of which promote enhanced security and justice delivery. Furthermore, improving managerial capability is critical to the ownership and sustainability of good governance initiatives, national security strategies, defense sector reform, and all other elements of the security sector reform process (OECD 2007, 146).

Management is central to security sector functionality and therefore intractably linked to security sector governance and oversight mechanisms.² Incorporating the principles of good governance (transparency, accountability, compliance with international law, and human rights) into management policies and procedures will help to generate efficiency, effectiveness, and legitimacy. Furthermore, because all management bodies (ideally) wield a great deal of authority over security forces, management bodies and their policies, decisions, and practices must themselves be subject to effective oversight.

Management of security forces is divided into three categories: executive authorities that manage the development and implementation of national security policy and strategy, the legislative bodies that manage security sector expenditure, and security force command authorities that command security forces and operations. Operational management needs and procedures will not be a focus of discussion here.³ Other security sector actors (statutory security forces, justice and rule of law institutions, non-statutory security forces) are *subject to* civil authorities' management policies.

Executive authorities include the president and/or prime minister, national security advisory bodies, ministries of defense, interior, and foreign affairs, justice ministry, other ministries that may affect security

¹ This practice note is a part of the SSR Best Practices and Lessons Learned Repository, a project which the Stimson Center conducted at the request of the Security Sector Reform Unit in UN DPKO's Office of Rule of Law and Security Institutions. The SSR Repository was made possible with support from the United Kingdom's inter-agency Strategic Support for International Organisations (SSIO) program. The views expressed in this note are those of the author and the Future of Peace Operations program at the Stimson Center, and do not necessarily reflect the views of the UN SSR Unit or the UK SSIO program.

² For discussion on governance and oversight of the security sector, see the relevant practice note.

³ Because operational management and command of the armed forces was discussed in detail in the practice note on defense sector reform and operations of other security sector actors (law enforcement and criminal justice institutions) are outside the scope of this project, this practice note will focus on the first two categories.

matters (transportation, immigration, agriculture), financial management bodies (finance ministries and budget offices), and other civilian authorities that direct, manage, and oversee the security forces (Hanggi, 10; Ball et al., 2004, 2.2).

Legislative authorities include parliament or the legislature and select parliamentary or legislative committees overseeing the security forces and security policy.⁴ In the context of management, this category may expand to include independent oversight bodies (auditing boards, anti-corruption agencies, and procurement agencies) and statutory civil society organizations (public complaints commissions and civilian review boards), which are financed by the government but maintain complete independence in decision-making and report only to parliament (Hanggi, 10; Ball et al., 2004, 2.2).

Management also benefits from the inclusion of civil society into its decisions and processes to enhance public participation and management legitimacy. Non-statutory civil society includes professional organizations, research and policy analysis organizations, the media, political parties that may affect security policy, the business community, advocacy organizations, religious organizations, the concerned public, and other non-governmental organizations involved in monitoring and/or evaluating the security and justice sector, providing policy analysis or advice, disseminating information and raising public awareness about the security and justice sector (DCAF, 2008, 2-3; Ball et al., 2004, 2.2).

CORE PROGRAM DESIGN ISSUES

Core design issues include ministry structure and reform, building professionalism (capacity and integrity) in security sector institutions and personnel, exerting financial control over the security sector, and consideration of management's linkages to other aspects of SSR.

Institution-building

Although institution-building is recognized as a critical component of peacebuilding, SSR efforts have rarely been sufficient or achieved sustainable success (United Nations 2004, paras. 23, 68, 97; United Nations, A/63/881 2008, para. 58; Rees, 16). Reform should recognize that needed resources and skills sets for SSR practitioners will differ based on the scale of institutional reform. *Managing* a particular security institution, for example, requires an “entirely different set of skills” than building or restructuring the same institution (Scheye, DCAF 2008, 184).⁵ This section looks at general considerations and process of ministry reform, as well as the structures particular to relevant security sector ministries (defense, interior, justice, and finance).

Reform of Ministries Relevant to the Security Sector

Ministry reform may result in restructuring within and across ministries, in terms of creating new bodies, resource allocations, and restructuring hierarchies and ranks. It should develop and codify the procedures and mechanisms for directing, overseeing, evaluating security sector personnel, their professional behavior, and institutional performance.

⁴ In this note, “legislature” should be understood to encompass parliaments and other designations for national legislative authorities.

⁵ For extensive discussion on building institutions, see Hari Bucur-Marcu (ed.), *Essentials of Defense Institution-Building*. (Geneva: Geneva Centre for Democratic Control of the Armed Forces, May 2009). For examples of security sector institutional structures, see Facultad Latinoamericana de Ciencias Sociales (FLACSO). “Report on the Security Sector in Latin America and the Caribbean.” Santiago: FLACSO. 2007. http://www.ssrnetwork.net/documents/Publications/FLACSO-Report_on_SSR_in_LAC.pdf.

Many security sector ministries will need to undergo a capacity assessment and functional review, often comprehensive but for individual departments and agencies as well. This assessment should look comprehensively at the particular ministry under review, its linkages to other ministries and the legislature, subordination to the executive, and its role in the conflict. The review process should be based on a national security strategy, or the assessment and review may lead to the formulation of a new strategy. It should be grounded in a legal framework.⁶

The management assessment should lead to a strategic planning process to develop the ministry's primary mission, objectives, and tasks, and identify the means to attain them. A multi-disciplinary team, including functional expertise, civil society, and linkages to other sectors and security bodies, should develop the plan according to the context. The strategic plan is the "process by which the ministry can visualize its future and develop the necessary operations to achieve that vision" and should identify roles and responsibilities, policy issues, and key stakeholders and linkages. It should also look at internal weaknesses and strengths and external opportunities and threats to identify barriers, and identify resources (whether government, legitimate non-statutory providers and civil society, or international actors) to overcome them (Perito, 9).

Reform involves decisions on where to locate security sector actors in the government system, for example, if armed units should be responsible to the defense or interior ministry or similarly rule of law institutions to the interior or justice ministries. These decisions may depend upon or require different management capacities and skills to implement their activities.

Ministry reform also looks at how security sector actors are making use of their resources through expenditure management reviews and reform (described in more detail in Program Planning). A comprehensive review is helpful not just in terms of material or financial resources, but also human resources, to see if officers are performing the roles for which they were hired (e.g., placement of trained police in purely administrative roles is an inefficient use of their skills) (OECD 2007, 173-174). The ranks of security sector actors should be evaluated not only to help in articulating roles and responsibilities within institutions but also to allow individuals to be paid according to their experience (Crisis Group, 2006, 12). The title and pay of civilian personnel should be comparable to that of military ranks and pay.

In addition to restructuring for efficiency and effective control, ministry reform should also establish oversight and accountability vertically within ministries and subjecting it to legislative oversight and accountability for policies, expenditure, and practices.⁷ Reform within ministries must include developing the procedures for effective oversight through of lines of command, hiring and firing authorities, and reporting chains. Reform across ministries should develop procedures for the budget cycle by requiring requests and reporting on a regular and timely basis; this high-level horizontal reform devolves concentrated executive authority to legislative and independent oversight bodies. This horizontal reform and linkages also should establish accountable procedures for disbursing funds, for example, from a treasury instead of directly from the executive or his finance minister.

Reform may lead to the creation of new bodies and review of state capacity may lead to the dissolution or creation of entirely new bodies, whose responsibilities are as varied as SSR itself, for example Office of National Security (Sierra Leone), Independent Complaints Directorate (South Africa), and National Security Council for SSR (Afghanistan) (OECD 2007, 89; Lue-Dugmore, 58).

⁶ See the practice note on national security policies and strategies for more discussion on developing strategies and legal frameworks.

⁷ For more on legislative oversight and accountability, see the practice note on security sector governance and oversight.

Any institutional reorganization may have potentially negative impact on personnel of existing institutions, if the new bodies receive better pay, training, or preferential treatment, as happened with a South African police anti-corruption institution (Lue-Dugmore, 38). Even if the changes are justified (e.g., the unit requires specialized training or skills), the damaging affects should be mitigated to the greatest degree possible. Additionally, if reducing the size of security forces leads to unemployment of security forces, SSR programming should anticipate the potentially destabilizing effects and activities should be undertaken with development partners to mitigate them.

Ministry of Defense

Executive control and management of armed forces is typically invested in the ministry of defense, led by a civilian political leader, whose policies and plans are operationalized by the defense sector's commanding authority. Their shared and individual responsibilities should be clearly defined in legal frameworks.⁸ Institutional restructuring, and the corresponding professional development, should bridge the civilian-military divide (Rees, 15-16).

Ministry of the Interior

The ministry of the interior has a critical role in developing policy guidance, administrative, and logistical support for law enforcement bodies and paramilitaries. In some countries, the interior ministry is also responsible for border security, immigration, special investigation units, prisons, and local governance at the provincial, municipal, and district levels. Operational leadership for each component depends upon a senior leader with appropriate technical expertise and experience, but policy, funding, and administrative support should come from the minister's office as implementation of a comprehensive security strategy (Perito, USIP 2009, 7).

Ministry of Justice

The ministry of justice has a critical role in developing policy guidance, administrative, and logistical support for the judiciary. Additionally it should seek to strengthen accountability for non-statutory justice providers by developing procedures to record their decisions and register them within the ministry. The justice ministry should, if possible, develop mechanisms by which non-statutory justice decisions may be appealed to statutory courts to promote oversight for decisions. This would be difficult in a post-conflict environment, at least initially, when statutory judicial capacity is likely very low (Baker and Scheye, 512-513).

Ministry of Finance

A ministry of finance should be involved early in SSR efforts that look at assessments and modifications to the resources provided to the security sector. This is critical to increase the ministry's institutional capacity and participation in decision-making. Additionally, donor funding is often channeled through the finance ministry (OECD 2007, 104-105).

Reform occurs through linkages generated between the finance ministry and the ministries charged with operational security (interior, defense, and justice) as well as their operational bodies (law enforcement, armed forces, and judiciary). Reform may also occur by reforming the ministry's role in expenditure management, especially procurement, discussed below in the "Program Planning" section.

⁸ See the practice note on defense sector reform for more information on command and control structures of the armed forces and their operations.

Capacity and Professionalism of Security Sector

All ministry-level institutional reform should be accompanied by appropriate changes in budgets, resource allocations, and training at every level to develop capacity and promote professionalism of individuals (OECD 2007, 60-61; United States 2003, 6-8; United Kingdom 2002, 18). Reforms at the ministerial level mean little if not accompanied by appropriate reform of processes, procedures, and resources for rank-and-file security forces, justice providers, and rule of law institutions. Similarly, training and equipping rank-and-file security forces means little unless accompanied by institutional reform at every level, thus ensuring the newly trained security sector personnel report to and are overseen by effective leadership (Perito, 3).

Management and independent oversight bodies should also have or develop the capacity to evaluate security sector personnel, programs, and reform efforts.

Capacity-Building of Security Sector Personnel and Institutions

Capacity means that personnel and institutions have the resources and training to perform their duties or operate efficiently and effectively, whereas integrity means that personnel and institutions perform these actions responsibly and under the constraints of good governance.

All personnel (military and civilian) should be well-trained and capable of carrying out their responsibilities and provided with sufficient resources to do so in a timely manner. Simply training forces and personnel to complete appropriate forms, for example, is insufficient to maintain record-keeping and administration, as people can learn to complete a form without really understanding the form or how it may be used. Because many personnel in post-conflict settings in poorer countries may lack basic skills such as literacy and numeracy, basic education in these areas should be incorporated into SSR training programs (Sherman, CIC 2009, 10).

Management training should be targeted at mid-level managers, who engage directly with security forces and therefore have the most potential for setting examples of professional behavior, as well as senior ministry level officials (OECD 2007, 171). Follow-up trainings must be provided.

Institutional capacity should be sufficient to establish transparent and equitable policies and procedures, direct trainings and operations, manage transparent and equitable financial expenditure, monitor and report, enforce oversight and accountability, and store information and weapons, including secure and protected storage of classified information, weapons, and equipment. Institutions must also have the capacity to manage personnel, including selection and recruitment, appraisal and vetting, and supervision. Continuity of staff should be encouraged; that is, individuals should not be trained for one job and switched to something else once the training is complete.

All security sector ministries and national security agencies should have the capacity to perform internal audits, which should be as independent as possible of political or other interference, with the final report going directly to the minister rather than a lower-level unit. When the minister is the subject of the audit, the findings should be sent to the executive or a designated independent oversight body, such as an inspector general or anti-corruption commission.

Management bodies (leaders and institutions) should also promote civil society capacity to participate in all processes related to the security sector. Robust civil society involvement can be a strong source of public legitimacy (United Kingdom 2000, 10-12). Key elements of civil society must have the capacity to track

and analyze security sector-related information and to understand the results of that analysis. This can be a major hurdle, as civil society may have no context for defense planning and budget decisions, while military leaders will tend to move forward without taking time to educate civil society (United Kingdom 2000, 12).

Professionalism of Security Sector Personnel and Institutions

A professional security sector is effective and competent, and all policies, laws, procedures, processes, and performance embody and adhere to the principles of good governance. Effective management should emphasize service delivery to local communities as a priority and promote inclusivity and representation. □

Too often, training focuses on “visible skills” despite evidence that such skills are rarely used. Good practice has shown that training is more sustainable and enhances service delivery when emphasizing behavior and attitudes that will promote a culture of service (OECD 2007, 94). Management bodies should promote this culture of service among security sector personnel, and translate all good governance principles into laws which are in turn enforced. Security sector personnel must undertake their responsibilities with adaptability in a fluid external environment and flexibility in the context of a dynamic internal security environment, with quality of service as the key to effectiveness. Quality of service is established and maintained not just by training, but also by monitoring, mentoring, and management, with clear consequences for unacceptable actions or failures to act.

Police, as the daily face of law enforcement with local communities, should have the professionalism and skills to complement the defense sector for internal security, for example, a quick response police unit which would complement the regular police but also have the skills and equipment to defeat modestly-sized, organized armed threats (Gompert et al, 2007, 27-28). On the other hand, professional police services need to be more than reactive, as communities that see police only when there is trouble tend to develop perceptions of the police as threats rather than security providers (OECD 2007, 172).

Management bodies should promote transparency and fiscal discipline. Peacebuilding and reconstruction activities should be required for security sector actors as ways to build their legitimacy and trust with the communities they are expected to serve and protect, and to optimize the use of scarce resources (African Union 2006, 25(d)).

Performance Evaluation

Being mindful of security sector professionalism and resource allocation, effective management must also ensure that the components of the security sector operate efficiently, and that they are subject to the same level of monitoring and evaluation as other sectors. Few reliable metrics exist, however, and fewer still are incorporated into host government budget planning cycles and management responsibilities. Those that do exist tend to measure outputs rather than outcomes; for example, the most common metric of defense sector reform, “numbers trained,” does not measure performance at all, nor the professional qualities of capacity and integrity of institutions or personnel (Middlebrook and Peake, 6).

Other suggested indicators for the security sector include number and ratio of staff on the job (verified by unannounced field inspections), percentage of staff in the security sector who are properly equipped (weapons and gear for security forces, and all supporting needs for civil management and oversight bodies and rule of law institutions), proportion of staff who have received training, and percentage of budget resources spent and accurately recorded (Byrd and Guimpert, 15). Police operations are difficult to measure, especially in countries without adequate (any) crime statistics, but some measures of effectiveness

may include availability and readiness of police, including proportional representation of female officers and separate detention facilities (staffed with female officers) for female prisoners. The justice system can be measured by the number of cases handled, timeliness of processing court cases, and respect for human rights. Counter-narcotics should look at a progressive reduction over time of the drug economy, for example, reduction of opium production in Afghan communities (Byrd and Guimpert, 15).

