

ecdpm's

GOVERNANCE REGIONAL INTEGRATION ECONOMICS AGRICULTURE TRADE

GREAT

Volume 4 - Issue 1
December 2014/
January 2015

insights

Exclusives:

The growing role of conflict prevention in support of the EU's efforts in peace-building and state-building

Joelle Jenny, Director for Conflict Prevention and Security Policy, EEAS

The African Union's Africa Governance Architecture Linkages with the African Peace and Security Architecture

Dr. Khabele Matlosa, Director for Political Affairs, AUC

Peacebuilding and Statebuilding

The role of the New Deal in supporting countries transition out of fragility: A g7+ perspective

Habib Ur Rehman Mayar, Senior Policy Specialist at g7+

Peacebuilding and Statebuilding

Institutional approaches:

- 4 The growing role of conflict prevention in support of the EU's efforts in peace building and statebuilding
Joelle Jenny, Director for Conflict Prevention and Security Policy, EEAS
- 8 The African Union's Africa Governance Architecture linkages with the African Peace and Security Architecture
Dr. Khabele Matlosa, Director for Political Affairs at the Department of Political Affairs, AUC
- 12 Youth unemployment in the Great Lakes Region: a challenge for peace building and sustainable development
Pamphile Sebahara, Head of Research, Training and Documentation Department, ICGLR Levy Mwanawasa Regional Centre for Democracy and Good Governance & Edgar Cizero Ntasano, Research Assistant, ECDPM

New Deal:

- 16 The role of the New Deal in supporting countries transition out of fragility: A g7+ perspective
Habib Ur Rehman Mayar, Senior Policy Specialist, g7+ Secretariat
- 20 Cautions against conflation: Peacebuilding and statebuilding as distinct and complementary policy agendas
Erin McCandless, Senior Advisor on Resilience and Peacebuilding, Interpeace
- 24 Why did the New Deal Compact in South Sudan fail to get signed?
Hafeez Wani, National NGO focal point for South Sudan NGO Forum

Peacebuilding and statebuilding trajectories:

- 27 Promoting governance and inclusive development
Sarah Cliffe, Special Adviser, The World Bank and former Assistant Secretary General, UN
- 30 Development with Chinese characteristics: Ten lessons for policymakers
Seth D. Kaplan, Professorial Lecturer in the Paul H. Nitze School of Advanced International Studies (SAIS) at Johns Hopkins University

Thematic perspectives:

- 34 The role of justice in peacebuilding: lessons from transitional justice
Dr. Laura Davis, Transitional Justice Consultant and Associate Researcher, University of Ghent
- 37 Rule of Law is a Game of Thrones
Sheelagh Stewart, Governance, Rule of Law and Gender Consultant and Senior Research Associate, ODI
- 40 Fostering private sector development in fragile states: Why public private dialogue is part of the recipe
Steve Utterwulghe, Senior Private Sector Development Specialist and Global Lead for Public Private Dialogue, World Bank Group
- 44 Building peace in the Sahel: A regional perspective
Laurent Bossard, Director of the Sahel and West Africa Club Secretariat (SWAC/ OECD)

Regulars:

- 3 Editorial
- 48 Further thematic reading
- 49 EPA Update
- 50 Talking Points Blog highlights
- 51 Weekly Compass highlights
- 52 Latest ECDPM Publications



Today, violent conflict and insecurity affect more than 1.5 billion people globally, with numbers rising, and will be one of the major foreign and development policy challenges for the international community. Policy agendas focusing on conflict prevention, crisis management and peace consolidation have been created with vigour since the early 2000's in response to the Rwandan genocide and the recurrence of civil wars in several countries as of the 1990's. Over time, an awareness grew that more comprehensive policies, institutional arrangements and instruments to promote peacebuilding and statebuilding were needed, and a new consensus started to emerge that recognises the interdependencies of actors and the various issue-areas, encompassing political, development, security, economic and humanitarian dimensions, while also stressing the importance of country-led processes and country ownership.

It is time to look at the efforts undertaken by Europe, African institutions, as well as globally, in promoting peace and security. In 2001 the EU was already a leader in global conflict prevention. Its policy commitments, formulated in 2001, exceeded in creativity, ambition and commitments all of its member states and promoted a truly innovative integrated approach. The African Union launched the African Peace and Security Architecture (2002), expanded with a policy framework to promote Post-Conflict Reconstruction and Development (2006) and formed the associated African Solidarity Initiative (2012). Regional bodies, such as the ICGLR (International Conference on the Great Lakes Region), have also become increasingly engaged in this field. At the global level, in search of more development effectiveness, a number of clear principles for engaging in fragile states emerged and were framed in the New Deal prepared by the International Dialogue on Peacebuilding and Statebuilding.

Translating these frameworks into practice, however, is not easily done, reason for us to provide space in this issue of GREAT insights to bring contrasting perspectives about these frameworks to the table, look at progress made in implementing these frameworks and stimulate exchange about progress and gaps.

Conflict prevention and the promotion of more comprehensive responses connecting security, development and people-driven governance, receives a growing amount of attention within the EU as Joelle Jenny, Director for Conflict Prevention and Security Policy at the European External Action Service highlights. This message is mirrored by Dr. Khabele Matlosa, Director for Political Affairs at the African Union Commission, who points out that connecting the peace and security and the governance frameworks of the African Union is crucial to address the structural root causes of crisis and conflict in Africa. From a regional perspective, Pamphile Sebahara and Edgar Cizero Ntasono, describe recent initiatives taken by the ICGLR to address challenges of youth unemployment in the Great Lakes Region.

Three perspectives on the implementation of the New Deal are presented, which is timely given the ending of the pilot phase of this international policy framework in 2015. Habib Ur Rehman Mayar from the g7+ Secretariat (coordinating the work of 20 self-declared fragile states) reflects on the results of the recent New Deal's implementation monitoring exercise. Erin McCandless, a



scholar on peacebuilding and statebuilding, warns us against an excessive focus on statebuilding instead maintaining a distinct focus on strengthening state-society relations within this framework. And Hafeez Wani, the focal point for the South Sudan NGO Forum, describes the way in which New Deal implementation was severely hampered by bringing conditionality into the New Deal agenda in his country.

Sarah Cliffe, special adviser on conflict, security and development at the World Bank, and Seth Kaplan, a scholar on statebuilding and governance, shed light on the role of governance in the trajectories towards stability. Referring to South Africa and Afghanistan, Sarah Cliffe discusses how indispensable, but also time consuming it is to shape governance, and how convoluted its pathway can be expected to be. Kaplan provides ten lessons from China in shaping growth and stability based on a distinctly different approach than normally promoted by Western development thinking, with a stronger emphasis on government effectiveness and less on normative aspects of governance.

The final block of articles presents a number of thematic experiences within peacebuilding and statebuilding. Dr. Laura Davis presents lessons learnt from the most common mechanisms employed for transitional justice. Sheelagh Stewart calls for a more power- and inequality sensitive approach to justice programming. Steve Utterwulge stresses the importance of fostering public-private dialogue in fragile states in order to harness the job creation potential while mitigating the potential negatives. The final contribution is from Laurent Bossard, Director of the Club du Sahel and West-Africa Secretariat at the OECD, who calls for an integrated approach to development in the larger Sahel region that focuses on its assets rather than focusing narrowly on the Sahel as a security threat.

Dr. San Bilal (Editor), Head of Economic Transformation Programme, ECDPM.

Volker Hauck (Guest editor), Head of Conflict, Security and Resilience Programme, ECDPM.

Frauke de Weijer (Guest editor), Senior Policy Officer Conflict, Security and Resilience Programme, ECDPM.

The growing role of conflict prevention in support of the EU's efforts in peacebuilding and statebuilding



By Joelle Jenny

Current international developments present a serious challenge to any actor seeking to play a positive role in the world. The sheer number of concurrent crises; the complexity of inter-locking conflicts; the emergence of new, often trans-national and non-state violent actors; the simultaneous return to geo-political rivalry and resurgent nationalism in some quarters; the catastrophic humanitarian consequences, are all huge challenges for the EU as it strives to forge an effective response.

“A capable and effective state, able and willing to deliver basic services to its citizens within the rule of law, remains the cornerstone of stability and growth.”

Today's conflicts are rarely classic inter-state conflicts, nor are they civil wars confined to one country. These conflicts may be driven by domestic grievances yet some transform over time; they become proxy wars, driven and sustained by outside players, and commonly entwined with organised crime. The number of non-state armed actors and the blurring of interests and alliances can present a complex and confusing picture for those looking to identify and engage parties in peace processes.

At the heart of many of the crises we are witnessing is a violent challenge against the authority, legitimacy and nature of the state. The loss of state control over territory is one manifestation of this. Increasingly, social media provide a basis for connecting people across borders and empowering and mobilising them outside the control of national governments.

Some commentators have questioned whether states still have the same relevance in this rapidly changing world, and whether 'state-building' is the logical path and focus to promote peace, security, development and prosperity. Yet, a capable and effective state, able and willing to deliver basic services to its citizens within the rule of law, remains the cornerstone of stability and growth.

Connecting governance with the people

Statebuilding is too often associated with an over-emphasis on strengthening *national government* and the 'State'. But true statebuilding connects the institutions of governance with the people, and links people with people, in a social contract.

People want good governance that delivers rights and dignity, justice, jobs, access to services and the rule of law, and that gives them a voice on issues that matter to them. When people and groups challenge the legitimacy and authority of their governments, and even the borders of the states in which they reside, more often than not they still want a state, but one that better meets their basic needs and aspirations.

States and statebuilding remain crucial for conflict prevention, peacebuilding and development. Indeed, properly-functioning states are those that can manage change and resolve conflict without violence. Much of the EU's focus on preventing violent conflict is about helping build the capacities of states where government legitimacy and popular consent are derived from inclusiveness, democratic accountability and action to respond to the needs, fears and expectations of people.

A 'Comprehensive Approach'

The European External Action Service (EEAS), still a young institution, was established to help deliver a more effective and coherent EU approach to these sorts of challenges. From its development assistance to its humanitarian action, from its diplomatic engagement to its ability to deploy civilian missions and military operations, the EU has a lot to offer. The sheer size of the EU's economy and trade volumes make the EU a significant global actor.

The EU's authority derives from the normative weight of 28 member states coming together, united by common values and principles. It also stems from the collective experience of conflict, statebuilding and peacebuilding within Europe. The European experience of turning a conflict-ridden continent into a Union of prosperous democracies is a powerful example to less stable parts of the world.

The EU has a significant set of instruments at its disposal to prevent conflict and promote peacebuilding that span the diplomatic, security, defence, financial, trade, development cooperation and humanitarian aid fields. It is now beginning to bring these more effectively to bear in its external actions.

This is the 'Comprehensive Approach', and it is increasingly the reality of the way the EU thinks and operates when dealing with conflicts and crises. Set out in late 2013 in a Joint Communication of the EEAS and the European Commission, this is a commitment to make the EU's external action more consistent, more effective and more strategic; the development of an Action Plan, currently underway, will further contribute to the operationalisation of the Comprehensive Approach.

Putting the ‘Approach’ into practice

Somalia is one such example where a comprehensive approach helps guide policies and implementation. Since 2011 a EU Strategic Framework for the Horn of Africa has guided the EU’s multi-sectoral engagement in the region. By means of active diplomacy and support to the political process, security support, development assistance and humanitarian aid, the EU is contributing to the work on establishing a peaceful, stable and democratic Somalia. The EU is actively pursuing a political dialogue and partnership with Somalia through the engagement of the EU Special Envoy and the EU Delegation, jointly with the efforts of the EU Special Representative for the Horn of Africa. Support in the security sphere is provided by EU military operations ATALANTA and EUTM and civilian mission EUCAP Nestor. Since 2007, also with support amounting to €411 million, the EU is a firm supporter of AMISOM which is a vital component of Somali security. At the same time, the EU is Somalia’s biggest donor of development assistance based on the New Deal compact which ensures local ownership and engagement.

Other examples include the EU approach to Mali and more recently to the crisis in Central Africa Republic. Increasingly, the EU has been adopting integrated regional security strategies, for example in the Gulf of Guinea. In July, the EU adopted a citizens’ security strategy in Central America and the Caribbean aimed notably at strengthening governments’ capacity to tackle insecurity while upholding human rights and boosting prevention policies.

The Comprehensive Approach places a strong emphasis on preventing violent conflict and crises in the first place. Significant effort has been put into developing and institutionalising a new EU ‘early warning system’ to identify countries at risk of violent conflict, or of an escalation of violence in the future. This new system, which combines analysis of open sources with internal staff assessments, is already generating vibrant internal debate on conflict issues. Crucially, it is increasing attention to future risks and priorities and opportunities for preventive action and is putting in place mechanisms to regularly review risks and monitor EU actions to address them.

There has also been a surge in the use of a structured approach to conflict analysis that brings together all relevant EU institutional actors. The early warning system and the conflict analysis approach are key elements of the Comprehensive Approach. Their deployment invariably leads to an examination of the nature and role of the state(s) in question, and the extent to which each generates violence or fails to manage conflict peacefully.

Such analysis is also encouraging more focus on the *positive* capacities and connections within states and their societies and beyond. These are the capacities that provide resilience to risks of violence and that form a possible basis for conflict prevention and peacebuilding. This leads to the identification of a wider range of options for the EU to deploy conflict-sensitive responses.

Joint analysis for success

This investment in focussed analysis and the institutionalisation of a preventive culture are in their early days and still need deepening. They are not a panacea on their own, but they represent an important step forward.

Joint analysis and planning are also required for thinking through transition strategies that flexibly blend and sequence the EU’s instruments. This is necessary to ensure the EU takes a longer-term approach to peacebuilding and statebuilding that emphasises local ownership and sustainability. Joint analysis increasingly informs the strategic planning and implementation of the EU’s responses to crises, be it through the deployment and review of civilian missions and military operations, diplomacy, humanitarian or development assistance.

The Comprehensive Approach also highlights the importance of partnering with others in these efforts. The Arab Spring and developments in other parts of the world have acted as a reminder that the EU needs to engage with and understand the perspectives of people in those countries, not just governments, if we are going to respond effectively to statebuilding and peacebuilding challenges.

“The European experience of turning a conflict-ridden continent into a Union of prosperous democracies is a powerful example to less stable parts of the world.”

‘ The EU will remain a complicated set of institutions and its financial situation will continue to have implications for external action. ’

The EU has a long track record of supporting civil society organisations around the world. Its partnership with and funding support to the Civil Society Dialogue Network (CSDN), run by the consortium of NGOs that form the European Peacebuilding Liaison Office (EPLO), is a good example of how the EU is increasingly engaging civil society in policy and strategy formulation and review – on specific countries, in the design of crisis response missions, or in reviewing overall progress on conflict prevention for example. Experts and civil society representatives from fragile countries are increasingly invited to EU conflict analysis workshops to enrich the analysis and challenge our thinking. And promoting the proper inclusion of civil society, including women, is a central tenet of our approach, even if there unquestionably remains scope to take this further.

No such thing as a ‘quick fix’

None of this is easy. There are no ‘quick fixes’ and the world will continue to see instability and violence. The EU will remain a complicated set of institutions and its financial situation will continue to have implications for external action. In 2011, an independent Thematic Review of ten years of European Commission Support to Conflict Prevention and Peacebuilding presented a challenging agenda for the EU to raise its game. There is a long way to go and no room for complacency, but the institutional progress and appetite for change are worth acknowledging. It is fair to say that the EU is on the right track, and will increasingly, with continued innovation, be in a position to apply its full capacities to promoting peace.



Joelle Jenny is Director for Conflict Prevention and Security Policy at the European External Action Service (EEAS).



The African Union's African Governance Architecture linkages with the African Peace and Security Architecture

By Dr. Khabele Matlosa

Africa has made considerable strides in striving towards democratic and participatory governance. Today, African leaders are convinced, more than ever before, that democratic governance and durable peace are a fundamental *sine qua non* for sustainable human development. All major Organization of African Unity (OAU)/African Union (AU) normative frameworks bear testimony to this firm conviction by African leaders including the 2000 Solemn Declaration on the Conference on Security, Stability, Development and Cooperation in Africa (CSSDCA), the 2000 Constitutive Act of the African Union and the 2007 African Charter on Democracy, Elections and Governance. The AU has undergone a paradigm shift from the old OAU doctrine of non-interference to the new doctrine of non-indifference to human rights abuses, mass atrocity and crimes against humanity within its Member States. However, while we have made tremendous progress, existential threats of democracy persist. This is the context within which the African Governance Architecture (AGA) was established.

It is only when democratic and participatory governance is institutionalised and peace and political stability prevail that Africa stands a better chance for sustainable human development and prosperity for its citizens.

The African Governance Architecture in a nutshell

The AGA is a direct by-product of the AU Shared Values Agenda. In February 2010, the 14th Ordinary Session of the AU Assembly endorsed a decision taken earlier by the Executive Council (EX.CL/Dec.525(XVI)), recommending the theme of the 16th Ordinary Summit to be on Shared Values, while also putting in place a Pan-African Architecture on Governance. Subsequently, in January 2011, the 18th Ordinary Session of the Executive Council endorsed the strengthening of the AGA, through the launch of the African Governance Platform as an informal and non-decision making mechanism to foster exchange of information, facilitate the elaboration of common positions on governance, and strengthen the capacity of Africa to speak with one voice.

The AGA and its Platform became operational in 2012, the very year declared by AU policy organs as the Year of Shared Values. The AGA was established to translate the objectives of the legal and policy pronouncements on AU Shared Values, as the implementation framework for the promotion and sustenance of democracy, human rights and governance in Africa. By AU Shared Values, we mean those values, norms and standards as enshrined in the Union's various instruments such as freedom, human rights and the rule of law, tolerance, respect, community spirit, gender equality, youth empowerment, unity in diversity, constitutionalism, democratic governance, peace, security stability, development, environmental protection, popular participation, accountability and transparency, strong democratic institutions, anti-corruption, improved service delivery, equality, credible and democratic elections, durable solutions to humanitarian crises and free movement of African citizens across borders of AU member states.

The principal goals of the AGA are to connect, empower and build capacities of AU Organs, Regional Economic Communities and relevant stakeholders, including civil society, in order to enhance good governance and democracy in Africa. Through the AGA, the Union is facilitating the implementation, support and complementing the efforts of AU Member States to achieve the above commitments enshrined in the AU Constitutive Act and other relevant standards and norms. To ensure coordination and synergy amongst all the various organs, institutions and the RECs on governance, democracy and human rights issues, the Africa Governance Platform serves as the dialogue and information-sharing forum for the achievement of the goals of the AGA. It provides an avenue for consultations, coordination, dialogue and collective action among the various AU Organs and Institutions for lesson learning and experience-sharing on how best to deepen democratic and participatory governance on the continent.

How complementary are the AGA and the APSA?

The AGA cannot succeed without a strong complementarity with the African Peace and Security Architecture (APSA). One of the specific objectives of the AGA indeed is to 'facilitate joint engagement in preventive diplomacy, conflict prevention and post-conflict reconstruction and development associated with governance challenges in Africa'.¹ Thus both the AGA and APSA are supposed to address the structural root causes of crisis and conflict in Africa. It is only when democratic and participatory governance is institutionalised and peace and political stability prevail that Africa stands a better chance for sustainable human development and prosperity for its citizens. This is also the vision of the AU elaborated in the Africa Agenda 2063 and the Common African Position on Post-2015 Development Agenda.

A great opportunity for further strengthening the linkages between the AGA and APSA can be found in the African Union Post-Conflict Recovery and Development (PCRD) policy framework and the African Solidarity Initiative (ASI).

We are mindful that while inter-state conflicts have subsided in Africa, intra-state conflicts have persisted even in the post-Cold War situation. These conflicts continue to derail our development goals, postpone democratic gains and generate humanitarian crises in different ways; (i) weak state institutions are unable to exercise authority over their territorial jurisdictions; (ii) given weak institutions, provision of development and services to the people suffers thereby generating crisis of legitimacy of the state; (iii) a militarisation of society and establishment of military formations contest space with the formal security establishment thereby generating disorder and near-anarchy; (iv) mismanagement of diversity through, *inter-alia*, politicisation of ethnic identity and ethnicisation of politics which triggers intra-state conflict; (v) mismanagement of and contestation over natural resources; (vi) environmental degradation and climate change which in turn exerts pressure on rural communities resulting in violent conflicts between pastoralists and farmers, and (vii) socio-economic exclusion, inequality, unemployment and marginalisation. These are the structural root causes that propel violent conflicts and instability in Africa with devastating impacts on peace, democracy and development. Failure to address these root causes will confine all our responses to mere symptoms of the problem.

The AGA is designed as the comprehensive, overarching and consolidated framework for addressing issues of governance and governance related challenges aimed at addressing structural causes of political instability and crisis through *inter alia*, preventive diplomacy, mediation, negotiated settlement of conflicts, humanitarian assistance and durable solutions, reconciliation and post-conflict reconstruction and development. The AGA addresses the governance and democracy mandate of the AU, the APSA addresses the peace and security agenda and New Partnership for Africa's Development (NEPAD) deals with the developmental agenda of the continent.

Strengthening the institutional linkages between the AGA and the APSA

There are various Shared Values instruments that facilitate cooperation between the AGA and the APSA. These include most notably the 2000 AU Constitutive Act, the 2000 Solemn Declaration on the Conference

on Security, Stability, Development and Cooperation in Africa (CSSDCA), the 2003 Protocol Establishing the Peace and Security Council, the 2007 African Charter on Democracy, Elections and Governance and the 2009 Post-Conflict Reconstruction and Development Policy Framework. More recently, the Africa Agenda 2063, which is to be adopted during the Summit of Heads of State and Government in January 2015, and the Common African Position on Post-2015 Development Agenda are additional policy frameworks which underline the need for cooperation between and among the AGA, APSA and the AU development architecture.

In practice, however, the AGA and APSA do not yet have strong institutional connections. The main arenas that provide glue between the two AU architectures are the technical and political meetings of the AGA and the operations of the Peace and Security Council. APSA institutions, such as the Peace and Security Council, are supposed to take part in the AGA technical and political meetings. The technical meetings are attended by technical staff of the AGA member institutions while the political meetings are attended by the political heads of the institutions. The other arena relates to the workings of the Peace and Security Council. AGA Clusters regularly provide situational analysis to members of the Peace and Security Council on various issues including (i) elections in Africa, (ii) human rights situation in Africa, and on the (iii) humanitarian situation in Africa.