Monitoring and evaluation of SSR assistance programmes often focus on quantitative indicators (e.g., numbers trained) with insufficient attention to qualitative indicators that would place SSR impact into broader political, social, and economic contexts. Therefore, indicators should shift from results (e.g., numbers trained) to performance (e.g., “how many of those trained *remain* in uniform, with a weapon, and act according to human rights standards”) (Author interviews). Furthermore, indicators should include not only measures of *performance* but also *impact* via public perceptions of quality of service delivery and access to security and justice. Indicators should also limit and eliminate “perverse incentives” (for example, indicators that measure arrest rates tend to lead to illegal arrests and other human rights abuse) (Flew and Rynn, Saferworld 2009, 23).

One outcome indicator, perhaps the most effective for measuring impact, is a community satisfaction survey, with open questions to determine public *perceptions* of security sector actors (defense, justice, police, etc.) and public willingness (or lack thereof) to use statutory security and justice providers over informal providers (Byrd and Guimpert, 15). These understandings of impact, however, still do not measure managerial professionalism, an area in which more research is needed.

Security policies should address this gap through international and national collaboration to develop management and service delivery benchmarks for all security sector actors and developing standard unit costs for services delivered in context. In a post-conflict society, for example, the context would likely emphasize the transition from combating threats to restoring rule of law. Benchmarks based on unit costs should then be incorporated into expenditure frameworks and budget decisions (Middlebrook and Peake, 7).

Financing the Security Sector

The host government may exert financial control over statutory security forces and justice and rule of law institutions through the security sector budget. Should the government be able to gain control of funding sources for non-statutory security and justice providers, it may also be able to exert control over them. Financial reform is also a potential entry point for SSR assistance from other governments or donors.

The Budget as the Government's Policy Tool

The national budget is the government's primary policy tool for implementing the national security strategy (OECD 2007, 93; Middlebrook and Peake, i). The budget should be prepared in the context of both sectoral and multi-sectoral strategies, through the recognition and understanding of the various roles of security sector actors, their needs and activities, and how to budget for these in proper proportion to other sectors, while retaining some flexibility (Ball and Holmes, 2002, vi).

Sector strategies and information on or evaluations of performance (oversight) are critical to a proportional resource allocation by the legislature between defense, in particular, other elements of the security and justice sectors, and other parts of the budget. Key financial and economic managers and the legislature, especially legislative subcommittees, must have the capacity to be fully invested in and understand to understand the process (Ball and Holmes, 2002, v). Although confidentiality is required for some areas

of defense and national security, defense expenditure should be a predominantly public debate. Defense participation in the government-wide debate process can reveal the needs of other ministries and agencies and demonstrate why defense needs must be justified in context (Ball and Holmes, 10).

Certain political decisions must be taken that simplify and enable equal footing for funding for the defense sector and other sectors. These decisions should adhere as closely as possible to the government-wide systems and policies. An expenditure classification system, for example, should detail whether expenditures are functional and economic. Appropriate and simplified allocation codes is an easy step in the reform process but one that can generate a great deal of progress in accurate defense expenditure, given that defense expenditure, especially that of a civilian nature (e.g., natural disaster response), is often spread across many ministries and are rarely recorded as a “defense” function (Ball and Holmes, 10-11).

Resources must be used efficiently and effectively through careful monitoring and evaluation of operational performance of security forces and civilian authorities. Financial information management systems are useful only if host governments know how to use and maintain the technology. Irregularities discovered during monitoring must be addressed immediately to avoid generating a culture of non-compliance (Ball and Holmes, 2002, v).

The Role of External Assistance Providers in Financial Reform

The release of defense budgets for external scrutiny is a sensitive process, involving classified materials and exposure of national activities and policies with which assistance providers may not agree. Engaging in defense expenditure management reform exposes both sides to risk that can be mitigated through careful consultation and planning.

Assistance providers should offer assistance only after understanding the reform environment and informal practices that may disrupt or jeopardize the process. Areas of confidentiality, reasons for it, and ways of reaching full disclosure should be discussed thoroughly among all stakeholders and mechanisms for overcoming them agreed upon and established. Advice should support civilian and democratic control of security forces, and the defense expenditure management reform strategy should match the public expenditure strategy as closely as possible to demonstrate how defense does not warrant special treatment (Ball and Holmes, 19). Activities should also be structured—and resources allocated—to educate civilian authorities or civil society without expertise in defense expenditure (Ball and Holmes, 20).

Host government representatives have claimed that their honesty in disclosing full troop levels or off-budget expenditures often results in criticism on the part of assistance providers for their high levels of spending (United Kingdom 2000, 18). Assistance providers should refrain from criticism and instead promote a strong relationship with partner governments that encourages political confidence, full disclosure, and ownership (Hendrickson, 34). Defense expenditure should be compared relative to the previous year instead of a specific level. Too much emphasis on shrinking expenditure may harmfully gut security and justice sector institutions (OECD 2005, 79). Additionally, the host government will need to have some discretionary funds for use during unanticipated emergencies, which should be held in a *single* whole-of-government contingency fund (United Kingdom 2000, 10). Furthermore, sustainable security sector management reform may even result in a net budget increase in the short or long-term. Management reform may require the creation of new institutions or processes that cost money to implement (payroll systems, for example). Previously off-budget expenditures will be brought on-budget. Consolidating defense-related expenditures under the appropriate category will affect the budget of particular departments. The reform process will

have associated costs. Salaries and wages, and material support for the defense sector may also be affected by reform (Ball and Holmes, 6).

To avoid the perception that assistance providers are only interested in lowering expenditures or to avoid creating disincentives for reform, the focus should be on the process without simplistic and out-of-context references to levels of expenditure, specific purchases, or size of armed forces. It should be clear how poor process and lack of procedure in fact undermines defense and other government objectives (Ball and Holmes, 20).

Assistance providers and host governments tend to approach budget reform from different perspectives and with distinct priorities. In Uganda's defense review, for example, the host government's priority to immediately increase resources to address military threats clashed with donors' primary interest in more efficient resource allocation. In opening discussions and throughout their work, assistance providers should therefore emphasize their interest in and commitment to the process and make ownership and compromise priorities of the engagement strategy. Donors should provide support and advice for local priorities, as opposed to trying to generate local support for their own priorities. Assistance providers should also work with host government officials to identify and evaluate expenditure management needs (Ball and Holmes, 2002, v).

International financial institutions (IFIs) are particularly well-suited for providing assistance with fiscal analysis and institutional reorganization, but they are limited legally, and hence in terms of expertise, with regard to the defense sector and defense issues. The World Bank's Articles of Agreement, for example, prohibit any involvement in the defense sector. IFIs therefore can only support certain components of security sector reform, often taking the form of advice and support for expenditure management reform or assistance for justice reform initiatives. Engagement on defense expenditure management advice has been described as a "firewall." Outside the firewall, activities include support for government-wide public expenditure management systems where assistance is appropriate. Operating inside the firewall includes support for determining the level, composition, efficiency, and effectiveness of defense-spending—activities that mostly receive bilateral assistance or IFI assistance only in the case of specific government requests. Straddling the firewall are the systems and processes of defense expenditure, which should be linked to comparable government-wide mechanisms (Ball and Holmes, 17-18).

Linkages to Other Aspects of SSR⁹

Management links closely to all other aspects of SSR because it directs the entire security sector. Linkages must be established between good governance as an objective, oversight mechanisms, national strategy documents, and legal and policy frameworks. Furthermore, the security forces must clearly understand their subordination to democratic and civilian control, through appropriate management processes, and management bodies must understand their responsibility to direct and oversee a professional security force.

Linkages to Governance and Oversight

Management of the security sector must be grounded in the principles of good governance and subject to oversight. Without these principles, or with weak oversight mechanisms and accountability tools, the security sector will be rendered ineffective and vulnerable to corruption and abuse. Indeed, some definitions include management as a defining functional component of governance (United States 2009, 4). Moreover, management reform that is not accompanied by oversight and accountability will not be sustainable.

9 Many of the management linkages described here are discussed in more detail in the relevant practice notes.

Professionalization of the security sector will succeed only if the various personnel and institutions understand the importance of service delivery as the foundation of good governance, how the various stakeholders all relate to each other within a whole of government framework, and the importance of operating within the rule of law.

Linkages to Threat Assessments and Defense Reviews

Needs of the security sector are typically determined through assessments that should feed into security sector management reform because they suggest resources needed that are useful for budget planning and formulation. Threat assessments and defense reviews, however, are often performed with military and civilian experts in security and independently of other post-conflict needs assessments (PCNA) (Middlebrook and Peake, 4). Although the sensitive nature of the process requires limited access of the results, the results of all assessments should be made confidentially available to budget offices and legislative committees. The assessments may also establish a baseline for future evaluation.

Since 2007, the PCNA has incorporated a better understanding of the security environment and conflict analysis into the needs assessment (UNDG and World Bank, 5). Although this may help limit unrealistic expectations during the reform (as happened with the 2001 Afghanistan Reconstruction Needs Assessment; see Middlebrook and Peake, 4; and ADB, UNAMA, UNDP, World Bank 2004, 79), it is still insufficient for budget planning. The needs of the defense sector, as determined through a defense review or threat assessment, must be considered relative to the needs of other security sector actors as well as government-wide actors. This can only be done if needs are determined through a comprehensive process.

Linkages to National Security Policies and Strategies

National security short and medium term strategies, policies, and spending decisions should be firmly grounded in the long term realities of the country's managerial (financial and political) capabilities. The state's managerial capacity therefore should be assessed and accounted for at the beginning, middle, and end of a review process (Ball and le Roux, 21).

Too often with international support, the defense sector is built up to an unsustainable level; the Afghan National Army's on-budget expenditures alone operated at 485 percent of its domestic revenue collection for 2005-2006 (Middlebrook and Peake, 5). Sierra Leone has depended on the United Kingdom's support for its security forces, which began at a level of 17,000 troops in 1999 and has since decreased to 10,500 due to fiscal unsustainability, with possible further reductions to come (Middlebrook and Peake, 4). In cases where a military force is not a national priority (e.g., no significant threat to state survival exists), continued military spending diverts resources unnecessarily from other priority needs, including needs within the security and justice sector.

To mitigate this tendency, national security policy and strategy reform initiatives should consider including development coordination as a priority in security policies and connecting strategies to long-term development initiatives. Force size targets included in peace agreements, strategies, and policy documents should be stated as tentative and subject to fiscal constraints, as determined through a specific mechanism subject to independent oversight (such as an annual budget) (Middlebrook and Peake, 4).

Security sector policies, strategies, and legal frameworks are also essential for meeting short-term security sector management needs. It is impossible to manage security resources without a clear definition of the roles and responsibilities of security sector actors.

Linkages to Defense Sector Reform

Many elements of defense sector reform are also key aspects of security sector management. Establishing a chain of command and identifying clear roles and responsibilities, for example, are the foundation for effective and sustainable management. Recruitment, vetting, training, and education, initially and ongoing, is a primary responsibility of ministry management bodies. Personnel management, including maintaining rosters and administering payroll, should all have adequate professionalism in the relevant ministries and offices, with reform initiatives focusing on capacity building, separating chain of command from chain of payment, and right-sizing security forces to remove ghost soldiers. Emphasis should be given to the complexity of training leaders of the security forces. Too often, support is given to training security forces without developing the accompanying management procedures to direct and oversee them (Rees, United Nations 2006, 4; Perito, 3).

PROGRAM PLANNING

Planning describes the supporting procedures for the institution building and ministry reform, capacity and professional development, and financing the security sector described above. Key areas of management reform include human resource management, anti-corruption mechanisms, expenditure management, and regional security arrangements and border security.¹⁰

Human Resource Management

Although administrative support for human resources seems like a relatively simple concept, it can have a substantial impact on the effectiveness of other management considerations. Personnel that do not receive salaries on time, or whose salaries are a fraction of what they should be due to corruption (middlemen and institutions skimming some off the top before turning it over to the personnel, for example), can have a negative impact on staff morale. Human resources management should also track personnel records and establish complaints procedures and oversight mechanisms with enforceable means of accountability.¹¹

Tracking personnel typically begins with a census of a particular security body, as often ghost soldiers and corruption make estimates of security bodies inaccurate. Once numbers are determined, and personnel have been recruited, vetted, and trained, management bodies should develop the capacity to continue personnel record maintenance. SSR in Afghanistan, for example, has issued biometric identity cards to maintain records of personnel (Fair and Jones, 12).

Anti-Corruption Mechanisms

Corruption is endemic in post-conflict societies where rule of law no longer exists in any meaningful form. Although corruption may take two forms, “grand or petty,” security sector management should primarily focus on managing bodies’ professionalism in the latter (Prier and McCue, 3). Grand corruption should be addressed politically through independent oversight bodies. The two biggest targets for corruption are through personnel (e.g., ghost soldiers or payroll-skimming) and procurement (e.g., delay or withholding of procurement decisions, theft, and bribes for procurement resources). Procurement will be discussed later in the note in the context of public expenditure.

¹⁰ Management reform would also make policy and laws and develop oversight mechanisms; these issues were discussed in detail in the practice note on security sector governance and oversight.

¹¹ Oversight mechanisms were discussed in detail in the practice note on security sector governance and oversight.

Any anti-corruption initiatives should be considered carefully to minimize loopholes and balanced by the additional work they require to implement and manage. Initiatives may be inefficient and even counter-productive if they require an excessive level of bureaucracy or control (Byrd and Guimbert, 2009, 9).

Personnel that do not receive salaries on time, or whose salaries are a fraction of what they should be due to corruption, can have a negative impact on staff morale. A significant source of corruption is siphoning off payrolls, either through ghost soldiers that allocate large amounts of funding to particular sectors or administrative personnel skimming salaries as it is distributed. Pay should be distributed directly to the intended beneficiary, through separation of chain of payment from the chain of command, and ghost soldiers reduced through vetting and reorganization.¹² Assistance providers in Afghanistan have installed an electronic funds transfer system for law enforcement personnel in the Ministry of the Interior, which has cut down significantly on payroll-skimming. Other administrative reform within Afghanistan's Ministry of the Interior has included pay reform (to allow compensation for experience rather than patronage) (Crisis Group 2006, 12). Some administrative reforms may be institutionally successful, as with EUSEC's separation of the chain of command from the chain of payment, but unable to affect professional and cultural change on security forces, who were observed receiving salaries directly and personally handing over portions to commanding officers (Van Damme, 5; Author interviews).

Security sector administrative bodies should have capacities for information management. In addition to financial information described below in the expenditure management section, capacity (secure and protected space and professional understanding) for classified and sensitive security information and personnel information should be developed. Reliable accurate information should be available through a computerized accounting and rosters of manpower (Crisis Group 2006, 12).

Expenditure Management¹³

SSR initiatives can help build professionalism for expenditure management that ensures an appropriate allocation of resources and sustainable government funding. In post-conflict areas where initial large influxes of aid may dwindle over time, SSR initiatives should determine how external assistance can contribute to long-term growth instead of "crowding out" domestic capacities (Middlebrook and Peake, preface). Establishing government control over revenues enhances security, not only by removing sources of funding for illicit non-statutory actors but also providing the government with the resources to pay for statutory security services (Middlebrook and Peake, preface). Expenditure management professionalism therefore can be a source of state legitimacy.

There are four major components in expenditure management for the security sector (the same as for all public expenditure): indentifying needs, objectives, and activities of the security sector; determining affordability; allocating scarce resources proportionally government-wide and within the defense sector; and overseeing, auditing, enforcing efficient and effective use of resources (Ball and Holmes, 21).

This section explains the ways of realizing those components through principles of general public expenditure management, functioning within the budget cycle, and deviations from the budget.

¹² For more information on these issues, see the practice note on defense sector reform and especially the case studies included therein.

¹³ Most of the literature focuses on defense expenditure, and therefore implicitly on the defense sector or Ministry of Defense expenditures, or general public expenditure, as opposed to "security sector expenditure." Although some include references to statutory security providers other than the armed forces (e.g., defense), SSR of expenditure management should also include relevant expenditures of the Ministry of Interior, including justice and law enforcement institutions, and whether/how the budget will expend resources on non-statutory actors and civil society.

General Principles of Public Expenditure Management

Public expenditure management should be *comprehensive*. Institutions and key decision makers must be appropriately *disciplined and constrained* according to resource limitations, absorb only what is necessary to implement policies, and adhere to the budget allocations. Policymakers must participate in and agree to the decision process to increase *legitimacy*. The budget must be derived from *honest and unbiased* projections of revenue and expenditure. For *transparency*, decision-makers should have all relevant information when making decisions, and clearly and promptly communicate those decisions and the reasons for them to the public. Decision-makers must be *accountable* for their decisions (World Bank 1998, 1-2). All budgets should incorporate a gender perspective, and allocate sufficient resources for “activities targeting persistent serious obstacles to the advancement of women in situations of armed conflict and in conflicts of other types” (UNIFEM 2008, 21(ii)).

Expenditure management for defense should adhere as closely as possible to these principles of expenditure management that apply government-wide. The biggest challenges of defense expenditure management lie with the principles of transparency and accountability. Practice often diverges, sometimes significantly so, from these principles, but the principles themselves establish strategic objectives for the reform process and ongoing efforts to improve practice (Ball and le Roux, 17).

Outlining a structured, efficient and accountable process right is more useful than debating the level of defense expenditure out of context. Efforts should be made to strengthen links between defense policy, planning, and budgeting, all within the confines of accountability, transparency, fiscal discipline (United Kingdom 2000, 11). The focus should not be on the level of expenditure itself but how relative it is to the previous year.

The Budget Cycle¹⁴

Budgets, like many security priorities, must clearly define the role of armed forces, understand the limits of governments in transition from war to peace, and recognize that transparency begets legitimacy. There is a need for scrutiny, strict and consistent transparency, strict adherence to rules and procedures, and longer time frames for budget reductions (United Kingdom 2000, 10).

Budget systems vary by country, but a generic financial management process described here includes five phases of a budget cycle: 1) budget planning and formulation, 2) parliamentary consideration and scrutiny, 3) budget execution, 4) monitoring and reporting, and 5) external audit. The defense budget must be placed within the wider government apparatus, but may need to be treated differently in some parts of the cycle.

Strategic Budget Planning and Formulation. The planning phase determines the security expenditure according to security sector policy and strategies, with medium-term expenditure estimates linked to the strategies. The budget also must be considered in the context of government-wide strategies and policies, since all sectors should compete equally for funding and receive scrutiny from the budget office. Some funding should be allocated to a single, whole of government contingency fund (including for defense).

The defense budget often receives more (and preferential) attention than other security or public expenditure budgets, since it does not compete with other agencies for the task of providing for national security. Most of the overall budget is determined by the Executive’s budget office, although a small sub-office may be established to develop a budget proposal for defense expenditure, including intelligence. Individuals in the budget office who work on national security expenditures should be given the requisite security clearance.

14 This section is largely from Ball and Holmes, 2002, 8-9 and Ball et al., 2004, 5.2.

Legislative Consideration and Scrutiny.¹⁵ The legislature then reviews and scrutinizes the budget, through its committee system and the full legislature. Security sector budgets should follow the same appropriations format as other agencies, with confidential sections as necessary for national security. It should be detailed enough to explain all materials, including non-financial performance information, so that the legislature can later hold the security sector accountable, without creating needless inefficiency. Confidential national security issues may be discussed in closed hearings. The legislature should consider the budget in the context of outcomes and performance (financial and non-financial) from the previous year's planning and implementation.

The legislature will consider the government-wide budget and priorities, determine relative affordability in the context of medium-term planning, and allocate resources by sector. The process should be as transparent and inclusive as possible, and include a voice for civil society. The scrutiny should be appropriately rigorous and include key financial management bodies (auditor, finance ministry, budget office, and public accounts committee). Defense, intelligence, and public safety agencies may be consulted but should not command the process.

Budget Execution. The funds, once available, should be released to departments and agencies as appropriated, and activities implemented as planned with allocated personnel. In cases of a shortfall, clearly established rules should set out the procedure and allowances for funding changes. The exact rules depend on the context; some states may spread the burden across agencies and others protect the strategic priority. Ministry offices should monitor activities and expenditure, evaluate and audit efficiency at regular intervals. Financial oversight bodies within the ministry (internal auditor, budget or accounting office) should compare each year's budget allocations for defense and actual outlays from previous years to look for patterns.

Monitoring and reporting. All expenditure must be reported according to appropriation rules to the budget/accounting office and to the legislature at scheduled/requested times. End of year financial statements should be ready no later than three months after the end of the financial year. Annual reports on departmental operations, including performance and excluding justifiable national security classified issues, should be published and publicly available.

External Audit. All expenditure should be subject to external audit, the results of which should be made available to the legislature, or its oversight committee, no later than six months after the end of the financial year. The relevant legislative committee should have the capacity to make recommendations based on the external audit reports. Auditors reviewing classified defense materials should have the requisite security clearance. The same committee that reviewed the budget proposal should review the audit reports.

Contingency Funds and Emergency Decision-Making

The budget cycle only allows for routine security sector operations that can be predicted over time and planned in advance. It is not possible to budget for unexpected military operations, and attempting to do so will lead to the misappropriation of funds (le Roux, 63). Instead, the budget cycle should include a single government-wide contingency fund; there is no need for defense to maintain a separate contingency fund. Use of the contingency fund should, however, be kept to a minimum, and with clear rules for use established by legislative oversight committees. Requests for funds should be subject to a thorough assessment, and

¹⁵ Legislative scrutiny and external audit are also described in an oversight capacity in the practice note on security sector governance and oversight.

the use of funds should be followed up by a full report to the legislature. For large scale emergencies that require funds in access of the contingency fund, governments will need to revise the budget according to relative needs and including departmental allocations and incomes (le Roux, 63).

Post-conflict and stabilization environments are subject to rapid changes in stability and security. The Executive should have authority to respond to emergencies and address urgent security threats.¹⁶ The decision-making process and use of funds in this case may not adhere to good practice, and the challenge with respect to expenditure is avoiding emergency regulations that undermine the ability to return to good practice once the emergency is ended (United Kingdom 2000, 53).

Budget Deviations and Off-Budget Expenditure

The difference between budgeted and actual expenditure, especially at department/agency and functional levels, are a strong indicator of the quality of the defense expenditure management system (Ball and Holmes, 12). When deviations occur, the absolute level of spending is not in and of itself a problem, but it involves reallocating funds from another intended function. Consistent deviations in Uganda led to increased outlays for defense at the expense of health and education departments (it may also occur intra-departmentally) (Ball and Holmes, 13).

Transactions that were not approved in the policy process and are not recorded (or “off-budget”) are a problem, however, as they undermine effective management and may indicate corruption. Off-budget transactions can either generate income or expend funds. Income may result from natural resource extraction that directly finances the defense sector, security taxes raised from citizens and businesses, previously undeclared foreign military assistance, and direct involvement of the military in illegal activities (e.g., smuggling, trafficking, and protection rackets) (le Roux, 58-59). The primary means of disguising off-budget defense expenditure are through inappropriate uses of contingency funds, top-up budgets not discussed in or approved by parliament, poor breakdowns (classifications) of defense programs and budgets so as to blur the intended use of funds, and budgeting for defense expenditure under other national departments. Reforms should discourage off-budget income by closely auditing such expenditures and comparing them to all such security sector-related expenditures; incentives for compliance may be generated internally or through donor conditionality that requires such reconciliation of income and expenditure (Ball and Hendrickson, 13-15).

Procurement

Security policies and decisions for procurement must be made in the context of national priorities and the broader scope of the allocation of all resources (United Kingdom 2000, 9). The rules should require wide advertising of bidding opportunities, maintenance of records related to the procurement process, predisclosure of all criteria for awarding the contract, contract award based on objective criteria to the lowest evaluated bidder, public bid opening, access to a bidder complaints review mechanism and disclosure of the results of the procurement process (World Bank 2004, 6-8).

The rules should clarify functional responsibilities and accountabilities for the procurement process, especially for offices responsible for implementing procurement and their responsibility to accept bid documents and decide on awarding the contract; for the buying entities that bear primary accountability for proper application of rules; and for offices responsible for accountability and their responsibility to apply appropriate and proportional sanctions (World Bank 2004, 6-8). It is generally agreed to be a good practice to

¹⁶ Executive authority in such situations is discussed in the practice note of security sector governance and oversight.

have an agency with responsibility for overall procurement policy formulation and the authority to exercise oversight regarding proper application of the procurement rules and regulations. The agency should not be involved in internal operational procurement matters in the buying entities, and should maintain functional independence and authority to oversee procurement for the entire public sector. The agency should have an adequate budget and staff to enable it to carry out its responsibilities effectively. It should be stipulated in bid documents that all bids may be refused if none are competitive (World Bank 2004, 22-26).

Robust mechanisms for enforcement should be in place. Clear rules and institutional frameworks mean little if the actors or individuals responsible do not have the means to enforce the rules and if they are not enforced in practice. The means of enforcement include the rights to audits by the government of the procurement process and a bidder complaints review mechanism in which bidders have confidence (World Bank 2004, 10-11).

Procuring major weapons systems can take as long as 15 years. Flexibility should be built into the system to allow for significant changes in currencies. Quality control should also take place throughout the process, as opposed to only upon delivery. Procurement projects should take into account the costs over the entire life cycle, and therefore may require long-term forecasts in defense expenditure more than other sectors (Ball and le Roux, 39).

Sound management of the procurement process requires interdisciplinary teams with expertise in engineering, contracting, quality and design assurance, and resource management. Since the process can involve many subcontractors, it allows for many opportunities for corruption and should be subject to high levels of accountability. South Africa, for example, requires three levels of approval within the Department of Defense for procurement projects. For especially large projects, legislative approval may also be required (Ball and le Roux, 39).

Allocative Efficiency

Allocating limited resources in the context of competing needs, especially in a fragile state where needs are desperate, is a very difficult task in managing the security sector. It is for that very reason, however, that it is so important to consider security sector assessments in the context of other assessments. The legislature needs guidance for the relative allocations and a transparent, comprehensive way procedure for making allocations (Byrd and Guimbert, 12). The following three methods may be used independently or in conjunction with each other.

Guidance for allocation decisions may come from examples of fiscal allocation in other countries, which usually allocate defense expenditure to 1-5% of GDP. This method is very difficult due to differing contexts (differing geographies, security threats, economies of scale, and regional or international alliances that share costs). The data is often of poor quality or not fully disclosed, due to off-budget expenditures (Byrd and Guimbert, 12).

Another method involves questioning the assumption of using public resources in the security sector, and whether public expenditure is necessary to reduce security risks. Assessments should question whether public intervention is necessary (as opposed to private), and if it is, whether it must take the form of expenditure (as opposed to regulations or tax policies). The latter option is more viable in developed countries (Byrd and Guimbert, 13-14). The former, however, is a valid consideration in fragile states where security and justice is often provided through non-statutory actors anyway, and the state in some cases may

have the option of playing a more limited role to provide oversight and accountability for those institutions (Baker and Scheye, 519). If a security risk can be handled by means other than public expenditure, it allows for more resources to be distributed to other needs.

The third method requires a better understanding of the responsibilities and roles of various sectors, and how they are connected. They are competing for limited resources, and often their outcomes depend on or influence each other, both within the security sector and outside it. The individual resources for police, prosecution, courts, and prisons will affect the quality of the others, environmental concerns can and do generate security threats, and diversified portfolios and political normalization strategies can spread security risk evenly, for example. Underfunding one will negatively impact the other sectors, or allocating resources for one may indirectly lower the risk for the others. Thinking about resources this way broadens the view of security—that it is not only something that must be reduced, but also has risks that can be mitigated (Byrd and Guimbert, 14).

Financial Information Management

An invaluable support system in public expenditure is a financial management information system (FMIS), an internal information system to track data and provide financial analysis on public expenditure. When building such a system is part of a larger public expenditure management reform, including defense expenditure into the FMIS is a means of merging the defense sector into the government-wide budget apparatus and treasury system and aligns the defense sector with the budget cycle. An FMIS makes defense budget information easily accessible for comparative analysis to previous years when approving or evaluating an annual budget (Ball and Holmes, 7). An FMIS can also help identify irregularities when monitoring the security sector at any time during the budget cycle.

In order to do this, an FMIS should have the following information: approved budget allocations for recurrent and capital outlays, sources of financing for programs and projects, budget transfers, supplementary allocations, fund releases against budgetary allocations, and data regarding commitments and actual expenditure against budgeted allocations (World Bank 1998, 65). An FMIS is only useful with sufficient national capacity and ownership to maintain it.

Regional Security Arrangements and Border Management

Given the cross-sectoral nature of border protection and regional security arrangements, all security sector management bodies should build relationships regionally and within the security sector, with the objective of achieving a balance between secure borders and the facilitation of legal movements of persons and goods (OECD 2007, 151). Management bodies should also build physical, administrative, and technological capacities to manage those relationships and border protection systems. In some cases, an inter-agency border security body can help facilitate policy and management. National strategies and policy and legal frameworks should clearly define obligations in this area and how the state's capacities can meet those obligations, especially with competing national priorities.

Regional collaborative security may include the following operations at a regional or sub-regional level, which would all require developing the accompanying professionalism in management bodies and security forces: arms registers, conflict prevention mechanisms, peacekeeping capacity and contributions, early warning systems, arms control regimes, and establishing the maximum possible level of interoperability among national security services (le Roux, 64).

Border management should be integrated across security sector actors to include common approaches for dealing with border issues (e.g., trafficking and displaced persons). Horizontal cooperation should be facilitated between officials that work at the border as well as at the ministry level to coordinate policies.

International or regional cooperation should also be pursued by the designated management body, which should be the same or closely linked with the national border management capacity. International cooperation may include sharing intelligence to target illicit trafficking of goods and people and establishing common procedures.

In post-conflict societies, technological support can be useful for border security but initially should focus on establishing basic capacity appropriate to the task, environment, level of infrastructure, and users' general educational and training background. Once basic capacity is established, technology could include balloons using radar, aircraft with video surveillance, pocket computers and bar code screening, and the use of wireless communications systems (Walsh, Stimson, 17-19). Although technological development should be gradual, packages can be designed to suit the environment (e.g., lack of infrastructure, potential to relapse into conflict) and allow border security officials to restore activities early without significant investment (Andrews et al., Stimson, 41). Technology is only effective if capacity to maintain and repair it is available and readily accessible.

CASE EXAMPLES: MINISTRY OF DEFENSE REFORM IN LIBERIA, SIERRA LEONE, AND AFGHANISTAN

This section discusses challenges in creating and reforming the Ministry of Defense (MoD) in Liberia, Sierra Leone, and Afghanistan.¹⁷

Ministry of Defense Reform in Liberia

Ministry of Defense reform in Liberia was completed in April 2007 and included just under 100 employees, all of whom were vetted and hired without the interference of the political leadership (Dempsey, PKSOI, 1-2). Funding problems meant that, although the employees received initial training, the planned five months of on-the-job training had to be eliminated (Dempsey, PKSOI, 3). Through capacity assessments, the US decided that Liberia could afford to sustain a staff of 96 people, and subsequently hired 90 staff and 5 secretaries. Eight of those were senior civil service overseeing several departments and providing training for everything from double entry book-keeping to basic computer skills, etc. There is concern over the fact that because of its capacity, the Liberian MoD has power and influence that is not proportional to its relatively small role (Author interviews).