A great opportunity for further strengthening the linkages between the AGA and APSA can be found in the African Union Post-Conflict Recovery and Development (PCRD) policy framework, and the African Solidarity Initiative (ASI). The African Solidarity Initiative was launched by AU Ministers of Foreign Affairs/External Relations on 13th July 2012 with the view to mobilising support from within Africa for post-conflict reconstruction and development in those countries emerging from protracted violent conflict. The main objective of the ASI is to promote African solidarity, mutual assistance and regional integration, and propel the continent to a higher level of development and self-confidence, driven by the motto: 'Africa helping Africa'.

“Another good opportunity for further strengthening the synergy between the AGA and APSA can be found in the Annual High Level Dialogue on Democracy, Human Rights and Governance, which is one of the key flagship initiatives of the AGA that started in 2012.”

Box 1: A more comprehensive approach tested in Central African Republic

One concrete example of collaboration between the AGA and APSA is our initiative in Central African Republic (CAR) where the Department of Political Affairs and the Department of Peace and Security work together to assist the country in implementing a post-conflict reconstruction and development programme. This intervention is guided by the AU Post-Conflict Reconstruction and Development Policy Framework.

The initiative focuses, partly, on rebuilding CAR's governance system. Specifically, the initiative prioritised the following areas of governance reforms in CAR:

- The drafting of a new Constitution
- The electoral process
- The public sector reform
- Inclusion and management of the diversity

The long-term plan is to replicate our PCRD interventions in CAR in other countries. Resources permitting, we aim to do so in the seven other pilot countries of the African Solidarity Initiative, namely, Burundi, Cote d'Ivoire, Democratic Republic of Congo, Liberia, Sierra Leone, Sudan and South Sudan, as well as Mali and Madagascar.

Annual High Level Dialogue will focus on the nexus between governance and conflict

Finally, a good opportunity for further strengthening the synergy between the AGA and APSA can be found in the Annual High Level Dialogue on Democracy, Human Rights and Governance, which is one of the key flagship initiatives of the AGA that started in 2012. This forum is one of our knowledge generation and dialogue series which has proved extremely useful in providing a frank, open and inclusive platform for Member States, AU Organs and Institutions, RECs, African citizens, think tanks, civil society, media, private sector, philanthropists, and development actors to engage and share comparable experiences and lessons on how to improve governance, consolidate democracy and foster effective realisation of human and peoples' rights on the continent.

The 2014 High Level Dialogue will have as its theme 'Silencing the Guns: Improving Governance for Preventing, Managing and Resolving Conflicts in Africa'. This will provide a platform for exploration of how democratic and participatory governance can be leveraged to silence Africa's blazing guns in line with the agenda of the Peace and Security Council. A pre-forum to interrogate issues around the contribution of young Africans to building a culture of democracy and peace in Africa was held in Nairobi on 15-17th September 2014, while the Nairobi Forum focused on the role of youth in this process of ending wars on our continent, on 7-10th October 2014, another forum aimed at exploring the specific role for women in this drive towards inculcating a culture of peace and democracy. The outcomes of these preparatory meetings were fed into the High Level Dialogue on 30-31 October 2014 in Dakar, Senegal. This may provide another impetus to further strengthen the synergies between AGA and APSA.

Box 2: Operational Elements of the APSA

The Operational Elements of the APSA are:

- The Continental Early Warning System
- Peace and Security Council
- Panel of the Wise
- African Standby Force
- African Union Commission
- Regional Economic Communities

In addition, the AU's work to support post-conflict transition processes is guided by the:

- Post-Conflict Reconstruction and Development Policy (PCRD)

Note

1. AGA Framework Document, June 2014.

This article is based on an interview (available on our website) conducted by Faten Aggad, Head of Africa's Change Dynamics Programme at ECDPM.

Dr. Khabele Matlosa is Director for Political Affairs at the Department of Political Affairs, African Union Commission.

Youth unemployment in the Great Lakes Region: a challenge for peacebuilding and sustainable development

By Pamphile Sebahara and Edgar Cizero Ntasano

Youth unemployment is increasingly recognised as a driver of instability and violence in many African countries. Deeply concerned by this significant trend, the Heads of State and Government of the 12 Member States of the International Conference on the Great Lakes Region (ICGLR)¹ held a Special Summit on the theme “Fight against youth unemployment through infrastructure development and investment promotion” on 24th July 2014 in Nairobi, Kenya, where they adopted a Declaration in which they considered “the youth unemployment crisis as a disaster that can undermine our economies, threaten the peace and destabilise our institutions if it is not addressed”.² This article presents an analysis of lessons from ICGLR experience in setting up a policy framework for strengthening peacebuilding and identifying challenges to be addressed for its effective implementation.



Youth unemployment as a driver of instability

Young people are potentially a tremendous force for change in conflict-affected countries, both positively and negatively. Accordingly, it has been suggested that large rates of youth unemployment make countries unstable in general and thus more prone to armed conflict. In a 2013 study by the African Development Bank (AfDB) on the effects of youth unemployment on political instability, the authors find empirical evidence that youth unemployment is significantly associated with an increase of the risk of political instability, particularly in countries where youth unemployment, as well as social inequalities and corruption are high.³ Indeed, there is a considerable body of literature that argues, both from theoretical and empirical perspectives, that unemployment is a driver for instability.

This is particularly relevant to many ICGLR Member States because, in recent years, they have directly or indirectly been impacted by political violence and conflict. The rate of youth unemployment, including those who have stopped actively seeking employment, stands at approximately 34% in many African countries.⁴ Although empirical linkages between youth unemployment and violence remain somewhat contested,⁵ a large pool of youth cohorts can increase the risk of armed conflict as it may reduce recruitment costs for militia through the abundant supply of labour with low opportunity cost.⁶ If young people are left with no alternative but unemployment and poverty, they are more likely to join a rebellion as an alternative way of generating an income.⁷ Inequality can also play an important role. The mismatch between high rates of economic growth and job creation is widening income inequalities and ultimately fuelling social tensions.⁸

It is widely recognised in the broader development and peacebuilding literature that it is important to consider the relationship of identities, social cohesion and state legitimacy in fragile states.⁹ Jobs can create economic and social ties and have the potential to build incentives to work across boundaries and resolve

conflict. They can thus contribute to social cohesion, including how societies handle differences and manage tensions among different groups, and how they avoid and resolve conflicts. Employment may cause people to feel greater inclusion in a community either by generating higher levels of respect or through membership of professional groups, influence social cohesion through its effects on social identity, networks and fairness.

In sum, although the presence of a demographic bulge is neither a necessary nor sufficient condition for violence, the presence of youth bulges does seem to increase the risk of conflict outbreak significantly; a conclusion that has important policy implications. We will concentrate below on the continental and the regional policy response in the Great Lakes Region.

Continental policy framework to address youth unemployment

African states have made significant progress in recognising the dire challenges and great opportunities that youth present in Africa. The Assembly of Heads of State and Government of the African Union (AU) declared the period 2009 to 2018 as the “Decade on Youth Development in Africa” during the meeting held in January 2009, in Addis Ababa, Ethiopia.¹⁰ This was followed by the development of a Plan of Action for Youth Empowerment and Development in Africa, adopted by the Conference of Ministers in charge of Youth (COMY III) in Victoria Falls, Zimbabwe, in April 2010 which serves as a road map for implementing the African Youth Charter. Partner organisations have also been requested by the African Union Commission (AUC) to align their programming to the Decade’s Plan of Action, within the framework of the Charter.¹¹ In July 2011, the 17th AU Heads of State and Government Summit was held in Malabo, Equatorial Guinea, on the theme of “Accelerating Youth Empowerment for Sustainable Development”. The Summit deliberated on financing youth development and empowerment issues. It adopted a Declaration

in which it was decided that AU Member States should advance the youth agenda and adopt policies and mechanisms for the creation of safe, decent, and competitive employment opportunities, by accelerating the implementation of the African Youth Decade Plan of Action (2009-2018).¹²

Following the commitment made by the African Heads of State at this African Union summit in Malabo, the Joint Youth Employment Initiative for Africa (JYEIA) was initiated on 11th April 2013, as a joint initiative by the AUC, the UN Economic Commission for Africa (UNECA), the AfDB and the International Labour Organisation (ILO).¹³

ICGLR political commitment to tackle youth unemployment

A Comprehensive Regional Policy for promoting youth employment

Following a decision at the 4th Ordinary Summit of the ICGLR Heads of State and Government Summit held in Kampala, Uganda, on 15th and 16th December 2011, directing the ICGLR Regional Inter-ministerial Committee (RIMC) to discuss unemployment, particularly among the youth, and present the report to their respective Heads of State for relevant action, a study and consultations were conducted in 2012 and 2013 on the causes of unemployment and the status of initiatives taken to date by Member States to address it. The process involved key stakeholders, namely, national experts on youth, employment and labour as well as youth, private sector and donors representatives and was facilitated by ICGLR Levy Mwanawasa Regional Centre for Democracy and Good Governance, a Think Tank of ICGLR Secretariat. The outcomes of the process include two research reports¹⁴ and a draft Regional Policy on the fight against youth unemployment. The latter was submitted to the Special Summit of ICGLR Heads of State and Government held in Nairobi on 24th July 2014 and adopted through a Declaration on the “Fight against Youth unemployment through Infrastructure Development and Investment Promotion”.

The 40 resolutions of the Nairobi Declaration constitute strategic objectives aimed at tackling main causes of unemployment and facilitate the region to benefit from youth bulge. Its key recommendations include “considering the youth unemployment crisis as a disaster that can undermine our economies, threaten the peace and destabilise our institutions if it is not addressed”, and to “commit to harmonise employment policies in the Region including labour force management plans and develop guidelines for foreign direct investors on preferential employment of youth from the region” (resolutions n°1 & 3). It also “calls upon the United Nations to address youth employment as a Stand Alone priority goal and deliverable in the post-2015 Development Agenda” (resolution n°2). Another 37 resolutions are classified under eight key areas, namely creating a favourable environment for investments and socio-economic development; harnessing infrastructure development in order to fast-track opportunities for decent jobs and inclusive growth,¹⁵ reviewing the education system and promoting entrepreneurship and innovation; facilitating young entrepreneurs’ access to funding; ensuring youth representation in decision-making bodies; monitoring, evaluation and coordination of public policies and interventions; and strengthening good governance and transparency.

From policy to practice: developing a realistic Action Plan and its implementation

The next step after the adoption of the Nairobi Declaration is to develop an Action Plan with both national and regional components for its implementation. However, three challenges, among others, need to be addressed.

First, translating resolutions of the ICGLR Special Summit into a National Action Plan taking into account existing policy frameworks and filling the gaps of or extending ongoing interventions on youth employment. This should facilitate ownership and home-grown

solutions. Some difficulties to be addressed include lack of complete and updated data for evidence based planning.

Second, the development of a regional Action Plan for implementing the Nairobi Declaration to be adopted by the 6th ICGLR Ordinary Summit in 2015. Based on different national Action Plans, it will identify relevant interventions taking into account existing policy frameworks and interventions at regional and continental levels. Consultations with key actors intervening in this area, namely AfDB, African Union, UNECA and ILO should facilitate identification of roles where the ICGLR Secretariat can have added value at the regional level.

The third challenge is the availability of resources to conduct necessary consultations for developing the Action Plan as well as its implementation at national and regional level in midterm. This requires mobilisation of additional resources for youth initiatives as agreed in the Nairobi Declaration and availability of development partners to support home grown solutions. A support to the ICGLR Secretariat and its Regional Centre which have mandate to facilitate, coordinate and monitor the implementation of Nairobi Declaration should contribute positively in implementing the policy on the ground.

Implementation steps

Youth unemployment is clearly high on the policy agenda, both at continental and regional levels. The Nairobi Declaration has two main strengths. One is the political commitment of the Heads of State and the legal framework as it is a requirement of the ICGLR *Pact on Security, Stability and Development in the Great Lakes Region*.¹⁶ Second is the bottom-up approach used for developing the draft declaration through consultations with key stakeholders and which resulted in a comprehensive regional framework to address causes of youth unemployment.

However, the implementation of the Nairobi Declaration requires long-term perspective, as a number of structural reforms will be necessary.

One of the challenges to be handled is the diversity of ICGLR Member States in terms of initiatives related to youth employment as well as on their security situation. In this context, expected results should differ from country to country. The Declaration will contribute to conflict prevention and sustainable development and therefore stability in countries involved; to peacebuilding and post-conflict recovery for others while it will be part of the management conflict policy for those that are still facing conflict like the Central African Republic and South Sudan.

Finally, the success of the Nairobi Declaration depends primarily on the capacity of ICGLR Member States to take the lead in its implementation. This will require, *inter alia*, mainstreaming youth employment in other sectors such as agriculture and livestock, extractive industries, ICT, transport and tourism as well as mobilising additional resources for youth issues. It will depend also on the capacity of the ICGLR Secretariat and its Levy Mwanawasa Regional Centre to facilitate regular and inclusive consultations, sharing experience and monitoring implementation process and advise where adaptations are needed. It will further require willingness of development partners to coordinate their interventions through national frameworks and support the implementation process at national and regional levels.

Notes

1. ICGLR is a regional intergovernmental organisation composed of 12 Member States, namely Angola, Burundi, Central African Republic, Democratic Republic of Congo, Kenya, Republic of Congo, Rwanda, South Sudan, Sudan, Tanzania, Uganda and Zambia. They signed the *Pact on Security, Stability and Development in the Great Lakes Region* on 15th December 2006. See www.icglr.org
2. Resolution n°1 of the Declaration of the Special Summit of the ICGLR Heads of State and Government on “the Fight against Youth unemployment through Infrastructure Development and Investment Promotion.” Nairobi, Kenya, 24th July 2014. Available online at <http://icglr.org/index.php/en/homepage/135-laast-news/476-declaration-special-summit-on-youth-unemployment>
3. See Azeng, T. F. & Yogo, T. U. 2013. “Youth Unemployment and Political Instability in Selected Developing Countries.” *Working Paper Series*, N°171, May 2013, Tunis: African Development Bank.
4. International Labour Organization (ILO). 2012. *Africa's Response to the Youth Employment Crisis: Regional Report*. May 2012. Available online: http://www.ilo.org/wcmsp5/groups/public/---africa/documents/publication/wcms_184325.pdf
5. Cramer, C. 2010. “Unemployment and Participation in Violence.” Background Paper for the WDR 2011. Available online: https://openknowledge.worldbank.org/bitstream/handle/10986/9247/WDR2011_0022.pdf?sequence=1
6. See Collier, P. 2000. “Rebellion as a Quasi-Criminal Activity,” in *Journal of Conflict Resolution*, Vol. 44, pp. 168-183.
7. Urdal, H. 2006. “A Clash of Generations? Youth Bulges and Political Violence”, in *International Studies Quarterly*, Vol. 50, N°3, pp. 607-630; Urdal, H. 2012 “A Clash of Generations? Youth Bulges and Political Violence.” Expert Paper N° 2012/1, United Nations Population Division, New York, USA. Available online: http://www.un.org/esa/population/publications/expertpapers/Urdal_Expert%20Paper.pdf
8. Karongo, A. 2012. “Regional Report on Youth Policies and Violence Prevention in the Great Lakes Region, 2nd Year.” Paper commissioned by UNESCO. Pp. 16. Available online: <http://unesdoc.unesco.org/images/0021/002170/217098e.pdf>.
9. Herbert, S. 2013. “Promoting National Identities.” *GSDRC Helpdesk Research Report 978*. Birmingham, UK: GSDRC, University of Birmingham.
10. African Union Commission. 2011. “The Plan of Action for the African Decade for Youth Development and Empowerment.” Addis Ababa, Ethiopia. Available online: <http://africa-youth.org/sites/default/files/African%20Youth%20Decade%20Plan%20of%20Action.pdf>
11. International Labour Organization. 2011. “Youth Employment Interventions in Africa: A Mapping Report of the Employment and Labour Sub-Cluster of the Regional Coordination Mechanism (RCM) for Africa.” Addis-Ababa, Ethiopia, p. 13.
12. Ibid., p. 15.
13. International Labour Organization. 2013. “The Joint Youth Employment Initiative for Africa.” Addis-Ababa, Ethiopia. Available online: http://www.ilo.org/wcmsp5/groups/public/---africa/---ro-addis_ababa/documents/newsitem/wcms_210399.pdf/
14. ICGLR Levy Mwanawasa Regional Centre for Democracy and Good Governance. 2014. *Youth Unemployment in Angola, Burundi, Central African Republic, Democratic Republic of Congo and Republic of Congo. A challenge for the States and Societies*. Research Report N°1, Lusaka, Zambia; ICGLR Levy Mwanawasa Regional Centre for Democracy and Good Governance. 2014. *Youth Unemployment in Kenya, Rwanda, South Sudan, Sudan, Tanzania, Uganda and Zambia. A challenge for the States and Societies*. Research Report N°2, Lusaka, Zambia.
15. Two key resolutions under this area are “to develop national and regional action programmes in key sectors of

the economy namely agriculture and livestock, extractive industries, ICT, transport and tourism” (resolution 9) and “to establish regional projects for the joint exploitation of natural resources, infrastructure projects, and processing of products that are available in the Region” (resolution 10). Available online at: www.icglr.org

16. ICGLR recognises the need to empower and involve the youth in social, political and economic dynamics of the Region since its inception. Articles 27, 33 and 48 of the 2004 “Dar-Es-Salaam Declaration on Peace, Security, Democracy and Development in the Great Lakes Region”, which is part of the ICGLR *Pact on Security, Stability and Development* (2006), recognise the need for finding jobs for the youth as a basis to strengthen stability in the Region.



Pamphile Sebahara is Head of Research, Training and Documentation Department at ICGLR Levy Mwanawasa Regional Centre for Democracy and Good Governance in Lusaka, Zambia.



Edgar Cizero Ntasano is a Research Assistant in ECDPM's Young International Professionals programme (YIPP).



“ Incentive structures within development partner agencies based on the tendency for quick results, and the domestic pressures they face, reduce their ability to fundamentally change the way they do business.”

A legacy of faltering responses to fragility

Conflict and crisis drive and trap the country in the state of fragility of institutions, which further complicates the vicious circle of poverty. All components are intrinsically linked to each other and to kill the cycle they each need to be addressed in a holistic mechanism. Traditionally practiced quick fixes to building a strong foundation have not been successful. Sustainability of the intervention and the outcome thereof has to be ensured, which in the context of fragility, requires helping build durable, sound, and context-specific solutions. These should serve as a fertile ground for resilience, and thus support a country on its pathway out of fragility. This, in practice, would mean supporting building and nurturing of the state institutions, in order to help them be more responsive and effective to address the needs of the people. However, there is no one single and scientifically proved approach workable universally. This means that we need to challenge and change the decade-long established approach based on common assumptions.

External support can help catalyse change. The care with which development interventions are formulated for fragile states can be the difference between enabling and maintaining a peaceful society served by effective state institutions or bringing internal tensions to a boil resulting in furthering the gap between the state and societies. However, the multilateral system of development cooperation is composed of actors with varied and diverse priorities, beliefs and mindsets. The increasing number of inter-relating actors serving in a multi-dimensional approach leads to further fragmentation, duplication and lack of coherence. This severely hampered progress in fragile states and increased the need for a stronger unity of views on the ways and approaches for development intervention. There was, in short, an urgent need for a unified, but ‘*adaptable-to-context*’ approach and framework of development intervention in fragile and conflict-affected states.

The New Deal – how can it help the transition from fragility to resilience?

With the New Deal, we have, for the first time ever, a unified, agreed and context-adaptable framework. This allows for increased opportunities for a multitude of actors to align behind one vision articulated through inclusive consultation and led by the country in need, which - in turn - improves the chances for resilience. It allows for a clearer division of labour between development partners, and thus for a stronger harmonisation and coherence in effort. Most importantly perhaps, the notions of trust, confidence, partnership and mutual accountability are

central, which changes the relationship between country and development partners from a donor-recipient one into a (developing) partnership. Endorsed by more than 45 countries and development partners, the New Deal has started to shift the line of thinking for development intervention in countries in fragile situations.

The New Deal for engagement in fragile states

Seeing unsatisfactory results in fragile states, a self-selected group of fragile countries (**g7+**) came together to discuss the parameters for a new approach to engage with fragile states. These discussions were held under the umbrella of the **International Dialogue for Peace Building and Statebuilding**, an international forum between fragile and conflict affected countries, their international partners and civil society, established in Accra in 2008. This culminated in a ‘**New Deal for Engagement in Fragile States**’, presented and endorsed as part of the at the 2011 High Level Forum for Aid Effectiveness in Busan.

The **New Deal** aims at fundamentally shifting the engagement in fragile states, through inclusive country-led and country-owned transitions out of fragility, based on a joint understanding of the specific drivers and conflict and fragility.

Three components make up the **New Deal**:

1. The Peacebuilding and Statebuilding Goals (**PSG’s**) are intended to define and measure progress in peacebuilding, and include Legitimate Politics, Justice Economic Foundations, and Revenues and Services.
2. The **FOCUS** principles aim to clarify the process a country and its development partners undertake, and comprise of a fragility assessment; One Vision, one plan; a Compact; using the PSG’s to monitor; and Support to political dialogue leadership.
3. The **TRUST** principles aimed to hold development partners accountable in order to create mutual trust, through risk-sharing; the use and strengthening of country system and capacities and timely and predictable aid.

The New Deal is currently being implemented in seven countries, and others are following (Sierra Leone, Liberia, South Sudan, Democratic Republic of Congo, Afghanistan, Somalia, Comoros, Central African Republic and Guinea Bissau are in the planning phase).

Today, the g7+ has a membership of 20 countries. The International Dialogue continues to facilitate discussions between the g7+ countries, donors, and civil society on the implementation and progress of the New Deal. A New Deal implementation monitoring exercise was recently concluded and an independent review will be conducted before the end of 2015, when the formal pilot phase of the New Deal ends.