One of the immediate challenges faced was the prompt dispensation of MoD monthly salaries of \$32.75. On the date of the first scheduled payment, officials from the Ministry of Finance came to the MoD to hand out the checks but arrived several hours late having first dispensed checks for the police and armed forces. Dispensing the checks would consume hours, even days, as the lead official was illiterate but refused help from a literate subordinate. Payment was delayed a second day when the bank told MoD officials the checks could not be cashed because the bank could not make change for the one dollar in Liberian dollars (employees receive 32 USD and were supposed to be able to make change for the 75 cents in Liberian dollars). Eventually, MoD officials worked with Ministry of Finance officials to ensure that the person

17 The case studies on Liberia and Sierra Leone were excerpted from research done for the practice note on defense sector reform. See Alix Julia Boucher, "Defense Sector Reform: A Note on Current Practice." (Washington, DC: The Henry L. Stimson Center, 2009).

handing out checks came with Liberian change so when employees cashed checks, they would have the change (Author interviews).

Ministry of Defense Reform in Sierra Leone

Since 1999, the UK's International Military Assistance Training Team (IMATT) has supported efforts to increase capacity of national security institutions in Sierra Leone. The initial Ministry of Defense reform progressed rapidly, with a starting staff of four, all of whom had minimal capacity. Within two years civilian staff was trained for key positions in the military, and MOD was leading reform initiatives in the country. The MOD restructuring model, based on UK MOD organizational structure and management practices but modified to Sierra Leone's context and needs, was successful enough to be applied to other ministries. The model was updated in 2000-2001 as new IMATT personnel arrived in country. One flaw in the implementation, however, was that UK civil advisors in MoD were reporting to DFID and living in separate quarters from IMATT, leading to poor communication between the two (Albrecht and Jackson, 58).

The reform identified the Ministry's primary purpose as indentifying threats and developing appropriate and affordable policies and procedures to respond to them (Nelson-Williams, 8). Although agreed that British personnel initially should staff a key position in MOD, President Kabbah's suggestion of the Chief of Defense position was discarded for British advisor becoming the Military Adviser to the Government of Sierra Leone. The latter title, it was decided, would promote—nominally and operationally—more local ownership and capacity building. When the Defense Headquarters (HQ) were closed and replaced by a HQ Joint Force Command (JFC) and Joint Support Command (JSC), both of which were initially placed under IMATT command. This shift made the Sierra Leonean Chief of the Defense Staff largely a figurehead (Nelson-Williams, 6).

The JFC commands the air, maritime, and land components and plans for operations. The JSC supervises the personnel, administrative, logistical and other needs of the force. Later, the JSC, was replaced by the Assistance Chief of the Defense Staff (Nelson-Williams, 8). This is interesting to note because it is not the only area of defense sector reform in Sierra Leone where initial structures were abandoned and replaced—in short initial solutions may need rethinking.

One of the bigger accomplishments was the creation of two new bodies: a National Security Council (NSC), established by the 2002 National Security Act, and an Office of National Security (ONS), which serves as the NSC's secretariat. Many also believe that the success of ONS is owed, in large part, to the professionalism of its head, then Brigadier Kellie Conteh (Albrecht and Jackson, 76). As of 2006, the MOD is operational at a new headquarters, with the Office of National Security operational, and a new Central Intelligence and Security Unit created.

Reform also determined the role of the chief civilian civil servant at MoD, the Director General, and a Defense White Paper was published. Still, a dual command structure remains (both military and civilian), and the UK presence still provides much of the needed oversight. Lack of experience in the Ministry staff has also led to delays in transferring authority to the Sierra Leoneans. UK training in the Ministry has also created a gap in terms of how the MoD operates in comparison to other ministries (Horn et al., 119-121).

Ministry of Defense Reform in Afghanistan

In 2003, the US, after finding that the Afghanistan Ministry of Defense remained poorly managed and was not representative, determined that the ministry could not be expected to build an appropriate force and

imposed a recruitment board on the ministry. The board was instructed to select appointees to the ministry based on merit and ethnic quotas. Although the ministry had 4,000 new recruits and had been overhauled by 2005, the focus on ethnicity meant that the quotas, while filled, weren't always based on merit. Moreover, private sector consultants hired by the US to train and mentor ministry officials lacked political cultural awareness and had little impact on the patronage structures (Giustozzi, 220). Reforming the hierarchy was also a challenge but has improved since the new Minister of Defense, along with some of his deputies, gave up his military grade.

Iterative Lessons Learned

Management of the security sector must function at multiple levels and across government ministries and agencies. Training of security forces must be accompanied by building up the management capacity for mid-level managers as well as senior officials.

The analysis and case examples demonstrate that Ministry reform seems to be particularly helped or hampered by the Minister in the host country. In short, political will and ownership in this area seems to be especially crucial. In addition, Ministry officials need to be screened with the same scrutiny as soldiers or other civil service employees.

Initial structures for the Ministry of Defense in both Liberia and Sierra Leone had to be reconsidered and modified, suggesting that flexibility in Ministry reform is important and that the required structures may need to evolve as the Ministry develops. Another point to note is that increased professionalism and capacity at one ministry, when not matched by corresponding increases at other ministries—particularly among defense, finance, and foreign affairs, or finance, the interior, and justice—risks over-burdening the other ministries and hampering the reformed ministry's processes that rely on support from other ministries.

All management bodies should be supported by technology at the appropriate level and in context. Providing technology through reform that the management capacity cannot maintain independently is unsustainable. These technologies should promote professional, efficient, and effective management of financial information, personnel, border security, and classified materials.

The national budget is the government's primary policy tool for implementing the national security strategy and the legislature's primary oversight tool; it should therefore reflect a comprehensive approach to SSR. Defense reviews and assessments should be incorporated in the budget planning process to allow for the appropriate allocation of scarce resources.

To avoid the perception that assistance providers are only interested in lowering expenditures or to avoid creating disincentives for reform, the focus should be on the process without simplistic and out-of-context references to levels of expenditure, specific purchases, or size of armed forces. It should be clear how poor process and lack of procedure in fact undermines defense and other government objectives. Procurement should be subject to especially strict levels of approval and accountability.

Any anti-corruption initiatives should be considered carefully to minimize loopholes and balanced by the additional work they require to implement and manage. Initiatives may be inefficient and even counter-productive if they require an excessive level of bureaucracy or control. Effective management of the security sector should create incentives to bring expenditures on budget.

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DEFENSE SECTOR REFORM: A NOTE ON CURRENT PRACTICE¹

By Alix Boucher

DEFINITIONS AND FRAME OF ANALYSIS

The Defense Sector can be divided into three categories: the ministries which develop, manage, and implement defense policy (typically the defense and interior ministries), the bodies charged with oversight of these ministries and their implementation bodies (typically legislative oversight bodies and ministerial internal oversight structures), and the operational actors charged with guaranteeing a country's national security. Operational actors include the regular armed forces of the state (army, navy, coast guard, marines/marine infantry, and air forces);² state-sponsored paramilitary forces (gendarmerie or equivalent, and border security forces); customs, and immigrations services; intelligence services; and other organizations that defend the state and its people. This practice note examines creation and reform, restructuring, and/or transformation of these institutions, primarily for defense against external threats. It does not address law enforcement or criminal justice issues or institutions (such as police, judiciary, or corrections).

Although bilateral defense assistance has been a staple of international aid for decades, assistance to equip and train partner defense forces cannot be equated with defense sector reform. Such assistance may not address corruption, human rights abuses, or the likelihood of internal conflict in recipient countries (Gompert and Stearns, 2007, 4), whereas the core principles of security sector (system) reform emphasize good governance, transparency, efficiency, fairness and equity in recruiting and promotion, accountable and sustainable financing, respect for human rights, and local ownership based on democratic norms (OECD Handbook, 2007, 21). These principles should apply, in all cases, to defense sector reform.

In countries recovering from conflict, defense sector reform, or defense sector development, faces particular challenges. In such countries, defense institutions may be particularly resistant to change, often because change would entail loss of political control or decreased access to wealth, including reduced ability to exploit natural resources. These interests imply that substantial and lasting change will entail more than just direct reform to discrete operational element of defense. Failure to reform the defense sector in broad terms—including its governance and oversight—will likely impair a country's ability to build transparent,

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² The literature on defense sector reform, however, focuses mostly on land forces (armies). This note highlights practice with respect to other components mostly through the use of case studies.

accountable, and efficient public institutions in general, and may also interfere with the larger economic recovery or development process. The measures discussed in this note thus should be understood to require comparable, parallel changes in governance and oversight if they are to be sustainable by the host state after drawdown of direct international support.³

In addition to highlighting good (and bad) practice regarding how host state institutions design and execute defense sector activities, this note will address recommendations to donors with regard to planning and conduct of defense sector reform.

CORE PROGRAM DESIGN ISSUES

Sustainable defense sector reform requires effective, efficient, and transparent security sector governance, but also an accurate and up to date threat assessment on which to base security needs analysis; definition and allocation of institutional roles and responsibilities to meet those needs; an appropriate sector structure and chain of command to manage execution of roles and responsibilities; and creating, enhancing, transforming or right-sizing of forces and support structures to carry them out.⁴

Assessing Needs

A needs assessment should encompass the state not only of the armed forces but also of the relevant ministries and oversight bodies. Such an assessment will help determine the current state of *all* of the relevant institutions and help to determine priorities for action (United States, FM 3-7.01; ch.3, 8–9). Such an assessment should examine not only the human resource needs of the various components of the defense sector but also the infrastructure, equipment, and other assets that both civilian and military personnel require to function effectively. In countries recovering from conflict, for example, soldiers and their families may require suitable accommodations. Similarly, ministries may require everything from basic office equipment to more complex data management systems. In such contexts, building capacity within the armed forces to the detriment or in the absence of broader management or oversight capacity building and reform is counterproductive and may lead to unsustainable gains. Because defense sector reform is just part of an effort to build peace and security, the UN may wish to frame the effort within a larger context of institutional and economic development. Doing so may also help the host state determine priorities for such programs and better frame defense sector reform within a wider context.⁵

Part of the initial assessment, then, is to identify all relevant actors, their roles and responsibilities, institutional chain(s) of command, and the role of each command level in planning and executing policy. In particular, the roles of the chief of the defense forces, the chief of the most important military service, and the operational commanders (division and brigade) need to be determined, as do the roles of the various military staffs. For security forces, it is necessary to determine requirements for doctrine, organization, training, materiel and equipment, leadership, personnel, command, control, communicational, intelligence, and operational effectiveness (United States, FM 3-07.1, 3–12).

Is a Security Force Necessary?

In some countries, the very necessity of a particular force needs to be discussed before proceeding to discussion of effectiveness or reform. The host state's future force structure may be more or less specified

³ Please refer to the separate practice note on Security Sector Governance.

⁴ For more on threat assessments, reviews, and national security strategies, please see the relevant practice notes.

⁵ For more on management, governance, and oversight of the security sector and their place in wider efforts to build institutional capacity, see the relevant practice notes.

in its peace agreement, but there may be leeway to propose alternative structures, in which case the threat assessment that is part of the initial UN Technical Assessment Mission should take careful measure of specific requirements that particular force structures have met in the past and may need to meet in the near to medium term.⁶ If the host country faces few significant external threats, before engaging issues related to reform (or transformation, rebuilding, etc) or re-creation of defense forces, an assessment should ask whether a particular force is appropriate or necessary to deal with assessed threats. Long term financial sustainability should also affect its conclusions.

For example, the 2003 Comprehensive Peace Agreement mandated the creation of the Armed Forces of Liberia, but in comparable future peace negotiations, international mediators and donors—supported by threat assessments that can be shared with the national parties—may wish to encourage debate about the very necessity of traditional armed forces in the post-conflict era. Liberia’s anticipated national revenues may be hard put to finance even its small new national army (2000 troops) while meeting the country’s many other pressing development needs (Gompert et al., 2007 29–33). The prior history of armed forces in Liberia was also one of predation and corruption, as is the case in many countries with a long history of internal conflict. The question then arises whether a country such as Liberia, which depends at present on UN peacekeepers and over the longer term on US security guarantees for its external security (much as Sierra Leone depends on UK guarantees), should focus its limited resources on building effective and accountable police services and counterpart internal security forces (including paramilitary forces trained to deal with insurgency) and border security services. Similar discussions occurred in Sierra Leone. In late 1999, the army was briefly disbanded but the decision was quickly reversed because of the threat posed by newly unemployed former combatants (Albrecht and Jackson, 23).

Defining Roles and Responsibilities⁷

The goal of defense sector reform is to establish institutions that are well-led, honest, impartial, regarded as legitimate by the population at large,⁸ and committed to protecting and serving the entire population under the rule of law and with respect for human rights. Achieving this goal requires defining the roles and responsibilities of the various institutions that comprise it and firmly rooting these roles and responsibilities in a constitutional framework, accompanying legislation, and a detailed national security policy and strategy.⁹ In countries recovering from conflict, the executive may play multiple roles (for example the president may also serve as minister of defense), leading to conflicts of interest and compromised oversight mechanisms. In other cases, the military and its leaders may not be subject to effective civilian control, setting the stage for future exploitation and abuse.¹⁰ If new types of forces need to be created, legislation may need to be amended or passed to determine the ministry under whose oversight such forces operate (for military or paramilitary units, discussion over whether forces should be responsible to the defense or interior ministries may be in order).

⁶ Please refer also to the separate practice note on threat assessments.

⁷ The practice note on governance and oversight of the security sector discusses constitutional and legal considerations for defining the role of the defense sector. The practice note on management of the security sector discusses the challenges of reforming the ministries and other bodies in this area. The practice note on national security strategies and policy discusses the role of such efforts in determining roles and responsibilities.

⁸ For a thorough, recent discussion of legitimacy and its definition/determination, see Séverine Bellina, et al., “The Legitimacy of the State in Fragile Situations,” Report for the OECD/DAC International Network on Conflict and Fragility. Final version. (Paris: OECD/DAC/INCAF, February 2009), 3–4.

⁹ For more on national security strategies and policies, see the relevant practice note.

¹⁰ For more on management and oversight of the security sector, see the relevant practice notes.

In short, defense sector reform may require structural reform; functional reforms that may include realigning and clarifying the role of existing forces as well as creating specialized border, riverine, counter terrorism, or organized crime units to meet specific threats; physical and infrastructure reform; and changes in the assets held by various force providers.

Right-sizing

In countries recovering from conflict, the size of defense sector ministries, oversight bodies, and of course the armed forces may need to be carefully evaluated to determine whether they are either too big or too small to perform their intended tasks. The necessity, affordability, and role of security sector institutions in responding to identified threats all need to be examined. Ministries and security forces may be bloated by patronage and corruption, while oversight mechanisms will likely need to be built up.

Although researching models for calculating force requirements (for the armed forces) was beyond the capacity of this survey, it is safe to assert that, in most countries transitioning from conflict, existing forces will be too large for peacetime needs.¹¹ Moreover, most will contain large numbers of “ghost soldiers” who pad the ranks for purposes of payroll-skimming. In many cases, the officer corps is over-sized because commissions can be purchased and are an attractive source of revenue in countries where officers are responsible for directly distributing pay to their subordinates. Many active duty personnel will also lack the qualifications they need to do an effective job. In short, forces may be not only too large but corrupt, incompetent, and inefficient. A sustainable, professional, and competent institution can and should be smaller, but decisions on the actual size of the force must be based on the ability of the host state to recruit, vet, train, and pay a competent force of that size. If donors are willing to assist the host state in providing either initial support in forming the defense sector workforce (broadly defined) or to continue sustainment support, the amount, nature, and time frame of that support also needs to be made clear.

Force Structure and Chain of Command

Force structure will be determined by the purpose of the security forces and their role as envisaged by the country’s national security policy.¹² To ensure civilian control, chain of command for military forces will typically run from the senior-level political leadership, through the ministry of defense, to the defense chiefs, and then through the appropriate levels of command. Chain of command for paramilitary forces will cascade, similarly, through the ministry of interior or justice to operational force commanders.

In many countries, different strategic, operational, tactical, and logistical/support structures may co-exist. National force headquarters may provide command of the forces and translate national interests and policies into operational guidelines, write doctrine, and develop standards and principles for training and education. Support or administrative headquarters will manage procurement for the forces and develop policies for recruitment, vetting, and personnel management. Finally, operational headquarters, whether regional, functional or a combination of both, may be created at different levels, depending on the scope of operations envisioned, their objectives, and their complexity. If a country has multiple services, headquarters command structures may either be established for each individual service or may

11 Afghanistan is a perhaps contrary but complex example in which ongoing efforts to *build up* competent and professional armed forces and police parallel efforts to demobilize militia forces while continuing to use informal forces to bolster the formal services. There is also disagreement between the United States and the Afghan government over the proper size of the Afghan National Army. The government seeks a force of up to 250,000 and the United States up to 134,000. Plans drawn up in 2002, prior to increased insurgency, called for 70,000 troops, which itself strained donor capacities to provide integrated training and embedded mentoring. (Giustozzi, 222; Cordesman, 2008, ii–iii). As of 2008, the Joint Coordination and Monitoring Board aims to build an 80,000 strong ANA (US Plan for Sustaining the Afghanistan National Security Forces, June 2008, 4).

12 Please refer to the separate practice note on developing national security strategy and policy.

be combined. If the services are expected to operate together, a joint structure may be more effective and efficient (United States, FM 3-07, 6.11).

In countries with ongoing peacekeeping or counter-insurgency operations—whether conducted by individual nations, by a coalition, or under the lead of an international organization—a chain of command and concept for joint operations with the host state will need to be developed, as will appropriate rules of engagement with parties that are out of compliance with the peace agreement; with insurgents; and with host state civilians. If the host state is receiving such assistance, a decision must also be made as to whether the senior donor or senior international representatives (both military and civilian) have the authority to override host state decisions and vice versa. The implications of such arrangements for the host state's sovereignty also need to be considered.¹³ Overall, a national security policy should be developed to detail mechanisms for national security decision-making, implementation, and chain of command in this area.¹⁴

PROGRAM PLANNING

Donors need to decide who amongst them will support which portions of defense sector reform. Parcelling out different portions could lead to coordination problems and a piecemeal approach where donors take individually small steps but fail to implement reform in a deep and sustainable fashion (Melmot, 2008, 19). Division of labour requires donors to agree that one actor will take the lead in coordinating the efforts of all the others, and clarify the overall expectations concerning the scope of work expected from each donor and its time frame.¹⁵ When such coordination is not possible or when different actors refuse to recognize the role of a coordinator, individual donors should define their parameters for cooperation, inform potential partners, and work towards communicating plans in a timely and effective fashion.

Program planning should include careful consideration of *all* the oversight and operational actors involved in the defense sector, ranging from the armed forces, to border forces, state and defense intelligence, and paramilitary forces that a country requires in order to respond to the threats it faces. Failing to adequately plan for support to any one actor could jeopardize wider defense sector reform efforts. The approach taken should be based on assessment of the threats, risks, and costs involved. Whatever the ultimate decision, it is important to conduct a public information campaign explaining why such a step was necessary and how it is justified by national security needs (Nelson-Williams, 8).

Effective planning requires that donors make decisions on the financial aspects of defense sector reform, in terms of cost and sustainability, in terms of accountability for donor funds (fighting corruption) and finally in terms of host state capacity to collect enough funds to pay for at least some portions of reform efforts itself, and to sustain what is built (Melmot, 2008, 19). Planning should also take into account sustaining infrastructure maintenance, equipment and asset procurement, and personnel management and renewal, across the defense sector. Such plans should also include efforts to build host nation management and oversight capacity.□

Planning for DSR must be closely coordinated, as necessary or appropriate, with demilitarization, demobilization, and reintegration (DDR) programs. In post-conflict countries where non-statutory forces

13 Discussion in this paragraph is drawn from author interviews with subject matter experts.

14 For more on national security policies, see the relevant practice note.

15 Clarity and coordination of plans may not go hand in hand, however, as one donor's plans, while clear, may not meet another's expectations of what needs to be accomplished. Thus, Germany was criticized for its failure to reform the Afghan police but Germany, arguably, committed only to train a cadre of senior police officers, not to vet, train, and equip the entire Afghan police force. In late 2003, the United States launched such a program but with inadequate training, equipment, and mentoring, such that retraining commenced under a different concept in late 2007 (Cordesman, 2008, 55–59).

remain standing and where a peace agreement may have mandated their integration into the regular statutory defense forces, measures to ensure that such integration occurs in a systematic, organized, and sustainable fashion also need to be considered. As an initial step, irregular, rebel or insurgent forces may need to be temporarily integrated before they go through the normal vetting and recruiting process. Force reduction planning needs to anticipate the reactions of faction leaders who feel that too few of their fighters have been integrated into post-war forces. The security implications of such concerns must be balanced against the requirements for a professional, effective and affordable force.

In some countries, donors who had planned to provide certain types of assistance may arrive only to find that the conditions for beginning their program have not been met. They may therefore need to restructure their program for what becomes, in effect, a second effort. This may have implications for budgets and spending authority, which may be time-limited, potentially resulting either in hurried commitments that attempt to anticipate needs on the ground, or loss of funds to another program.

Recruiting and Vetting

Recruiting and vetting in the defense sector can be challenging but the process must guarantee equity in recruiting and ensure that the recruiting process translates into forces and a defense civil service that are representative of all major ethnic groups, minorities, and other disaffected actors. Vetting cannot begin until a concept for the security forces has been decided. This concept usually includes professionalism, representation, and an appropriate force posture or structure. Recruits—and particularly officers and those with either management or oversight duties—should be vetted for past abuses and membership in illegal or sensitive organizations. Such recruits need not necessarily be completely excluded but continued membership should be monitored (United States, FM 3-24, 6.9-6.12).

Vetting for existing forces and civilian personnel as well as for new employees (whether civilian or military) should be conducted in a transparent and fair fashion: reasons for dismissal should be disseminated and explained. Doing so will help build the legitimacy of the process. In the armed forces, new forces may be built by integrating existing armed groups (as was recently done with the CNDP militia in eastern DRC), by recruiting and vetting an entirely new cadre, or by some combination. It may be necessary, as has been the case in Sierra Leone and Democratic Republic of Congo, to accept large numbers of ex-combatants into the new force as an intermediate demobilization and reintegration measure. The temporary status of such measures needs to be made clear. In a civil service, a similar process may occur.

Vetting should be consistent, whether for existing personnel of the forces and ministries (lustration) or for new recruits. Failure to dismiss currently serving soldiers and officers, despite known and documented abuses, participation in illegal groups, or corruption could hurt the legitimacy of the force being built. Where there is a long history of conflict, a substantial percentage of serving personnel may have been involved in such problematic behaviour and lustration may not be a viable option as the entire defense sector may lack legitimacy in public eyes, and officers and managers from the old force, management, and oversight structures may corrupt new recruits.

Vetting has two components: normative and pragmatic. The normative component, based on the concept for the force, should reject candidates if there is “credible evidence of wrongful conduct unrelated to the vetting process, such as prior crimes.” “Core crimes” that are grounds for rejection include “unlawful killing, unlawful wounding, torturing, outrages on personal dignity, rape, and abduction or arbitrary detention.” Vetting processes are on firmer ground rejecting candidates with substantiated records of such behaviour

than if they rely on violations of higher-order, more structural provisions of international human rights law (such as “violating the right ‘to a social and international order in which the rights and freedoms . . . can be fully realized’”) (McFate, 2007, 83).

Pragmatic steps for vetting are first to determine identity of personnel and second to conduct background checks. This is challenging in post-conflict settings because records required for the background checks may never have existed, may have been destroyed, or may not be credible or reliable. The vetting process must therefore develop and apply common standards and it must ensure the confidentiality of applications. Pragmatic reasons for rejecting a candidate include “credible evidence of wrongful conduct related to the vetting process, such as cheating, lying, or refusing to cooperate during the vetting procedures” (McFate, 2007, 82-84).

The recruitment process begins with the publication of notices for applications to join the forces or civil service. Before conducting an expensive vetting process, armed forces recruits should be tested for physical suitability. Similarly, the literacy level of all applicants, military or civilian, should be evaluated and play a role in determining whether a candidate moves forward in the process.

In the armed forces, recruits who pass both the physical and literacy tests may then be vetted for hiring into the force. Recruiters should consider providing recruits with food and shelter for the duration of the recruitment and vetting processes, as well as funds to return to their families should they not be selected. The creation of regional vetting centres can help ensure that qualified recruits of limited means or those who live in remote areas are able to participate and do not suffer financially from doing so. Recruits should not be expected to self-support if required to travel from recruiting centre, to vetting centre, to training centre.

The vetting process must be thorough and include a process for verifying allegations of disqualifying behaviour. In Liberia, this included a significant public information campaign—pictures of candidates were posted all over the country, mechanisms for reporting behaviour were established, and vetting teams travelled all around the country to interview candidates’ family and acquaintances to determine their suitability. In a country like Liberia, doing so required strong logistical support, including convoys with security, reconnaissance, spare vehicles, river crossing equipment and spare parts for vehicles, plus air evacuation support (McFate, 2007, 81–82).

When vetting takes place in a post-conflict setting, the process of demobilizing the existing personnel poses security risks. The safety of recruiting centres must be ensured. Indeed, persons for whom DDR means loss of power base may threaten reformers. Evidence gathered from vetting therefore should not be used for purposes other than to determine a candidate’s suitability for service in the security forces. It is best to disconnect the vetting process from truth and reconciliation commissions and other instruments of post-conflict justice. The identity of those who provide evidence on the recruits also needs to be protected, lest rejected recruits seek them out for reprisal (McFate, 2007, 81). At the same time, vetting must protect against false accusations and anonymous accusations should be validated by several independent sources.

Because vetting will be a requirement in most transitional environments, donors should consider funding the training of a host state vetting team that can continue to vet candidates by the standards established in the initial process, which will help guarantee that other defense sector employees (including in the relevant ministries) have the same qualifications as their colleagues (Crisis Group, 2009, 16).

Pay and Personnel Management

Personnel management is a key aspect of defense sector reform.¹⁶ First, pay for civilian personnel, officers and soldiers must be competitive with that of other host-state professionals to dissuade them from seeking part time jobs or soliciting bribes. Pay needs to be consistent across the public sector to ensure that qualified professionals are well-distributed among the various agencies. Pay must be disbursed on time and through the host government channels. Good pay should be accompanied by a strict (but fair and enforceable) code of conduct that allows for immediate dismissal of corrupt personnel. Such disciplinary mechanisms should apply equally to all ranks in both civilian and military structures (United States, FM 3-24, 6.20). In post-conflict states, armed forces, as well as entire bureaucracies have been dismissed en masse by law or decree. While such dismissals can help ensure that the population accepts the legitimacy of new institutions by ensuring that formerly corrupt and rights abusing officials are no longer employed, the loss in capacity and discontent such measures may cause should also be considered.

It may be important to separate the chain of command from the chain of payment (both within the relevant ministries and within the forces), particularly in countries where personnel and soldiers have historically depended on their direct superiors for their pay, thus creating opportunities for corruption (Van Damme, 2008, 5). Pay should be disbursed directly to all soldiers and officers, preferably through a central, dependable government channel.¹⁷

Education and Training

In many post-conflict countries, education of the defense sector workforce, whether civilian or in uniform, may be a requirement for effective defense sector development and reform. In countries where war has prevented long term access to education from the most basic levels to university, a first concern for defense sector reform will be finding employees who are literate. Efforts to sustain a defense workforce will therefore need to be integrated into wider education plans for the country as a whole. Efforts to sustain the defense sector workforce will also likely require the creation of military education institutions and more general security sector management and oversight education programs. Ensuring the availability of quality personnel at higher management levels, again across the defense sector, will require developing access to secondary and university-level education. In some cases, where there is an immediate need for such education or for specialized training, sending selected professionals to schools abroad may present a temporary solution to needs for advanced and technical skills.

Effective training requires clear and detailed performance standards for individuals, leaders, and their units. Training should take the forces' level of literacy into consideration, building on existing or historical training programs and using host state trainers as much as possible. Training should be designed so that host state trainers can eventually take over all training. Programs should avoid up-front information overload, resist short cuts and quick fixes, but also avoid creating overly-complex programs based on unrealistic standards. When donors use mobile training teams or contractors to conduct the training, they should ensure the training is supervised and meets established standards (United States, FM 3-24, 6.12-6.13).

Training typically begins with basic individual training, continues with advanced individual training (including specialist training), and then shifts to progressively higher unit level training. The length, nature, and intensity of the training varies depending on the existing proficiency of the forces involved,

¹⁶ For further detail see the draft practice note on Security Sector Management.

¹⁷ Recent efforts to separate chain of command from chain of payment will be discussed in the Liberia, the DRC, and Afghanistan case studies.

the complexity of the missions they face, and the degree to which they can expect continuing outside operational assistance.

When determining how to train a host-state unit, organizers should assess the host-state unit's training needs by determining the unit's tasks and capacity to execute them. The assessment should also determine "staff capabilities, personnel and equipment authorization, physical condition, any past or present influence on training and combat operations, operational deficiencies identified during recent operations or exercises... sustainment capabilities, to include sustainment training programs, internal training programs and personnel, and training facilities" (United States, FM 3-07.01, 5.8). Training should also include after action reviews.

Leader training is more complex and should reinforce levels of authority within the host state forces. Training should make clear the expectations associated with officer rank, while reinforcing the military's subordinate relationship to civilian authorities. Commissioned officer training should focus on tactical skills, accountability, decision-making, delegating authority, values and ethics. It should include instruction on how to work as a team, how to develop and take advantage of subordinates' skills, how to train subordinates, how to maintain discipline, and how to assume responsibility for one's own and subordinates' actions. Additionally, training should stress interpretation and enforcement of the rules of engagement—particularly important when training is provided in countries with ongoing conflict. Collective training should include how internal and external threats and the presence of civilians affect operations (United States, FM 3.07.01, 5.9). In a second phase, commissioned officer training should focus on building effective commanders and staffs for small units. This should begin at the company and battalion level and progress to higher echelons (United States, FM 3.07, 6.9).

Decisions must be made concerning the number and nature of training centres for the defense forces. For example, defense training and education institutions need to be created for all security forces and for both officers and soldiers. Similarly, institutions to train and educate civilians employed in the defense sector as well as those responsible for oversight and management need to be established. In some cases, while the initial training is conducted by donors, the schools' first graduates may be selected to return as trainers for other units or offices.

Continuous Advising: Embedded Advisors

Advisors can be used to support both the armed forces and the relevant ministries and oversight bodies. Donor personnel may be tasked to provide continuing advisory support to host state units. Advisors may be military officers or civilian officials from donor countries, UN agencies or other international organizations, NGOs, and private companies. Whether in support of civilian ministries or military units, such advising may take three forms: advising, partnering, and augmenting. In the first two cases in particular, embedded personnel should work in the same conditions as their hosts. Advice may be provided from the highest command and management and oversight levels—at the minister or commanding officer level—down to the company level or to the office level.

Advising occurs where donor troops use "influence to teach, coach and advise...while working by, with, and through Foreign Security Forces." In such cases, the advisor focuses on developing the host-state security forces. Importantly, "advisor teams will often find themselves answering to their higher military assistance group, the brigade combat team they are attached to, and the host host-nation unit with which they are embedded" (United States, FM 3.07.01, 2-9).

Partnering differs from advising because it “incorporates training with combined operations” with the objective of creating competent and legitimate host state forces. In partnering, units are attached at different levels and as the host state forces become more capable, the intensity of partnering decreases. In cases where conflict is ongoing and where host state capacity is sufficient, donor support with partnering can take the form of providing quick reaction capacities. In partnering, combined cells for intelligence, operations, planning, and sustainment are created to “support transparent operations and a comprehensive approach.” Partnering helps to increase trust between the host nation and donor forces, as well as helps to develop staff capacity within the host state forces. Partnering could also involve creating relationships between host nations and donor command and staff elements. This can help host nation forces observe and learn from donor forces without losing face (by revealing inadequate skills or appearing subordinate to donor forces). In some cases, it may be beneficial to combine partnering and advising. This requires developing a three way relationship between the host state forces, advisors, and partnering units. In this case, “partner units should look to the advisor to identify, shape, and facilitate operational partnering opportunities and training events” (FM 3.07.01, 2.10).