The New Deal has affected the understanding of the fragility and remedies thereto. First it recognises, or rather has as its basis, the interdependence of peace and development. Effective, inclusive and transparent institutions are at its core, and all are guided by the pivotal importance of helping improve state-society relations. Secondly, by recognising that the service delivery is the responsibility and function of the state institutions, it centres the role of development intervention on enabling the state institutions meet their obligation. Thus the New Deal tends to avoid that development partners assume a parallel establishment to the state institutions. Further, it outlines a vision of the transition out of fragility that is not a one-step process; it acknowledges that it is a long-term process, with a number of different phases a country will have to travel through, one step at the time.

The Fragility Spectrum in particular serves an important function, as it lays out – for each country – what its different stages from crisis to resilience look like, and what transition steps are necessary to move out of fragility. Although many aspects of this fragility spectrum are highly context specific, many others are shared. This provides a good – and growing - basis of understanding of what the key elements of a transition from fragility and resilience are. As such, it provides a middle ground between ‘one-size-fits-all-solutions’ and ‘every context is fully different’, and it is exactly this middle ground that has been missing in peacebuilding and statebuilding practice.

How can the full potential of the New Deal be fulfilled?

The New Deal calls for transformative shifts in policies and strategies, it calls for a break from business-as-usual, both on the side of development partners as on the side of g7+ governments, and even on that of civil society. Such transformative shifts require deep political support and buy-in. Without this fundamental commitment to breaking away from business-as-usual, the step-change that is necessary will not come forth. Incentive structures within development partner agencies based on the tendency for quick results, and the domestic pressures they face, reduce their ability to fundamentally change the way they do business. The recent New Deal Monitoring report shows a mixed picture, where we can see both the more politically sensitive issues lagging behind in implementation (e.g. measuring progress on the Peacebuilding and Statebuilding Goals - PSGs, changing

ways to deal with risk), as well as those that require a fundamental shift in incentives (e.g. making use of country systems strengthening capacities).

It is thus necessary to sustain and deepen the commitment to the New Deal principles. To be clear, this does not necessarily mean a rigid implementation of the process steps of the New Deal; the New Deal was never intended to be a 10-step guide to peacebuilding and statebuilding. It means taking the vision, the values and principles of the New Deal seriously, and making all necessary efforts to make this vision a reality. The New Deal is inherently a political process, and it should not be reduced to a technical exercise. Buy-in must broaden at the level of the development partners (where it should expand beyond development agencies), as well as at the level of g7+ governments (where it should expand beyond the New Deal focal ministries).

The International Dialogue on Peacebuilding and Statebuilding has helped in providing space to the members (development partners, g7+ governments, and civil society) to speak about those challenges in a frank and honest manner and pave the way to the reforms needed to be instilled. Yet, in order to widen the sphere of discussion to broader constituencies, we will need to elevate the image and profile of the dialogue, ensure it is supported by strong technical policy infrastructure, but also has a heightened political profile.

This was never as relevant as it is today where we are embarking upon a new phase of negotiations on the post-2015 Sustainable Development Goals. The PSGs were developed in response to the acknowledgement that conflict-affected and fragile states lagged far behind in achieving the Millennium Development Goals. The sustainability of the impact of the benchmarks of MDGs achieved with the help of influx of development aid is a question mark. A new development framework will need to take this history into account, and incorporate a goal on peaceful societies and effective institutions as these are fundamental if we are serious about empowering these countries to fight poverty and fragility. Knowing the degree to which these new Sustainable Development Goals will influence the policy agenda in the years to come, the inclusion of this goal is of the highest importance to the g7+. Without this goal it is hard to see how the vision of the New Deal can become reality.

“ The New Deal thus does not only provide evidence on the relevance of peace and effective institutions in the post 2015 agenda, but will also facilitate the aftermath discussion on the nitty-gritty of the post 2015 framework such as the indicators and benchmarks.”

The importance of the post-2015 agenda for fragile states

The post-2015 agenda has also been an opportunity for the g7+ to profile itself more prominently in the inter-governmental, diplomatic domain. Our Special Envoy, then-chair of the g7+, H.E. Minister Pires, was a member of the High Level Panel formed by the UN Secretary General to advise on the post 2015 agenda. The g7+, in collaboration with other International Dialogue members, have actively advocated for the inclusion of peacebuilding and statebuilding in the post 2015 agenda during and in between the UN General Assembly meetings every year since 2012. The most recent example is the g7+ High Level Side event held on the 22nd September in New York, which has again shown how the collective voice of conflict-affected countries in fragile situations can go far.

Yet, an agreement on the inclusion of a goal on peaceful societies and effective institutions is only the beginning. The way targets will be set and progress will be monitored will be the real testing ground for this new framework. Maintaining a balance between global goals and locally identified and applicable targets will be a challenge to come. The New Deal, and in particular the Fragility Spectrum, can assist in the elaboration of mechanisms for implementation and monitoring. The New Deal thus does not only provide evidence on the relevance of peace and effective institutions in the post 2015 agenda, but will also facilitate the aftermath discussion on the nitty-gritty of the post 2015 framework such as the indicators and benchmarks.

Sustaining the effort

For the g7+, these issues are not academic; they are a matter of life and death. The g7+ is deeply committed to supporting its member states in their transition out of fragility and is grateful for the members of the International Dialogue on Peacebuilding and Statebuilding and other key constituencies who are equally committed to the cause. But the road is still long, and will be bumpy.

“In times of crisis, good principles and commitments tend to be marginalised in favour of immediate crisis response.”

The outbreak of violence and conflicts in Central African Republic and South Sudan – as well as the Ebola outbreak in West Africa - is an alarm bell for the regional and global actors to take all measures to help prevent the countries falling back into crisis. It should strengthen the resolve to address the root causes of fragility in these countries, and to help them break out the vicious circle they find themselves in. In times of crisis, good principles and commitments tend to be marginalised in favour of immediate crisis response. Yet, it is especially in times of crisis when sustained attention to the underlying weaknesses is warranted.

The road out of fragility is long, and setbacks along the way can be expected. But only with sustained attention – based on the values, principles and commitments of the New Deal – can countries break out of the traps they are in to the benefit of their citizens and the world at large.



Habib Ur Rehman Mayar is the Senior Policy Specialist at the g7+ Secretariat.

Cautions against conflation: Peacebuilding and statebuilding as distinct and complementary policy agendas

By Erin McCandless



Over the last decade, peacebuilding and statebuilding have been increasingly merged as policy agendas. There is logic to this; as the OECD Development Assistance Committee (DAC) has argued, they form an interrelated process with similar underlying problems and a common overall purpose. The aid community has broadly adopted this view, arguing the need for aid synergy and effectiveness. Think tanks and policy institutes working close to the United Nations (UN), and the UN itself, have also generally supported a marrying of the two, in keeping with the primacy of the state in intergovernmental affairs.

Here it is argued that while peacebuilding and statebuilding are distinct and complimentary agendas, merging them entirely and allowing them to be conflated blurs lesson learning and fosters compromises within both that inhibit their potential distinct, positive contributions. What is needed rather is ongoing reflection on how both play out in real world contexts, and allowing both to flourish while strengthening efforts to ensure they work in a complimentary manner towards common objectives. The two concepts and their relationship are now briefly explored, followed by reflection on the International Dialogue on Peacebuilding and Statebuilding (IDPS) process, to illustrate the arguments put forth.

Perspectives on peacebuilding, statebuilding and the relationship¹

While definitions of peacebuilding and statebuilding abound, considerable current policy consensus exists

around the notion of peacebuilding operating in the UN, and the notion of statebuilding as articulated by the OECD-DAC:

Peacebuilding involves a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundations for sustainable peace and development.²

Statebuilding is an endogenous process to enhance capacity, institutions and legitimacy of the state driven by state-society relations. Positive statebuilding processes involve reciprocal relations between a state that delivers services for its people and social and political groups who constructively engage with their state.³

Despite considerable policy consensus on the concepts, the practice of both has been and continues to be



significantly varied and widely critiqued.⁴ While both contain commitments to being understood and driven locally, both have suffered critiques for being delivered in top down and externally led, template-driven manners, insufficiently attentive to context and lacking strategy or clear theories of change. Peacebuilding in particular has been accused of ‘liberal’ leanings, i.e. that it has rested on narrow notions of democracy (e.g. elections) and undervalued attention to the role of state institutions, focused on the individual rather than the community, marginalised traditional/ customary forms of authority and power, and supported or even ‘built’ formal, civil society in ways that fuel state-society tensions. Critics have also suggested that efforts have effectively not addressed the structural sources of conflict. Statebuilding has been similarly accused of not sufficiently valuing endogenous institutions and practices or forms of resilience within societies, and neglecting the societal dimension of statebuilding – especially horizontal relationships within society.

Within policy discussions that have laid a path for their merger, the different histories, approaches, advocates and delivery vehicles with associated mandates, funding channels, timelines have been recognised.⁵ The ‘tensions’ between the two have also been examined,⁶ and include that: 1) statebuilding can spark or facilitate armed conflict; 2) peacebuilding can undermine statebuilding when it bypasses state institutions; 3) short-term compromises in the interests of peace may be at odds with requirements for longer-term peace (i.e. appeasing spoilers can undermine the development of new institutions that endeavour to not reproduce sources of conflict). While

these tensions rest on particular, and somewhat limited understandings of each, they nonetheless raise important concerns around merging the concepts.

The International Dialogue on Peacebuilding and Statebuilding⁷

A major policy effort since 2008 involving states affected by conflict and fragility (the g7+), international partners (northern donors) and civil society (both international and national, within g7+ countries),⁸ the IDPS provides useful insights into topic at hand.

From the start, the IDPS process, and its New Deal Framework for Engagement in Fragile States (see Box on New Deal, pg.17)⁹ effectively brought peacebuilding and statebuilding under the same umbrella. In a synthesis report prepared to inform discussions at the first meeting of the IDPS in Dili, Timor Leste, it was suggested that:

Peacebuilding and statebuilding are reinforcing processes that support the building of effective, legitimate, accountable and responsive states. These overlapping but distinct processes are essential elements for guiding national and international efforts in addressing state fragility and promoting peace and stability in situations of conflict and fragility.¹⁰

Since this time the terms have effectively been merged without attention to their distinctness, towards developing Peacebuilding and Statebuilding Goals (PSGs) and indicators to measure progress towards these goals, and

“ There is a need for greater attention to overall strategy, and clear theories of change guiding efforts out of fragility and towards resilience, or peace.”

in the overarching roll out of New Deal implementation – with associated fragility assessments and compacts. Throughout, the content of the frameworks and processes developed have reflected significant focus towards the capacity needs and challenges of state institutions.

This is unsurprising given that the process is being led by the g7+, which endeavours to support ‘state-led transitions from fragility to agility’ and to place powerful demands on the international aid system to improve aid mechanisms, relevance, and results. The orientation also logically reflects the reason for the g7+ and IDPS emergence in the first place – to rectify the problem of g7+ countries being the worst performers in Millennium Development Goal achievement, reflecting the consensus that *states need functioning institutions first, before development goals can be achieved*.

Civil society organisations participating in the Dialogue have consistently argued that peacebuilding and statebuilding are not the same thing – and that the particular strengths and focus on peacebuilding are needed for the New Deal to be realised. Three particular areas of emphasis are noteworthy.

The first involves the need for greater attention to overall strategy, and clear theories of change guiding efforts out of fragility and towards resilience, or peace. This does not mean one linear path across countries, but rather deep national reflection on 1) the drivers of conflict and fragility and the capacities for resilience and peace, and 2) the strategic path to transform the former and strengthen the latter – analysis that should lie at the heart of the development of fragility assessments and compacts. The fragility assessment tool and its framing focused on monitoring progress of state institutions in PSG areas, however, has limited this potential. It has assumed a narrow theory of change around state institutions at the heart of peacebuilding and statebuilding, limiting attention to the societal dimensions of both, and issues of horizontal and vertical cohesion. It has also limited discussions around the relationship and interactions of PSG areas, reproducing siloed analysis and action (a key critique of a decade of peacebuilding). While efforts were undoubtedly made, and are still being made, to infuse conflict, fragility and resilience analysis into the

assessment tools and processes across countries, there has been varying levels of commitment to this, and mixed results.

The fragility assessment tool is also not conducive for reflection on the international sources and drivers of conflict and fragility – a second area of civil society critique and focus. The national, institutional (statebuilding) focus and lens of fragility and conflict obscured discussions of external drivers – a manifestation of the blurring and conflating of concepts.

Third, civil society has focused on the need to promote wide societal participation and ownership in and of the New Deal – a commitment that lies at the heart of the process endorsed by the g7+ and international partners. This ‘process’ component again captures both vertical elements (dialogue between state and society) but also horizontal (within and between societal groups). The vertical element is consistent with the newer concept of statebuilding. While the IDPS process is advancing roles for civil society in policymaking with attention on societies in peacebuilding and statebuilding both at global and national (g7+) levels, there are strengths and weaknesses in the realisation of this commitment, to date. The New Deal Compacts are illustrative. While they are meant to reflect the third step of ‘inclusive country-led and country owned transitions out of fragility’,¹¹ the tendency to date is that they reflect priority agreements between governments and donors, without clear linkages to the fragility assessments and without clear efforts to build inclusive and societally owned agreement around priorities.

Moving forward

Despite newer directions in statebuilding thinking, practice has yet to ‘catch up’. The ways in which state-society relations manifest and are nurtured in the pursuit of a social contract that serves effective, legitimate, accountable and ultimately peaceful states is highly context dependent. A peacebuilding lens can support good practice here, suggesting how statebuilding processes can unfold in conflict and peace-sensitive manners that engage society at all levels – and not just vertically but horizontally.

Peacebuilding is dynamically responding to critiques in the development of alternative models and approaches. At the same time, a significant engine of the global peacebuilding community comes from scholar-practitioners who too often ignore the state, or go around it, focusing on horizontal relations within society. This tendency can also be seen in UN agency work, and also the World Bank, who are on the one hand rightly targeting communities in an effort to make their work more

“ Despite newer directions in statebuilding thinking, practice has yet to ‘catch up’.”

‘bottom up’. Problematically however, the conceptual and operational linkages to bring these bottom up and top down processes together remain vague, and politically and technically challenged.

Peacebuilding and statebuilding should not simply be merged, or married – both are too important in their own right and their relationship needs to be assessed in particular contexts. Instead, continued efforts to understand both and respond to shortcomings of each are needed, while drawing from and building upon the strengths of each to address contemporary contexts of conflict and fragility. The International Dialogue is an ideal forum for deliberating and providing leadership on this task.

Notes

1. Section draws on previous work, including, McCandless, Erin and Mary Hope Schwoebel, “Statebuilding and Democracy,” in McCandless, Erin and Tony Karbo ed. *Peace, Conflict and Development in Africa: A Reader*, Addis Ababa: UPEACE, 2011, p. 275. http://www.upeace.org/pdf%5CREADER_webpages.pdf
2. UN Secretary General Policy Committee, *Conceptual Basis for Peacebuilding*, 2007.
3. OECD-DAC, *Statebuilding in Situations of Fragility, Initial Findings*, 2008, p.1.
4. British and African scholars have been particularly active critics, notably, Oliver Richmond, Roger MacGinty, David Chandler, Samuel Doe, Tim Murithi.
5. See, for example, Wyeth, Vanessa and Timothy Sisk, *Rethinking Peacebuilding and Statebuilding in Fragile and Conflict-Affected Countries*, OECD-DAC Discussion Note, 2009, p. 12.
6. See for example, Call, Charles. ‘*Building States to Build Peace: A Critical Analysis*’. *Journal of Peacebuilding and Development*, 4:2, 2008. This reflects on research across countries by (then) International Peace Academy’s “building states to build peace” project.
7. This section draws from the author’s own participation in the process and from: McCandless, Erin, ‘Wicked Problems in Peacebuilding and Statebuilding: Making Progress in Measuring Progress Through the New Deal’, *Global Governance* 19, 2013; Interpeace, *Background Paper: Voices of civil society organizations on peacebuilding and statebuilding*, 2010. It also draws from civil society statements around the IDPS process, see <http://www.cspps.org/> and Interpeace, *Background Paper: Voices of civil society organizations on peacebuilding and statebuilding*, 2010. <http://www.interpeace.org/documents/international-dialogue/86-background-paper-voices-of-civil-society-organizations-english/file>
8. <http://www.cspps.org/>
9. The guiding framework for the process, endorsed at the Fourth High-Level Forum on Aid Effectiveness in Busan in November 2011 by over forty countries and international organisations.
10. IDPS, *Peacebuilding and Statebuilding Priorities and Challenges*, 2010, p.2
11. The New Deal, <http://www.newdeal4peace.org/wp-content/uploads/2013/01/new-deal-for-engagement-in-fragile-states-en.pdf>



Erin McCandless is a Senior Advisor on Resilience and Peacebuilding for Interpeace. In this capacity she also represents civil society in the International Dialogue on Peacebuilding and Statebuilding. She teaches in New School's Graduate Program of International Affairs, serves as Chief Editor of the *Journal of Peacebuilding and Development*, and consults widely with the United Nations.



Why did the New Deal Compact in South Sudan fail to get signed?

By Hafeez Wani

The endorsement of the New Deal for engagement in fragile states in November 2011 at the 4th High level Forum on Aid effectiveness in Busan was celebrated as a global reform initiative aimed at accelerating the progress of development in conflict affected and fragile states. South Sudan was one of the first countries to implement the New Deal, and was prepared to sign a New Deal Compact in December 2013. This article discusses the circumstances that enabled the failure of the Compact to be signed according to plan and draws attention to the use of macro-economic reforms as conditions for the signing of the Compact, and the inadequate attention attributed to cushioning the shocks that resulted from implementing such reforms. This particular case is exemplary for a growing concern echoed by many African governments about the practice of using mutually agreed development targets as conditions for economic agreements by international institutions and Western donors in their engagements with African governments.

Implementing the New Deal in South Sudan

Initiated by the g7+, a self-identified group of 20 fragile states, and a group of donors, the New Deal establishes new partnerships between donor states, fragile and conflict-affected states (FCAS), and civil society for the purpose of creating country-led and country-owned transitions out of fragility. This approach addresses the democratic

deficit in many multilateral institutions and processes by recognising that peacebuilding and statebuilding must be led by affected countries rather than by donor states. It also recognises that state-led implementation is not sufficient and that building peaceful societies requires a whole of society approach.

South Sudan was one of the pilot countries and launched the New Deal in August 2012. It commenced

with a fragility assessment which drew participants from government, civil society and development partners with the objective of determining South Sudan's position along the fragility spectrum for each of the five peacebuilding and statebuilding goals areas, to identify drivers of fragility, and to establish peacebuilding and statebuilding priorities in relation to the five Peacebuilding and Statebuilding Goals (see Box on New Deal, pg.17).

This fragility assessment was one of the steps leading to a Compact, a framework of mutual accountability between South Sudan and its development partners, based on the principles of the New Deal. This Compact had been prepared through a series of consultations in ten different states of South Sudan from late August to late October 2013. The Compact was supposed to be signed on the 4th of December 2013, but this did not happen. I want to answer the question as to why it did not and this is found in the linking of the New Deal Compact with the International Monetary Fund (IMF) programme.

Linking the New Deal Compact with the IMF programme

A South Sudan Economic Partners' Forum (SSEPF) was held in April 2013 in Washington DC amidst the oil shut down crisis. Pursuing the New Deal Compact was a key outcome of the Forum, alongside other key deliverables like initiating the IMF staff monitoring programme, the signing of a Statebuilding Contract with the European Union to support salaries in the health and education sectors, establishing a Multi-Donor Partnership Fund to support capacity building for good governance, investments in priority sectors and support for basic services, and finally organising an Investment Conference to promote job creation, improved livelihoods and economic growth. These deliverables were not supposed to be conditions attached to the New Deal Compact, but parallel post-SSEPF commitments that were to be monitored by respective joint-donor-government committees.¹

The seven months long process leading to the development of the compact was layered with state

consultations and intensive dialogue, more so between the months of August and October 2013. However the New Deal compact was not signed in November 2013 as planned. The reason was the Government of South Sudan's (GoSS) non-compliance with the conditions of the IMF staff monitored programme. These IMF conditions demanded the passing of the South Sudan Petroleum Management Bill, the passing of the 2013-2014 National Budget and harmonisation of the dual exchange rate system. The failure of the dual currency exchange rate harmonisation plan in particular dealt the final blow to the progress of the New Deal compact.

Compliance with the IMF programme had now become a condition for budget support from the EU and the World Bank, and the compact was therefore seen as less relevant until this issue was resolved.²

Why did the harmonisation of the dual currency exchange system fail?

The Central Bank of South Sudan (CBSS) must be credited for its attempt to comply with the IMF currency exchange rate harmonisation condition by issuing a directive in November 2013 to banks and other stakeholders citing the exchange rate regulatory change. It stated that the South Sudan pound was to trade against the US dollar at 4.5 from the previous rate of 3.16; thereby reducing the value of the pound by 42% against the US dollar. This directive was shortly rescinded by the CBSS following public upheaval and objection by parliament.

Garang Atem Ajiik, in his policy paper³ published on South Sudan Nation, cites that well respected

economists and analysts have argued that the effects of the devaluation of South Sudan's currency would have been short term. However one must be mindful of the fact that currency devaluation encourages exports but increases the prices of imports. Since South Sudan's only export is oil and multiple constraints inhibit the diversification of its export sector, South Sudan was and is not adequately able to produce import substitutes to cushion the 42% price increase to imports caused by the devaluation policy. This means that the production would not benefit from or respond to the incentives of currency devaluation.

Furthermore the supply of US dollars into the market by the CBSS is done on an *ad hoc* basis and is neither based on demand nor exports data, therefore maintaining demand-supply equilibrium becomes difficult. This creates a conducive environment for a black market industry to thrive. Consequentially, an increase of the exchange rate from 3.16 to 4.5 SSP without addressing the demand-supply equilibrium, would have hiked the black market exchange rate to 6-6.5 SSP.

An extensive appraisal by the CBSS and IMF of these and other impediments underpinning the South Sudanese economy was essential at the time in order to guide and inform the approach employed towards the exchange rate harmonisation policy as well as the timeframe applied to its effect. Even more importantly, an economic appraisal would have better informed the Government of South Sudan and its development partners of the importance of maintaining a clear separation between the New Deal compact and the IMF staff monitored programme given the broadness of the New Deal Peacebuilding and Statebuilding

“Enforcing an economic policy like currency devaluation in a fragile state like South Sudan must not be paced against internationally instituted timelines but approached with due consideration to the unique structural socio-economic fundamentals of the country.”