With augmenting, donor forces can be augmented with a host state unit’s forces or vice versa. This arrangement can be organized either for a specific mission or for the duration of the effort. Augmentation can also be organized with individual soldiers or officials (FM 3.07.01, 2.10). Augmenting can also be used in combination with partnering and advising.

While embedding donor personnel throughout command structures helps to train effective leaders and can build capacity, it can also create dependency among host state forces. Outside personnel should therefore be replaced with host state officers as quickly as possible and clear measures for evaluating the training of individuals, leaders, and units should be created. All troops should receive values training and officers should be trained in methods for evaluating unit performance (United States, FM 3-07, 6.14-6.15; FM 3-24, 6.14-6.16).

Intelligence Reform

Ideally, host state intelligence structures should contribute to threat assessments, national security policy, and ensuing force posture (Conteh, 5). Intelligence agencies include state level civilian domestic intelligence gathering bodies, civilian agencies tasked with gathering foreign intelligence, and military intelligence gathering agencies. This section applies to all three kinds of intelligence structures. In countries where the UN has peace support operations, effective contributions may require professionalization of the intelligence services if they are to be effective in providing strategic intelligence and measurable contributions to national security planning. In some cases, professionalization will require reducing functional redundancies among agencies and disbanding those services with political agendas or allegiances. Intelligence agencies should protect the state and its people rather than particular elites (United States, FM 3-07, 6.16).

Intelligence reform may require clarifying the roles of military and civilian intelligence agencies and establishing coordination mechanisms between them. The role of senior intelligence officers may need to be defined and civilian political oversight may need to be improved, in order to increase the legitimacy of intelligence institutions (United States, FM 3-07, 6.16). Intelligence services require clear guidance, preferably based on legislation, delineating permissible and non-permissible collection activities. These rules should also define the role of different actors, chain of command and permission required to conduct particularly sensitive collection activities and which agencies collect domestic and foreign intelligence.

Such guidance should also determine how the information is distributed, how it is analyzed, by whom and for what purposes (Chuter, 15-16).¹⁸

Intelligence reform should separate intelligence collection structures from intelligence analysis structures. Procedures for securing intelligence facilities and information may need significant revamping.

We note that intelligence reform was rarely mentioned in the survey of SSR literature conducted, although, in many of the case countries examined, intelligence services were seen as key human rights abusers and the institutions most lacking in oversight. The donor community may appreciate the need for intelligence reform but view it as a subset of military reform—which is only partly correct—or may view professional intelligence either as a luxury that post-conflict countries cannot afford or as too inherently non-transparent and risky to fund. Those with current expertise in intelligence also may find little career benefit in providing this type of assistance. Our conclusion is that more work is needed to determine good practice in forming and reforming intelligence services.

Borders, Customs, Immigration, and Counter-Narcotics

Border forces should be established to confront and reduce cross-border criminal activities and other external security threats. Capacity to control persons, vehicles, and goods crossing borders needs to be built, along with a national border management system and strategy. The strategy should include steps to tackle corruption, organized crime, terrorism, and cross border criminality. Such initiatives should focus on all agencies involved in border management, including customs and immigration. While military presence at border crossings may increase tension with neighbouring states, host states should consider the role of the armed forces in monitoring borders. To improve border control, donors should work with neighbouring states to harmonize regional cross border cooperation and control (OECD Handbook, 2007, 151; United States, FM 3-07, 6.16).

Similarly, improved customs capacity ensures the timely and proper payment of customs duties, as well as the identification and accounting of goods that enter the national territory. With improved capacity, customs officers will be able to restrict the entry or exit of goods when justified by public policy and national security, including purposes related to protection of public health, commercial and industrial property, and national historic or artistic treasures.

Peace support operations are often thought to have mandates to guard borders or to fight organized crime, but rarely have either and rarely do either well. Historically, mandates to build capacity for host state security forces have not routinely specified building local border management capacity (Andrews, Durch, and Hunt, 2007; Boucher and Holt, 2009).

FIELD EXPERIENCE OF DEFENSE SECTOR REFORM: FOUR CASES

This section discusses experiences with defense sector reform in Sierra Leone, Liberia, the DRC, and Afghanistan.¹⁹ In Sierra Leone, defense reform was led by an individual donor, the United Kingdom, using UK military personnel. In Liberia, army recruitment and reform was led by a contractor (on behalf of and coordinated by the US government). In the DRC, bilateral donors, the European Union, and the UN peace

¹⁸ For a discussion on the use of intelligence for the formation of national security policy and national security strategy, see the relevant practice note.

¹⁹ The original fourth case was South Sudan SPLA transformation, but the Stimson team was informed by those conducting the field program that it had only just gotten underway in early 2009.

operation there (MONUC), all have worked to reform the *Forces Armées de la République Démocratique du Congo* (FARDC) and relevant ministries while instability continued to flare in the country's eastern provinces. Finally, in Afghanistan, the United States, NATO, and individual donors are all involved in elements of DSR in the face of recrudescing insurgency, especially in those parts of the country adjacent to Pakistan.

Sierra Leone²⁰

In Sierra Leone, SSR was seen as key to sustaining good governance and the first pillar of the Poverty Reduction Strategy (Jackson and Albrecht, 3). While the UK first began supporting SSR efforts in Sierra Leone in 1999, when a Ministry of Defense Advisory Team deployed, wide-ranging SSR efforts began only after a DDR process was completed.²¹ In 2001, the UK and Sierra Leone agreed to work together to improve the effectiveness of the Republic of Sierra Leone Armed Forces (RSLAF) and the corresponding national security management and decision systems. Starting in June 2000, the UK's International Military Assistance Training Team (IMATT) worked with the RSLAF towards "reducing the army's size, making it more militarily proficient and better trained; overhauling its command structures and staffing; introducing new training; making it democratically accountable both to the government and improving its civil relations; and delineating its roles and responsibilities in a post-conflict situation" (Ginifer 2006, 799). In June 2002, the UK's Security Sector Defense Advisory Team (SSDAT) launched a second effort to reform the RSLAF. This time its assessment recommended "effective engagement with civil society," including steps to ensure the force worked with the Truth and Reconciliation Commission.

IMATT Structure

The commander of the team is also the UK Military Adviser to the Government of Sierra Leone. IMATT officers serve as advisors and staff in the RSLAF, the Sierra Leone Ministry of Defense (MoD), the National Security Council, the Ministry of Interior Affairs, and other relevant institutions (Nelson-Williams, 8). As more Sierra Leoneans were trained, IMATT began to replace its officers in command and executive roles (Ginifer 2006, 801). While the 120-strong training company has left Sierra Leone, about 200 UK officers remained after 2002. Roughly 80 percent served in executive and advisory positions within the RSLAF. Six IMATT advisers (ranging from captain to lieutenant colonel) serve in each RSLAF brigade and support training, planning, personnel and operations (Malan 2008, 97).

By the end of 2006, IMATT had 100 officers from the UK and other countries. Its advisors remained deployed in RSLAF brigades and battalions, as well as at the main training centre, the officers' academy, at the operational level of the Joint Force Command HQ, and at the MoD (Le Grys, 3).

In terms of planning, UK support for SSR in Sierra Leone was framed by a ten year Memorandum of Understanding (MOU) signed in 2002. Funded by a combination of the then new Global and Africa Conflict Prevention Pools, the MOU was based on key principles including national ownership and a commitment, on the part of Sierra Leonean authorities, to reform the army, and develop and implement a national anticorruption strategy. The MOU also included a form of donor conditionality because it required Sierra Leone to meet certain performance standards in order to continue receiving £5 million per year in budget support. That conditionality's effectiveness was hampered by lack of capacity within the emerging Sierra

20 This section is largely based on the Working Papers and Final Report published in late 2008 and February 2009 by Peter Albrecht and Paul Jackson. For the final report, see Peter Albrecht and Paul Jackson, *Security System Transformation in Sierra Leone, 1997-2007*, GFN-SSR and International Alert, February 2009.

21 For more on early UK efforts in this area, see Albrecht and Jackson, 22-43.

Leonean institutions, and in the case of the MoD, the absence of a defense minister (the President serves in this capacity) to provide daily guidance and feedback in this area (Albrecht and Jackson, 85).

Host State Structures Supported

The UK has supported a range of institutions in Sierra Leone, ranging from the RSLAF, to the MoD, Ministry of Interior Affairs, National Security Council, the Sierra Leone Police, and other institutions. As such, reforms have ranged from the constitutional and legal level, to structural reforms of these institutions and infrastructure, training, and other direct support. This section focuses on the MoD and RSLAF.²²

The UK supported creation of an MoD with a civilian deputy minister and director general, as well as a National Security Council and supporting staff, headed by the National Security Coordinator, who is appointed by the president.²³ Reportedly, reform in that ministry was seen as a model for “public service reform and setting standards and...running effectively” (Albrecht and Jackson, 49).

One important aspect of MoD reform was defining a “workable grading systems for officers.” To make the ministry function better, grades had to be created at the various levels and modified to so that civilians and their military counterparts would not face huge salary discrepancies, despite rank equivalencies (thus creating tensions between the two professional categories) (Jackson and Albrecht, 100). A major challenge remains payment of the security forces and defense personnel and Ministry of Finance accounting of MoD activities (Le Grys, 4).

While progress has been made in training, equipping, and increasing the capacity of the RSLAF, doubts remain as to whether the new forces are capable of policing (let alone securing) the country’s borders. Barracks have been built and donors have provided vehicles and communications equipment (Jackson and Albrecht, 87). Starting in March 2003, Operation Pebu aimed to construct adequate barracks for RSLAF personnel. The operation faced initial challenges in funding, design of the barracks (which initially were to be temporary quarters), project management (which required the embedding of IMATT engineers in the RSLAF Engineering Regiment), construction (commanders resisted assigning soldiers to build the facilities, as planned) and timeline (which was unrealistic) (Albrecht and Jackson, 106–107). Another important project was to develop a functional and sustainable system of benefits for personnel either killed or wounded in action. Because so many former soldiers could no longer serve but still needed to support their families, such a system was important and a killed-in-action committee was created to verify claims. By 2005, over 3,000 beneficiaries received killed in action payments and 290 personnel had been paid terminal and disability fees. Nonetheless, 345 personnel who had received medical disability certification are still waiting for their payments. Because of Sierra Leone’s inability to pay these fees, DFID provided payment. IMATT also played an important role in handling payments (Jackson and Albrecht, 109–110).

IMATT officers reportedly have made decisions routinely on behalf of their Sierra Leonean counterparts with little to no consultation—a particularly controversial aspect of UK involvement in Sierra Leone. However, Sierra Leoneans also reportedly were comforted by the UK presence and preferred dealing with IMATT officers to dealing with their RSLAF colleagues (Malan, 97; Nelson-Williams, 7). The UK presence has therefore had a contested effect on perceptions of national ownership and legitimacy, both for IMATT and the RSLAF.

22 For more on support to developing national security strategy and policy and the accompanying constitutional framework, see the national security strategies practice note.

23 In June 1999, a small three person team

IMATT Training Programs

In Sierra Leone, IMATT initially provided 12 weeks of basic training to RSLAF “intakes.” This Military Reintegration program included efforts to create “an army of reconciliation” (because former combatants were incorporated into the same service—in fact all RSLAF brigades have soldiers who are from all the different former combatant groups) as well as professional training for those personnel who were selected to remain in the service (Malan 97, 99). The team was expected to train 12,500 soldiers (including for the air and maritime components).

The different training modules include use of mortars and machine guns, air defense, and “range management.” The latter is important because of the history of war, the population’s sensitivity to hearing gunfire, and how dangerous firing ranges can be. A core training topic is international humanitarian law. Owing to a lack of experienced officers, the training program took some years to progress to platoon, company, and battalion level training, but IMATT introduced a series of exams for the officer commissioning course which created objective standards for leadership positions. As of 2003, officer training and recruitment was expected to continue at the rate of 100 per year (Malan, 98–100). IMATT also has supported training for border duties and planned to train troops for deployment in ECOWAS, AU, and UN peace operations (Le Grys, 6).

Intelligence Reform

The 2002 National Security and Central Intelligence Act established the National Security Council and the Office of National Security (ONS) that supports it. The act also created the Joint Intelligence Committee and legalized the Central Intelligence and Security Unit. Finally, it introduced a role for external intelligence analysis and gathering, separating the *collection* of intelligence from its *analysis*. While IMATT helped create procedures to recruit appropriate personnel for these tasks, retention remains a problem (Konteh, 5). Moreover, the institutions set up by the Act were separated from the wider MoD reform process. This required establishing a separate DFID program to balance the MoD, Army and Police reform efforts and appointing of a dedicated advisor for this area. It quickly became apparent that intelligence requirements and needs surpassed the single advisor’s capacity (Pickett, 2).

Liberia²⁴

The Comprehensive Peace Agreement of August 2003 mandated creation of the Armed Forces of Liberia (AFL) as the country’s new integrated land force. International actors agreed that the United Nations would take the lead in reforming the police and justice sectors and that the United States would support the AFL, which benefited from US attention but also suffered setbacks due to program delays and cuts in funding.

To assess requirement for the AFL program, US European Command sent a survey team to Liberia in spring 2004, accompanied by personnel from State Department contractors DynCorp and Pacific Architects and Engineers (PAE).²⁵ On the basis of this visit, the US military concluded that it did not have the spare capacity to support building the AFL, yet the United States had supported the country’s Comprehensive Peace Agreement and was committed to its role as an implementer. Using contractors to train the AFL was the only way the US could maintain its commitment to Liberia, given ongoing military commitments elsewhere. The State Department asked DynCorp to provide technical support (the vetting and individual

24 The materials for this case study are drawn in part from interviews with personnel involved with DynCorp and with US government officials.

25 DynCorp and PAE had a pre-existing and open-ended (so-called “indefinite deliverables, indefinite quantities”) contract with the US State Department that made them the go-to vendors for this type of support.

training of AFL recruits) and asked PAE to provide logistical support, NCO and officer training, and unit training to the company level (Crisis Group, 2009, 9, 13).

Lessons from Contracting

The DynCorp team faced unexpected challenges when it arrived in Liberia. DynCorp found that the Charles Taylor-era AFL and MoD still needed to be demobilized, that a training base needed to be built, that a training centre needed to be refurbished, and that barracks and a mess hall needed to be built. Demobilization of the old AFL had, according to the 2005 MOU between the USG and the Transitional Government of Liberia, been assigned to the Transitional Government. In the event, DynCorp demobilized over 13,000 soldiers and 400 ministry employees. Since many former AFL personnel were living on a military base with their families, they had to be moved to make room for the new soldiers (Crisis Group, 2009, 10).

DynCorp's discovery that DDR had not occurred necessitated modification of its agreement with the US government. Following the 2004 assessment trip, DynCorp had submitted a conceptual framework for the training program to the State Department, which then came back to DynCorp as a statement of work. Because of the unexpected need to conduct DDR, which DynCorp noted to the State Department, the Department had to reissue a tender and obtain funding for the demobilization work. This of course delayed the recruiting, vetting, and training project. In addition, the extra delays decreased funds for the AFL recruiting, vetting, and training effort. While the initial AFL trainees were recruited by January 2006, the 12-week training program for the first 100 recruits did not formally commence until August 2006, was completed only in November, and just then followed by advanced individual training (44 in NCO training, 23 in medical training, and 38 slated for occupational specialty training; UN 2007, 6). Training for the second batch of new recruits was delayed from January to April 2007 (Crisis Group 2009, 13). Prior to commencement of training, DynCorp reportedly had to deal with demobilizing and paying over 13,000 former combatants.