“ The EU, World Bank and New Deal donors for South Sudan (UK, Netherlands and Denmark) and GoSS could have averted the failure of the New Deal Compact.”

Goals and the much more narrow nature of the fiscal goals that characterised the IMF staff monitored programme. The exchange rate harmonisation policy is a reform issue that could have been prioritised under Peacebuilding and Statebuilding Goal 5 [Revenue and Services], while allocating adequate time for an economy appraisal exercise and a sound implementation strategy that addresses macroeconomic stability as well as international competitiveness of the South Sudanese pound while softening the blow the policy would have on society.

Three lessons can be learned from these unfortunate events:

- i. The first and most important lesson is, that it is counterproductive for donors and international institutions to rework mutually agreed development targets reached with conflict affected and fragile states into conditions for economic agreements.
- ii. The second lesson is that enforcing an economic policy like currency devaluation in a fragile state like South Sudan must not be paced against internationally instituted timelines but approached with due consideration to the unique structural socio-economic fundamentals of South Sudan in order to minimise the immediate impact.
- iii. The third lesson is that as South Sudan did not have necessary policies that would solve the structural impediments that inhibit

the growth of the export sector, the economic foundation upon which the currency exchange rate harmonisation policy was to be implemented was insufficient, rendering the reform unworkable.

Summing up

In conclusion, the EU, World Bank and New Deal donors for South Sudan (UK, Netherlands and Denmark) and GoSS could have averted the failure of the New Deal Compact. They needed to recognise that the New Deal as a framework for aid effectiveness was formulated with the objective of establishing new partnerships between donor countries, fragile and conflict affected states, and civil society for the purpose of creating “country-led and country-owned transitions out of fragility.” The IMF as an institution is not bound by the principles and mechanisms governing the New Deal, which merits a clear separation of dialogue on proposed development targets towards the Peacebuilding and Statebuilding Goals from reform conditions imposed by international institutions.

Using proposed targets as conditions to force governments to sign economic partnership agreements is a major concern emerging from many African governments citing precedence from UK, USA and EU. Such practices deviate focus from addressing structural constraints such as insecurity, infrastructure, technology, capital, entrepreneurship, institutions and attitude that impede

the growth of the local production/ supply machinery as an option of influencing macroeconomic stability and international currency competitiveness as has been demonstrated in the case of South Sudan. Furthermore it detracts attention from the root causes of conflict and fragility, and even risks exacerbating these in an already volatile situation. Unfortunately, due to the ensuing crisis precipitated by the 15th of December events, the New Deal Compact is currently still on hold.

Notes

1. South Sudan NGO Forum, ‘*The New Deal implementation in South Sudan; Perspective Paper, Digest no.1*’, 23-09-2014.
2. RD 11: Discussion note: The New Deal in South Sudan: taking stock of progress, and supporting compact implementation going forward (for discussion) [Sixth meeting of the DAC International Network on Conflict and Fragility (INCAF) at Director Level New York].
3. ‘*Devaluation in South Sudan: Theoretical and policy confusion in Finding a working exchange rate policy*’, by: Garang Atem Ayiik, <http://www.southsudannation.com/devaluation-in-south-sudan-theoretical-and-policy-confusion-in-finding-a-working-exchange-rate-policy/>

Hafeez Wani is the National NGO focal point for the South Sudan NGO Forum.

“ Using proposed targets as conditions to force governments to sign economic partnership agreements is a major concern emerging from many African governments citing precedence from UK, USA and EU.”

Promoting governance and inclusive development

By Sarah Cliffe

Does peace-building fail without good governance and all-inclusive development? Yes – and no. It depends on your timeframe and whether you expect constant progress, or more of a pattern of “two steps forward, one step back”.



Let's take two cases (or one emblematic case and several contrasting countries). South Sudan went back to fighting last year – a national tragedy and an international concern after all the hope and attention given to the first new African state of the 21st century. Deteriorating governance and exclusion almost certainly played a fundamental role in this. Lack of ability to build a state that was seen to represent all ethnic groups, an administration packed with ex-fighters who – despite their individual commitment in many cases – had difficulty in adjusting to peacetime government, and increasing corruption, all contributed to the renewal of conflict.

Work done for the World Bank's World Development Report¹ on conflict, security and development found across countries that strengthening governance (improving bureaucratic quality, but also combating corruption and human rights abuses) diminishes risks of future conflict by 30-45%. It also found that successful post-conflict transitions – whether military victories or negotiated settlements – had emphasised inclusion of different groups.

Paths to improved governance and inclusion are neither linear nor short

Look at the path taken in some of the countries where political transitions have been managed peacefully and a renewal of conflict avoided - Argentina and Chile post military rule, Ethiopia, Indonesia in its post-Soeharto transition, Mozambique, Nepal, Rwanda, South Africa post-Apartheid, South Korea, and Timor-Leste post-independence. While some have much higher income levels and more developed institutions than others (and risks remain for those where governance and inclusion is still weak), all of these countries have consolidated peace and improved the welfare of their population since the end of conflict or authoritarian rule. Some gains are quite dramatic, in particular those coming from a very low base; Ethiopia and Nepal halved income poverty in 15 years; Rwanda reduced infant mortality by two thirds and Mozambique more than tripled primary enrolment; South Korea expanded GDP per capita more than tenfold in 30 years.

Yet the striking point about the actual experience of peacebuilding in these countries is that improvements in governance and inclusion were not linear or short. No country has gone from Somalia's to Denmark's level of governance and inclusion in a straight line or overnight. Rather they had messy transitions which managed the

“No country has gone from Somalia’s to Denmark’s level of governance and inclusion in a straight line or overnight.”

support of key groups - sometimes elites, sometimes political oppositions and ex-rebels, sometimes regional or ethnic groups, sometimes the emerging middle class - in ways that balanced political tensions with “inclusive enough” approaches. Not everyone benefitted at the same level and the same time, but enough groups benefitted over time to keep the transition on track and ensure increasingly more inclusive development outcomes.

These countries have all faced some setbacks and their governance indicators on different aspects have gone up and down. In the case of Timor Leste, the country had to request renewed international peace-keeping assistance in 2006 (in fact crises after independence for new states are not infrequent historically – the international community should perhaps be more prepared for that, and keep it in mind in situations like South Sudan). Mozambique, long seen as successful in peacebuilding, has faced serious challenges to the resilience of its post-war settlement in preparation for its upcoming elections. Setbacks, in other words, are normal.

The pace of change is also slower than we generally expect in the international community. Let’s look at some more real world illustrations of how reforms related to inclusion and good governance – here using elections and gender – have worked in South Africa post-Apartheid and Afghanistan.

How reforms worked in South Africa

South Africa is a country which still faces serious challenges, but where no one doubts that the post-Apartheid transition did an incredible job in averting high risks of escalating conflict, forming a strong national identity and a constitutional base for inclusive development and accountable institutions. Yet the parameters of that transition were far from some of the pressures we see on fragile situations today. First, the electoral timetable was slow: between 1991 and 1994, a series of participatory bodies brought together the Apartheid government, the African National Congress (ANC)-led tripartite coalition and civil society to build a shared understanding on the constitution and rules of the game, the key development challenges and the threats to a peaceful transition. Elections happened only after three years of this process – a much longer timetable than we have seen in recent times in international expectations on elections in Africa or the Middle East.

Second, South Africa had a long process of debating internally how its society saw inclusion, including gender rights. In the early 90s the National Women’s Coalition was established, across party lines and including the trade

unions and civil society, resulting in the development of a Women’s Charter. The Women’s Charter informed the Constitution and the Bill of Rights. The results were not pre-determined: there were strong currents of conservative tradition arguing against gender inclusion, and controversy over women’s rights to control their reproductive health amongst other issues. International interventions played very little role. Yet – and perhaps not disconnected to the reliance on internal advocacy rather than external pressure – the ultimate outcome was one of the most equitable constitutions in the world in its dispensations against discrimination on the basis of gender or sexual orientation.

How reforms worked in Afghanistan

Another example, this time relating more to the interaction of internal and external dynamics: Afghanistan. The power-sharing agreement following the recent election is too early to judge, and it is hoped to succeed. But at the very least the process has shown the fragility of over-reliance on electoral processes as the unique mechanism for political inclusion, in the absence of a range of institutions to guarantee their credibility and acceptance.

We can also learn from the longer-term efforts to increase inclusion in Afghanistan, such as on gender. The National Solidarity Programme, one of the most successful internationally supported programmes in Afghanistan, has included provisions on representation of women in decision-making since its inception. The results are actually surprisingly positive: in a rigorous 2010 study, poor village communities saw women as significantly better respected after they received the programme. Yet the gain was also fairly small – an increase from 30% to 40% of male community members who changed their views over three years. In other words, it is possible to move social norms on inclusion with internal leadership and sensitive external support, but it is not quick.

Such slow shifts often cause impatience in the international community – why can things not change more quickly?

Governance changes slowly

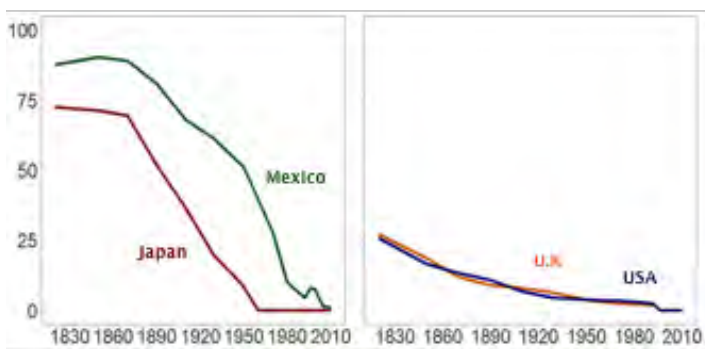
In part we ask this question because we forget our own history. There is no question that the OECD countries have made great gains in governance and inclusion of the poorest but the progress was perhaps not as fast as we think. Overleaf are two graphs showing poverty reduction in the US and the UK, Japan and Mexico at the level of US\$1.25 a day (the classic measure of extreme poverty used in development). The UK and US really took well

“It is possible to move social norms on inclusion with internal leadership and sensitive external support, but it is not quick.”

Competing views of inclusion and governance underpin much of the turmoil now underway.

over a century to address the welfare of their extreme poor while Japan and Mexico were much quicker but still took several decades and problems, of course, still remain. While most OECD countries made remarkable gains in inclusion between social classes in the 20th century, inequality has subsequently risen. Relations between ethnic or regional identity groups remain challenging in many areas, as anti-immigrant sentiment, or the surprisingly strong support for independence in Scotland and elsewhere, have shown.

Inclusive development in OECD countries



Source: Brookings 2014 drawn from World Bank Povcalnet; Bourguignon and Morrisson (2002).