Legitimacy

In Liberia, the involvement of the US defense attaché reportedly provided much needed legitimacy to the US program. His involvement and his oversight role for the program highlighted its importance to US authorities, and Liberians perceived a US program that DynCorp merely executed (with former US Army and Marine Corps drill instructors, overseen by retired US military officers and senior NCOs). This is not to say that there was no controversy over the use of contractors. Liberian authorities initially asked to examine the US contract with DynCorp, something US law prevented. Instead, US officials worked closely with Liberian officials to give them choices in how the program was implemented (by consulting them, for example, on what kinds of equipment would be purchased through the program). Liberian civil society questioned the program's effectiveness, the role of the US companies, and the degree of Liberian involvement in shaping the program (Dempsey, 2008, 4; Malan, 2008, 24). In short, while using DynCorp did not undermine locally-perceived US ownership of the program, it may have reduced the sense of *local* ownership the AFL reform process (Jaye, 2006, 13).

Drafting of a national security strategy also constitutes an effort to increase not just the legitimacy, but also the legality of the Liberian defense sector. Such a strategy was released in 2008, along with a National Security Strategy Implementation Matrix which assists in monitoring progress towards the strategy's objectives.²⁶

26 For more on the National Security Strategy of Liberia and the implementation matrix, see the National Security Strategies practice note. See also, Government of Liberia, National Security Strategy.

The Dyncorp Vetting Program

Dyncorp began its work with a public information campaign on the need to create a new force, its mission, its operating principles, and the requirements for the force. It then established a recruitment centre to accept applications. After applications were received, candidates were given a physical fitness test, a functional literacy test, and a medical exam. If candidates failed any of these tests, they were rejected. Given the number of applicants, this helped significantly reduce the pool of candidates that required further vetting.

For the vetting itself, an investigative team made up of one international and one local investigator interviewed each applicant. The team then conducted a background check and evaluated the candidates' truthfulness, worked to discover and document wrongdoing, and verified basic information such as age, citizenship, and employment history with family and acquaintances, and checked the references provided by the applicant. In many cases, candidates were asked to draw a map of where to find their family and references to help the investigators. Part of the process also included publicizing the names and pictures of candidates and encouraging citizens to report concerns to the vetting team. In those cases, the vetting team verified the allegations. The process for reporting remained anonymous to ensure that citizens would not be targeted for their potential role in derailing applications.

At the end of the process, a joint review board determined the suitability of each candidate. In the end, candidates were excluded only for "credible allegations of commission of one of more core crimes, discovery of a criminal background...association with any party or persons wanting to do harm to or interfere with reconstruction programs," financial crimes, mental instability, illegal drug use, and credible evidence of lack of trustworthiness. All evidence of wrongdoing had to be either documented or corroborated by several credible parties (McFate, 2007, 86–87). The political leadership—and this is important—accepted the rejection of applicants they may have favoured when the vetting team presented them with evidence of unsuitability. The process was therefore not politicized. The process led to the recruitment of 2,000 officers and soldiers, as well as a Quick Response Unit.

Insufficient Training

In Liberia, Dyncorp provided fifteen weeks of basic and advanced individual training. Lack of funding meant that the human rights and civil military relations portions of the training had to be eliminated. Moreover, individual training ate up funds that were to have been used for collective or unit training, and would have been difficult anyway, owing to the severe shortage of experienced Liberian NCOs and officers (those who had served in the pre-civil war army were nearing retirement). Thus individual training has not been followed by collective or unit training. Funding shortfalls also truncated training for about 90 MoD civilians prior to a planned "five-month mentoring and 'on the job' training program" (Dempsey, 2008, 3, 4). Nonetheless, training provided to MoD employees ranged from double entry bookkeeping to basic computer skills and program management. Assistance was also provided to draft a Defense Act (which has not yet passed) and a Uniform Code of Military Justice. As result of training, the MoD is perceived as competent and efficient—MoD officials have helped to train their ministry of finance counterparts in accounting for example—but the ministry's influence and power has become disproportionate to its role (author interviews).

Challenges with Command Capacity and Structure

Although training for officers and NCOs continues, "no provisions have been made as yet for accelerated promotion of those individuals." As a result, units have been created at the squad, platoon, and company levels, but they have no sergeants, lieutenants, and captains to lead them (Dempsey, 2008, 4). The AFL is

therefore being commanded, ad interim, by seconded ECOWAS officers from Nigeria, Ghana, and Senegal (similar to embedded UK support in Sierra Leone). While Liberian officers were scheduled to begin a 39-week training program for command and staff positions, the course had not begun as of spring 2008 (Malan, 2008, 38–39).

One important challenge that the US did not consider when it decided to create a single combat brigade in Liberia was the associated headquarters command structure and support infrastructure, service headquarters, personnel management, and other requirements. (In Sierra Leone, by contrast, two structures were created: one for command and one for support.) In other words, US planners assumed that the brigade headquarters would be dual-hatted as the army command staff. This poses problems, however, in terms of decision-making because the role of a service headquarters is to provide command and control at the strategic levels, whereas brigade command is operational and tactical. Thus the question was whether a national combatant command or joint chiefs of staff was also needed.

The US initially chose to mirror its own national chain of command in Liberia, with the field commander reporting to the President through the Minister of Defense. Minister Brownie Samukai objected to this arrangement, however, because Liberian presidents historically have bypassed the Minister of Defense. The Chain of Command was therefore modified so that it is now President to Minister of Defense, to AFL Chief of Staff, to field commanders. In addition, a National Military Command Center was created, not formally differentiating between operational and service staffs.

Another structure in need of reform was the Liberian National Security Council, created by Charles Taylor in 1999, but never used. President Sirleaf reactivated the NSC upon taking office but it had no support staff. Cabinet members who serve on the NSC nonetheless meet. As part of MoD training, the US provided assistance in developing guidelines on how the NSC is supposed to work. The US also helped draft a Defense Act, similar to the US Title X, which the MoD then presented to the Legislature (Malan, 2008, 23). The legislature balked, believing that the drafting of legislation was its own job, so the act hasn't passed and the issues contained in the Defense Act haven't been addressed.

Questions on Sustainability and Independence

While a US contractor reportedly said that the AFL would be a fully capable force by 2009, analysts question the level of AFL independence given the fact that UNMIL will still be deployed in late 2009. A major problem with SSR in Liberia is that, initially, plans were not made to reform other security agencies, ranging from customs to intelligence (Crisis Group, 2009, 10).

In 2009, ECOWAS officers will still be commanding the AFL, so that issues of independent authority and sovereignty remain. The presence of foreign officers raises questions of how decisions are made, who the foreign officers report to, whose authority they fall under, and so on. Theoretically, seconded ECOWAS officers answer to the President of Liberia through the Minister of Defense and Chief of Staff. Because the Chief of Staff is a Nigerian officer, while the AFL Force Commander is Liberian, there is lack of trust. Concerning reform of the officer corps, efforts have been made to bring back some officers at senior grades (Lt. Colonel and above). As a result, there are some Liberian colonels (including Liberian Americans who served in the US armed forces) and several Liberian lieutenants among the officer corps. Still, they report to ECOWAS officers.

Democratic Republic of Congo

Defense sector reform in the Congo suffers from a lack of planning, coherence, and coordination; there is no comprehensive SSR plan; and violence in the eastern provinces brought DSR to a halt from mid-2008 through the first quarter of 2009 (Crisis Group, 2006, 27 – Chart; UN 2009, paras. 81, 85). Initial assessments in the DRC underestimated the amount of time required to complete certain tasks, in some cases because the funding was inadequate, and in others because the logistics turned out to be more complicated than anticipated. Of all the armed groups in the DRC, the UN-trained and -supported FARDC may be the biggest threat to the safety and well-being of Congolese civilians (Hoebeke, Boshoff, and Vlassenroot, 2008, 5, 8). Its military defeat by Laurent Nkunda's *Congrès National pour la Défense du Peuple* (CNDP) in early 2009 and the necessity for Rwandan intervention to help FARDC deal with the remnant *Forces Démocratiques de Libération du Rwanda* (FDLR) show that it also lacks military capacity, even with continuing “logistical and fire support” from MONUC. Seven “fragile,” “integrated” FARDC brigades totalling 25,000 combatants—many of whom, earlier this year, were members of militia groups, including the CNDP—operate in North Kivu against remaining FDLR without benefit of concerted retraining because they are, in effect, too busy to receive it (UN 2009, paras. 15, 85).

Existing reform plans also have serious and important gaps. They exclude intelligence services and border agencies, for example. Congolese authorities have shown varying degrees of support for the process, pushing for a large army and rejecting assessments that did not fit their objectives. The lack of consensus not just within national structures but between bilateral donors and between bilateral and multilateral donors and advisors means that SSR in the DRC has become a game of often contradictory diplomatic pressure with little concern for national ownership (Melmot, 21). Two major players in DSR to date have been EUSEC Congo and MONUC.

EUSEC Congo: Advising and Separating Chain of Command from Chain of Payment

Since its deployment to Kinshasa in June 2005, the European Union's EUSEC Congo, with 50 personnel (scheduled to go to 60 in 2009) has advised the FARDC chain of command (from the highest level to operational brigade level) and focused on developing safe mechanisms to separate chain of command from chain in payment in the FARDC (EUSEC RDC, November 2008, 1).

Since March 2007, EUSEC advisers have been working within the military staffs of the five military regions in the DRC. Their duties include advising commanders and supporting the reform of personnel management and FARDC financing. FARDC officers were until recently responsible for disbursing salaries to their soldiers. With rampant corruption, this meant junior officers and soldiers rarely received their salaries in full and often not at all. EUSEC “brigade advisers have been supervising and monitoring the monthly disbursement of the integrated brigades' wages.” In 2008, this began by conducting a biometric census of FARDC troops. EUSEC collected soldiers biometric data (finger prints and photographs) and issued them tamper-proof ID cards (that included individual once per pay period payment codes). In early 2009, the cards were put into use. According to EUSEC, the system will cut pay to “ghost” soldiers and increase pay to actual troops by an average 210 percent (EUSEC RDC, November 2008, 2). These efforts reportedly were derailed in implementation because, while soldiers were indeed paid directly, afterward they typically went down the road to a warehouse to pay their commanders (Author interview, 2009).

EUSEC efforts to improve human resource management and other administrative capacity also include training of administrators down to the brigade level. In 2008, EUSEC provided information technology

training. In 2009, EUSEC plans to “help define basic criteria for selecting and training personnel, as well as assess infrastructure and equipment requirements” (EUSEC RDC, November 2008).

Army Reform

Army reform in the DRC has suffered from lack of coordination, lack of coherence, and the requirements of responding to a changing situation on the ground. The Global and All Inclusive Agreement that was supposed to end war in the DRC and create a new, integrated FARDC, is based on quotas for belligerent groups. The former national army, the *Forces Armées Congolaises* (FAC) was awarded 35 percent, *Mouvement de libération du Congo* (MLC) 17 percent, *Rassemblement congolais pour la démocratie-Goma* (RCDG) 28 percent, regional Mai Mai militias 8 percent, and others 12 percent, in a process known as *brassage* (Crisis Group, 2006, 17).

The process, however, faced a first hurdle: to determine how many combatants there were in Congo and how large the new army should be. The belligerent factions exaggerated their number of combatants in large part to ensure large quotas. At the Sun City talks (2002), the belligerents claimed there were 300,000 combatants, but a South African estimate put the figure at 130,000. An agreement was reached that the forces would be 125,000 strong (Crisis Group, 2006, 16).

The agreed-upon quota system presented an additional problem because the quotas had to be reflected in the officer ranks. A Commission was created to help the various factions decide which of their officers should also be awarded officer ranks in the new forces. This assumed similar rank structures within the various factions, however, and did not reflect the possibility that certain officers in some of the groups had not risen through the ranks, but merely been appointed. As a result, many senior officers were laid off to make room for representatives from other groups (Crisis Group, 2006, 16). Moreover, the Commission set up to help with the process was criticized for processing the leadership of certain groups (in particular the FAC), faster than others, leading to resentment among the officer corps. The process created an extremely top-heavy organization. Finally, the process perpetuated the practice of commanders declaring “ghost soldiers” from whom to receive additional salaries.

CONADER Falters and Runs Out of Money

The *Plan Stratégique National pour l'Intégration des Forces Armées*, devised in 2003, envisioned three steps for building the new 125,000-strong Congolese Army. The plan is dramatically behind schedule. Indeed, the short term target was to establish territorial forces around the country no later than 30 April 2006. The territorial forces would consist of light infantry brigades. In the immediate term, the various armed forces would gather at regroupement centres around the country and hand in their weapons. From there they would be sent, unarmed, to orientation centres where invalids, women, children, and personnel unsuitable for service would be demobilized. This portion was administered by the National Commission for Demobilization and Reinsertion (CONADER). Troops were scheduled to spend one week at CONADER centres to undergo “sensitization.” They were then to be given the choice either to integrate into the FARDC or to return to civilian life. Combatants who chose demobilization were to be given \$110: \$50 for transport, \$50 for an allowance, and \$10 as a food ration. After that, they would receive \$25/month for one year (through a cell phone system). NGOs could provide vocational training.

The CONADER demobilization and incentive system quickly broke down, however. While combatants were supposed to travel to fixed centres, the logistics proved complicated and mobile centres were established to speed up the process. Still, the initial program ran out of money after two months and in one

case, 1,000 former combatants who had chosen to be demobilized stayed at a centre for 11 weeks as they had not been paid (Crisis Group, 2006, 17).

Integration

The process of integrating members of the former belligerent forces was planned to occur in three phases, each delivering six integrated brigades, for a total of 18. Combatants who chose the army were sent to one of six integration centres for a 45-day training course. This training, called the *tronc commun*, was intended to get enough troops trained that they could secure the 2006 elections. In the medium term, the plan aimed to create a Rapid Reaction Force of 2–3 brigades (by 2007). In the long term (by 2010 and when MONUC was scheduled to begin its drawdown), the force was intended to be able to defend the country and would include heavy armoured units. The program planned for soldiers to be paid \$10/month, or “pennies a day” (Crisis Group, 2006, 18). The program fell far behind schedule and many brigades are integrated in name only. An abortive *mixage* process to combine existing, formerly hostile, fighting units in renamed brigades, was begun in early 2007 by FARDC and CNDP in North Kivu, which “came as a surprise to MONUC and the international community because they were never consulted on the program” (Boshoff, 2007, 4). The mixed brigades fell apart rapidly when exposed to combat.

Remaining Reform

As Hoebeke, et al., observe, DSR in the DRC has never included “the more structural components of SSR, including oversight and command and control mechanisms” (Hoebeke, Boshoff, and Vlassenroot, 2008, 4).

These were mainly advocated at the multilateral level – by the EU in its EUSEC and EUPOL missions.... The push for structural reform at the multilateral level increased the fear of the Congolese government that it could lose control and sovereignty over its security forces and this encouraged it to favour bilateral approaches. Until now only a limited effort has been directed at the more structural changes at the strategic level of security system governance. The lack of coordination and coherence is also symptomatic of the general lack of direction by the Congolese government in other policy domains. The functioning of institutions is hindered by limited experience, extreme political fragmentation, local tensions, corruption and the absence of leadership and political will. (Ibid.)

An August 2005 Army Audit recommended that a census be conducted and that each soldier should receive a forgery-proof ID card, that army statutes be developed with basic rights and duties, that the chain of command be separated from the chain of payment, that army supply be reformed, centralizing control of logistics, and that the training program be improved (Crisis Group, 2006, 18).

In early 2009, the integration of CNDP forces into the FARDC promised to produce additional challenges since the forces were simply declared to be part of FARDC and no vetting occurred. Indeed, the multi-agency UN technical assessment mission that visited the DRC 23 February – 6 March 2009 recommended that a vetting program be instituted, implying the lack of same to date (UN, 2009, paras. 36, 77).

Afghanistan

Security sector reform in Afghanistan has suffered from lack of coordination, lack of planning, inconsistent application of recruiting standards to army and police recruits, the failure to fight corruption in the Afghan defense and interior ministries, and failure to adequately train recruits that manage to stay past the initial training. Afghanistan has been working with international partners to develop a more systematic approach to SSR. Part of Afghanistan’s National Development Strategy (ANDS) includes a “security” pillar which states that “national security policy will be implemented through the Security Sector Reform program”

(ANDS, 54). Additionally, the United States has developed its own “Plan for Sustaining the Afghanistan National Security Forces,” which includes steps for building the personnel and capacity not only of the ANA and ANP, but also of the relevant ministries and other institutions (US DoD, *Plan for ANSF*).

Antonio Giustozzi argues that SSR in Afghanistan has been hampered not simply by lack of local ownership but by the “factionalization” of local ownership where, while assistance was accepted, reforms were not permitted to be anything more than cosmetic, and failed to break down patrimonial relations (Giustozzi 2008, 215). Problems with SSR began as soon as the DDR and DIAG (Disarmament of Illegal Armed Group) programs began. The two processes aimed to disband all armed groups so that only the police and army would remain. DDR proved so complex that the MoD tried to push a plan which would entail simply absorbing the militias into a new retrained Army, but this was rejected. Nonetheless, the various commanders inflated the number of troops under their control to obtain more senior positions for their factions and to receive the food money for their ghost soldiers (Giustozzi 2008, 217). The armed groups that failed to participate in the DDR process were branded illegal in late 2001.

Afghan National Army (ANA) Support

The US Combined Security Transition Command Afghanistan (CSTC-A) has trained about 76,000 ANA soldiers. Training will continue for another five years until the ANA reaches 134,000. The US has built four ANA bases. This took care of an important problem: inadequate living conditions for ANA recruits. Other challenges include a US Government Accountability Office assessment that of 105 ANA units, responsible US officials consider only two capable of conducting missions independently. Moreover, the ANA suffers from a 40 percent shortage in equipment items—soldiers rarely have helmets and few have armour or armoured vehicles (Katzman 2009, 35; Giustozzi 2007, 49).

Because of insufficient logistics management capacity, CSTCA will also help develop linkages between brigades and national level headquarters. This has been accompanied by the development of command and control procedures through the creation of National Command Centres for both the military and police.

The United States has also supported the development of military justice mechanisms, and reports that “each corps has a staff judge advocate office comprised of prosecutors, one or more defense attorneys, and military judges” (US DoD, *Plan for ANSF*, 20). A US or NATO/ISAF legal officer mentors his or her Afghan Corps Staff counterpart and a Court of Military appeals has five military judges. The five ANA corps also now house justice centres which double as courthouses and short term detention facilities and house office space of ANA attorneys. Military laws have been drafted (US DoD, *Plan for ANSF*, 20).

Support to the Ministries of Defense and Interior

The US and CSTC-A have also been providing support to the Afghan ministries of Defense and Interior. Specifically, assistance to develop personnel management, military intelligence capacity and management, strategic defense planning, operational planning, force and training management, doctrine development, command and control mechanisms, logistics and acquisitions management, resource management and budgeting, military justice and legal capacity, ministerial administration, medical and health care, and capacity for disaster response and relief, as well as liaison and responding to parliamentary needs is being provided. Similar assistance is being provided to the ministry of the interior, where efforts include a Police Coordination Board which serves to coordinate activities in this area between the Afghan authorities and international assistance providers (US DoD, *Plan for ANSF*, 12–13).

The MoD's Inspector General (IG) system was expected to be fully functional by early 2009. "IG offices are at the MoD, GS [General Staff] Corps, and brigade levels and more than 98 percent of assigned IG personnel are school trained." Hotlines to allow soldiers and police to call are functional for the MoD IG, the ANA GS IG, and the Ministry of Interior (MoI) internal affairs office (US DoD, *Plan for ANSF*, 20).

Vetting, Desertion, and Representation Quotas

Vetting and recruiting are problematic in Afghanistan since many of the recruits sent to training have not been capable of passing the initial physical and literacy tests or of making it through the basic training course. To meet regional quotas, many recruits reported being sent to training against their will and many had also been promised higher salaries and better living conditions than materialized. The US recruiting and training centres were also not run by the MoD. From 2003, recruitment centres staffed by the ANA but reporting to the US, established in various provincial capitals, obtained recruits by producing leaflets in local languages and explaining the benefits of joining the ANA. They also offered recruits the possibility of staying at the centre until they could be sent to Kabul for training. Finally, they gave the recruits \$1.00–\$1.50 in addition to food and lodging. With better recruits, fewer left training and the army's deployed desertion rate also dropped (Katzman 2009, 35; Giustozzi 2007, 49–58).

Nonetheless, the ANA reportedly had up to a 10% percent monthly absentee rate, partly due to the fact that recruits often return home for long periods simply to give their families their salaries, and many recruits refuse to serve far from home (Katzman 2009, 36; Giustozzi 2007, 49–58). In 2008, the reported reenlistment rate was 50% and the absentee rate, as of February 2008, had decreased to 8.4% (US DoD, *Plan for ANSF*, 19). The MoD also realized that high desertion rates derived from the policy of asking warlords and others to send a certain quota of recruits. (Rumours that the Taliban were offering three times the salary were not substantiated and are considered a demoralization technique.) Important adjustments were made to decrease attrition and desertion: soldiers were given time to travel home to their families during their deployments, since this really was the only way for them to give their families their pay (the US was not able to find a way to securely and efficiently transfer pay without the soldiers doing so); and pay for soldiers was increased from \$50 to \$70 a month (NCOs also got \$70 and officer pay increased from \$150 to \$300). In addition, soldiers receive \$2/day when they are in the field, thereby bringing deployed pay closer to \$100 per month. Problems nonetheless remain since there are reports that officer posts can be purchased at the MoD for \$5,000 and that officers and NCOs were still stealing soldiers' wages (Giustozzi 2007, 52–54). Low reenlistment and absenteeism may be mitigated by the announced increase in pay for soldiers, to \$110 per month and when more systematic systems for electronic payment are more widely established (Younossi et al., RAND 2009, 18).

Sustainability

Despite progress in training, concerns about the ANA's future include fiscal sustainability (if the government is to fund the force itself) and the need for continued international support (both in terms of sufficient personnel and financial support), and disproportionate representation of Tajiks in the force (Fair and Jones, 10). Indeed, at the beginning of the ANA creation process, the Northern Alliance weighted recruitment toward its Tajik base. This caused Pashtuns to refuse to join. The problem was reportedly alleviated with the naming of a Pashtun defense minister in December 2004 (Katzman 2009, 36).

Education and Training

Decisions need to be made on scope of training both in terms of numbers trained and in terms of depth of training received. The training program for ANA has been adjusted several times since its creation. In 2002,

the basic training program for battalions was ten weeks, with a full training program expected to take six months. By December 2004, the basic training program was extended to 14 weeks (because the recruits required more training). In 2005, the US decided to take the lead in the basic training program and asked ISAF to provide NCO, officer, and specialist training (Giustozzi, 2007, 49).

The initial training has been criticized for being so rudimentary that soldiers are unable to march or perform basic drills, that lack of discipline is pervasive (soldiers do not wear their uniforms consistently), and that training is so basic that forces have trouble operating without outside (coalition) support (Giustozzi 2007, 55). Today, ANA training includes a 10 week “basic warrior training” program that includes elementary soldier and infantry skills (how to handle weapons, shooting, guard duty, mines, prisoner processing, navigation, and first aid). Human rights training has been added. ANA soldiers are also being trained to explain the nature of the new force (particularly its non-factional nature) to Afghan civilians (Giustozzi 2007, 62). After this training, 30 percent of the soldiers then attend a six to eight week advanced combat training program on combat arms, combat support, and combat service support. This course can only process 8,000 soldiers per year. US Special Operations Forces provide training to the ANA’s elite commando force (Fair and Jones 2009, 9–10). According to the US plan for the ANSF, training begins with Afghan trainers (with international supervising) providing Initial Entry Training at the Basic Warrior Training Course (BWT). Soldiers then receive branch specific Advanced Combat Training. Units are then fielded and sent to their brigade or corps areas for 60 days of individual and collective training before being deployed for combat. Combat units continue to receive support from either an OMLT or an ETT (US DoD, *Plan for ANSF*, 16).

When officers enter the ANA (and they must have basic literacy skills to do so) their training and education process depends on their past experience: “officers with previous experience in the former Afghan Army attend an eight-week Officer Training Course which provides professional ethics training. New officers attend the six-month Officer Candidate School or the four-year National Military Academy of Afghanistan” (US DoD, *Plan for ANSF*, 18).

ANA reform and training has been criticized for lack of local ownership. The US-run training program does not include small unit training, anti-tank or anti-aircraft training and remains closely supervised by the US. Afghans are also unfamiliar with the western structures they consider imposed on the ANA—like the importance of NCOs, voluntary recruitment, discipline measures, and the focus on light infantry. Even the recruiting process now has a dedicated structure (run by the US) which is outside the MoD chain of command. Finally, field leadership and close air support are still provided by embedded trainers, down to the platoon level (Giustozzi 2007, 221, 223).

Education efforts include the expansion of military education institutions, which began six years ago with the creation, by France, of the Command and General Staff Course. In April 2009, CSTC-A opened the Command and Staff Colleges in Kabul which has four courses designed to train and educate officers across the ANA and ANP.²⁷ Other efforts include the creation of a military high school in Kabul.

Advising and Mentoring

In Afghanistan, Operational Mentor and Liaison Teams (OMLTs) and Embedded Training Teams (ETTs) from the US and 14 other countries assist the ANA. OMLTs consist of 12–19 personnel (Katzman 2009, 35; author interview). One challenge for mentors and Afghan units is that a typical tour for an OMLT is six months but an ANA working cycle is 9 months, leading to lack in mentoring continuity (Younossi et

27 CSTC-A Press Release, “Command and Staff College Opens,” 30 April 2009.

al, 39). There is a shortfall in mentors for the Afghan security forces: 70 percent for the Afghan National Police (ANP) and 30 percent for the ANA (Fair and Jones 2009, 1). The US is also supporting the rebuilding of the Afghan Air Force, which existed prior to the Soviet invasion and currently has 400 pilots for its 47 helicopters and cargo aircraft. Afghanistan also wants Pakistan and Uzbekistan to return 26 aircraft that were flown there during past conflicts. The Afghan government hopes to have 62 aircraft by 2011 (Katzman 2009, 36).

While several initiatives to improve management of the border between Pakistan and Afghanistan have been planned and considered (and have failed to be implemented), a European Commission program to establish “new and effective posts along the borders with Pakistan, Uzbekistan, Tajikistan, and Iran” includes a \$4.6 million training program (Fair and Jones 2009, 22; Katzman 2009, 20).

Disagreement over Police Role

In Afghanistan, there is disagreement over whether the international community should build a civilian police force or a paramilitary force (the former could focus on protecting civilians and community policing while the latter would likely focus on counter-insurgency). CSTC-A is now leading assistance for the ANP. As part of this support, the US is working with the Ministry of the Interior to “restructure police pay, adjust the rank structure, and reorganize police deployments.” Reform within the ministry itself includes “rank reform, pay reform, biometric identity cards, and electronic funds transfer” (Fair and Jones 2009, 11–13).

Reform of the Ministry of the Interior (MoI) suffered because President Hamid Karzai wanted to use appointments to the ministry to reward his allies. By 2005, the international community began to reform the pay and rank structure within the MoI. An Afghan Rank Reform Commission was created but the vetting process included human rights vetting conducted by the US State Department and UNAMA, as well interviews with a selection board that included some non-Afghans. The process also included a qualifying exam. The Commission did succeed in recruiting qualified personnel but the president bypassed the process, reappointing 14 “generals” who had failed the exam and appointing others by decree. He retracted the appointments only under intense international pressure. The qualifying exam itself was criticized, however, because cheating was common (illiterate candidates suddenly had university degrees), candidates changed their ethnic backgrounds to meet quota requirements, there was no outside monitoring of the exams, and so, unqualified recruits were hired. In these processes, there is both a need to ensure local ownership while maintaining an outside monitoring structure to ensure that the process is not corrupted by local officials (Giustozzi 2008, 224–226).

Border Capacity Building

To support counter-narcotics in Afghanistan, the US is also helping develop an intelligence fusion cell, the border police, and counter-narcotics police (Katzman 2009, 20). CSTCA is also working to build the capacity of the Afghan Border Police and the Afghan Customs Department and US mentors serve at various border crossings (US DoD, *Plan for ANSF*, 31). In addition, a five pillar Afghan National Drug Control Strategy (the five pillars are public information, alternative development, elimination or eradication, interdiction, and law enforcement and justice reform) (US DoD, *Plan for ANSF*, 30). A Counter-Narcotics Academy, funded by CSTCA is training troops to form a Counter Narcotics Infantry Kandak (battalion) which will “provide security for MoI eradication operations” (US DoD, *Plan for ANSF*, 31). Additionally, Afghanistan created a Counter-Narcotics Police (Afghanistan, ANDS, 58).

Another US effort is the “Community Guard” program to build capacity for tribal structures and tribal militias to support local policing. Those who join the militias, which are set to begin forming in early 2009, will be given \$200 per month. The US does not plan to give weapons to the militias but the Afghan government may do so. There is discussion as to whether this contradicts US support for building the central government. In Afghanistan, the upper house opposed this program in a resolution it passed in November 2008 (Katzman 2009, 28).

ITERATIVE LESSONS OBSERVED

Challenges in defense sector reform vary by program component. Recruiting and vetting appear to have found a model in Liberia but that process is extremely time-consuming and expensive. Still, when committed to building a certain type of force, there seem to be few alternatives to the system DynCorp used in Liberia. Certainly, the low quality of troops in the DRC and the continuing challenges of building a competent force in Afghanistan show that literacy and physical tests do not suffice in determining whether recruits should be accepted. With regard to training, programs to date have focused on basic and advanced individual training and infrequently progress to unit level training (from platoon to brigade). Steps for conducting effective unit training therefore need to be developed (perhaps using doctrine from advanced militaries). These steps are, however, more complex and expensive than individual training, and may require extended periods of embedding of advisory personnel with the new units, the length of time depending on many variables, including the basic coherence of the units being advised, the amount of political will invested by the host state political leadership, and the level of operational stress faced by the units (from a full peacetime environment to combat engagement).

Concerning reform of the various ministries, pervasive corruption and lack of local ownership seem to be the biggest challenge to lasting reform. In countries with entrenched patrimonial and patronage networks, replacing that culture with one of service-, merit- and performance-based recruitment and promotion is tremendously difficult. It is even more difficult, as we have seen in the DRC and Afghanistan, when the central government has not fully established its authority throughout the country and when the new security forces, upon completion of training, are immediately expected to fight an insurgency. In all of the countries studied, however, separating chain of payment from chain of command seems to be an absolute necessity if the forces are going to do their jobs and serve adequately. Because of pervasive corruption and lack of banking infrastructure, creative solutions like paying soldiers through cell-phone systems or smart, tamper-proof ID cards need to be closely examined and, if determined to be feasible, quickly implemented.

Finally, donors should not build some forces at the expense of others (for instance, forgetting to build border control capacity).

The question of sequencing does not have a clear answer though it seems obvious that important first steps are the comprehensive vetting of all existing personnel to ensure their legitimacy in the eyes of the population, setting up secure payment systems, and providing support long enough that such initial steps are sustainable by the host state and that it has the will to sustain them. Sequencing and relative emphasis between different military force elements (land, air, border, navy or coast guard) will be circumstance-dependent. Sequencing and relative emphasis between military and law enforcement and justice system elements is beyond the scope of this note but likely to be a major policy decision to be made collaboratively by donors and host state political leadership.

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