Slow development historically is not of course an argument that inclusion and governance improvements need to move so slowly today. Trajectories sped up in the late 20th century – work by Pritchett and De Weijer for the World Development Report² shows that this was between 20-40 years on key indicators, with the fastest transitions in 10-15 years. And there are several more recent developments that can accelerate this further:

- a better consensus on objectives - the importance of political inclusion, security, justice and jobs, reflected in the g7+ state and peace-building goals and under debate in the post-2015 framework;
- stronger instruments to support inclusive political settlements – regional approaches as we saw recently in the Great Lakes Framework Agreement, more comprehensive inputs to mediation, reforms underway in peace-keeping and the advances that have been achieved through AU leadership and EU support in African peace-keeping; hybrid international commitment mechanisms such as the ASEAN-EU Aceh Monitoring Mission;
- better knowledge of what works in locally-adapted aid delivery: respecting national ownership; supporting interactive approaches that address local problems; adopting longer-term commitments, joining up political-security-development approaches and engaging the private sector. Aid programmes in fragile states in organisations such as the World Bank are now delivering as good or better outcomes as programmes in non-fragile states;

- new technologies, with all the potential they bring to leapfrog institutional and data problems in expressing citizen demands, poverty targeting and empowering citizens groups for electoral, violence and corruption monitoring;
- beyond-aid mechanisms which diminish external pressures on fragile states – cooperation on trafficking, tax evasion, money laundering – which could be strongly pushed forward in the post-2015 agenda.

Do we consistently apply these approaches at present? - no, clearly not. These measures often involve addressing difficult issues at home for aid agencies, including human rights and corruption risk management, tensions between short-term and long-term counter-terrorism agendas, and inter-agency cooperation. But now, as we think about the post-2015 agenda and the urgency of addressing the conflict-affected situations where poverty is increasingly concentrated, it is crucial that we apply what we know and continue to learn.

Sustaining hope

Let me end with some reflections on one of the greatest current challenges to the idea that it is possible to promote good governance and inclusion as part of peacebuilding processes: the depressing news coming daily from the Middle East. The gravity of this challenge is indisputable. So how to maintain a sense of hope?

First, we have to remember how quickly the political environment can change. It seems crazy to even think about good governance and inclusion amidst the brutality occurring in Syria or Iraq today. Yet the region has gone from great hope to (in large part) despair in three short years since the Arab Spring of 2011 – it will have other opportunities for turnaround in the next 15.

Second, competing views of inclusion and governance underpin much of the turmoil now underway. Change within the region, in what is considered acceptable in relation to governance and inclusion, will be fundamental to moving away from crisis. This is not impossible - look at the sea change made in regional norms and approaches in Latin America and Africa over 20 years.

Governance and inclusion face periodic setbacks at global and regional level, just as they do nationally. But these issues are not going away – their absence is central to why we face underdevelopment, conflict and violent extremism today, and new approaches to promote them will be equally central to overcoming these challenges.

Notes

1. The World Bank. 2011. *World Development Report 2011: Conflict, Security, and Development*. The World Bank: Washington DC.
2. Pritchett, L., and de Weijer, F. 2010. *Fragile States: Stuck in a Capability Trap? World Development Report 2011. Background Paper*. The World Bank.

Sarah Cliffe is Special Adviser at The World Bank, former Assistant Secretary General at the United Nations and Director of the World Development Report on Conflict, Security and Development.



Development with Chinese characteristics: Ten lessons for policymakers

By Seth Kaplan

Is the 21st century already the Chinese Century? Countries all over the developing world, from Ethiopia and Rwanda to Kazakhstan and Bolivia, are increasingly looking to China as a model for how to launch, sustain, and manage rapid economic growth. Top officials visit China on study trips. National planning bodies issue ambitious documents modelled on China's experience.

Too often, however, China's development model is misinterpreted or oversimplified as amounting to little more than strong leadership atop a highly centralised and economically interventionist state.

There is more to the lessons that China's rise holds for the developing world than that, however. Given the myriad problems that the Western development model has run into in so many countries, having one that differs from it can be useful: despite decades of aid and advice premised on this model, too few developing countries have been able to transform and modernise their economies.

China has prioritised knowledge infrastructure in ways that go well beyond basic schooling.

Chinese lessons

There is no one document that lays out the Chinese model; replicating it requires some reverse engineering. When Deng Xiaoping launched his post-Mao reforms in 1978, he was looking to fast-growing neighbours such as South Korea and Taiwan and hoping that his own country could make similar gains. As China's reforms set off unprecedented economic growth, a number of key principles emerged - some by design, some by accident.

1. Start with small farmers and rural areas

Partly because of worries about an impending food crisis, China started by breaking up collective farms and empowering small-scale farmers. Yields soared. But China did not simply “unleash” agricultural markets. Instead, the state remained in control of prices (increasing them to spur effort), the distribution system, and the supply of fertiliser. Only in the 1990s did more widespread market liberalisation reach the farm sector.

Early on, reconfigured incentives cut the rural poverty rate dramatically, tumbling it from 76% to 23% in just the five years ending in 1985. Higher incomes and productivity fed demand for new products, hiked savings and investment, and enabled rural folk to take up factory work.

Rural industry took off. Benefiting from local officials' help, township and village enterprises became the most dynamic part of the Chinese economy in the 1980s and 1990s. Today, leading firms such as the Hope Group (agribusiness), Huanyuan (air conditioners), and Chery (cars) are based in areas that are still mostly rural. And whereas 95% of Chinese villages have roads, electricity, running water, natural gas, and phone lines (compared with fewer than 50% of villages in India), many developing countries have ignored their rural areas, chronically underinvesting in agriculture and rural infrastructure.

2. Invest heavily in knowledge infrastructure

With 80% illiteracy as recently as 1949, China now has a well-educated workforce replete with skilled specialists. More than a quarter of college-age Chinese are now enrolled in higher education.

Some of the key gains - especially at the primary and secondary levels - came before the reform era. China emphasised health and education from the 1950s on, achieving human-development levels comparable to those of richer countries by the late 1970s and accidentally equipping its people to take advantage of the reform era's opportunities.

China has prioritised knowledge infrastructure in ways that go well beyond basic schooling. It has set up advanced research centres that have helped it to learn foreign technologies, build the world's fastest supercomputer, send astronauts into space, and develop its own satellite-navigation system.

3. Prioritise cohesion

China's polity is authoritarian, but many of its leaders accept more *de facto* accountability than do top officials in some developing countries that hold regular elections while ignoring accountability during the intervals between them.

China possesses ethnic homogeneity and a long history as a unified state. The feeling of nationhood that results has imbued leaders with a sense (again, more *de facto* than institutionalised) that their compatriots can make them answer. This sets China apart from so many developing countries with colonial-era borders and no strong sense of national identity to contain ethnic, clan, or sectarian loyalties.

In effect, China's leaders stake their legitimacy on results rather than votes. Communist ideology has waned, and the ruling Party promotes officials who produce growth and rising incomes.

As China's economy has become more sophisticated, however, informal accountability has proven less effective. The Party's tight grip leaves the country less prepared for the myriad challenges it faces today as a middle-income country. The legal system, for instance, only imposes accountability on Chinese Communist Party (CCP) officials when those above them in the pecking order feel the need to push for it.

While many developing countries begin from a different starting point, the Chinese experience makes clear that social cohesion and an organic sense of elite accountability are critical - though the latter may prove inadequate at higher levels of development.

4. Build a competent government committed to inclusive development

Three features of the Chinese state explain why China - following its own script - has outperformed almost all other developing countries:

6 While many developing countries begin from a different starting point, the Chinese experience makes clear that social cohesion and an organic sense of elite accountability are critical.

1. China has far greater state capacity than any other developing country.
2. China is by developing-world standards unusually inclusive in key ways. Economic growth has sown fairly widespread benefits, and nearly every child gets basic schooling while nearly every village enjoys paved roads and electricity.
3. The state is “all in” when it comes to development, framing aggressive policies to promote growth, investment, exports, technology, and human-capital formation.

In many developing countries, the state - corrupt, inept, slow, mercurial - is the biggest barrier to national development. China's government has its problems (some serious), but it is nothing like that.

5. Pave the road to riches - literally

Much to the joy of investors and its own bottom line, China spends tons of money on roads, ports, railways, electricity, telecom networks, and airports.

Like the 1950s US with its interstate highways, China knows that world-class transport and export facilities are crucial. Modern infrastructure has cut the costs of doing business and helped China's huge and well-trained yet cheap workforce to make the country the world's workshop with 2010 exports worth more than US\$1.5 trillion. Investments in electricity, running water, and phones have also reduced inequality.

6. Test before rollout

Unlike many developing-world states that decree changes wholesale (or let themselves be pushed into doing so), China is more tentative. Its officials favour experiments, trial-and-error, local pilot programs, and evidence to test and build support for new policies.

Instead of introducing market prices across the board, China used a dual-pricing system that unleashed incentives but limited disruptions. As production grew, so did marketisation. The dramatic reform of state-owned enterprises proceeded with similar caution.

7. Focus on gradually reworking incentives and removing obstacles to growth

Enormous economic advances occurred even though - and maybe because - institutional reforms were put off. China used a gradualist approach to rework incentives and remove obstacles by changing policies just enough to unleash pent-up energy and stir progress. Institutional weaknesses, government malfeasance, a lack of democracy, and even gross market distortions have mattered much less than Western theories say they should have because at every level, firms, workers, families, and farmers have found their initiative rewarded.

8. Use financial markets to promote development and stability

Instead of assuming that Western-style, unattended financial markets, accompanied by a stable macroeconomic and legal framework, would be best, China has intervened repeatedly to ensure that financial markets promote development and stability.

Beijing views unconstrained financial markets with suspicion and wants them to serve policy needs. It has emphasised the role of banks and a postal savings system, and limits financial market competition. By reducing risk and increasing convenience for small and rural depositors, the state has stimulated one of the world's highest savings rates (40% for the average household). Such saving fuels one of the world's highest investment rates.

The country has also tightly managed its capital controls and currency value. There are no wild cross-border currency flows such as those that caused the Asian financial crisis of 1997. Export competitiveness is protected.

9. Use policy to up competitiveness

While most Western economic thinking lauds liberalised markets, China practices strategic protectionism and a version of “industrial policy”.

6 More than anything else, post-Mao China has been pragmatic, unafraid to follow results and to mix and match ideas from multiple sources.

Beijing favours certain sectors and companies deemed important to its economy and its mastery of key technologies. It uses regulation to limit foreign influence at times, even when promoting foreign investment in special economic zones and particular sectors.

Like many before it, China has recognised that the dynamic process of advancing economic development and industrial diversification requires substantial state involvement. Private firms sometimes lack the scale or incentive to overcome many externalities; in these cases, greater intervention is needed than Western policies typically prescribe.

“China used a gradualist approach to rework incentives and remove obstacles by changing policies just enough to unleash pent-up energy and stir progress.”

10. Promote self-reliance

China sees reform as the door to self-reliance. In contrast, most developing countries have adopted policies - often under Western influence - that undermine their ability to engage the world on their own terms.

Instead of deploying the *laissez-faire* policies, China dictates the terms on which foreign companies can access key markets, aggressively acquires (and even steals) new technology, and grooms firms to compete internationally. It maintains a large government workforce and favours wealth creation (and exports) over poverty reduction (the typical focus of foreign aid).

With the right know-how, home-grown corporations, and a capable state, China sees globalisation as a game it can win. Trade builds up its companies, benefits the great majority of its citizens, and enhances its international position.

Be pragmatic and flexible

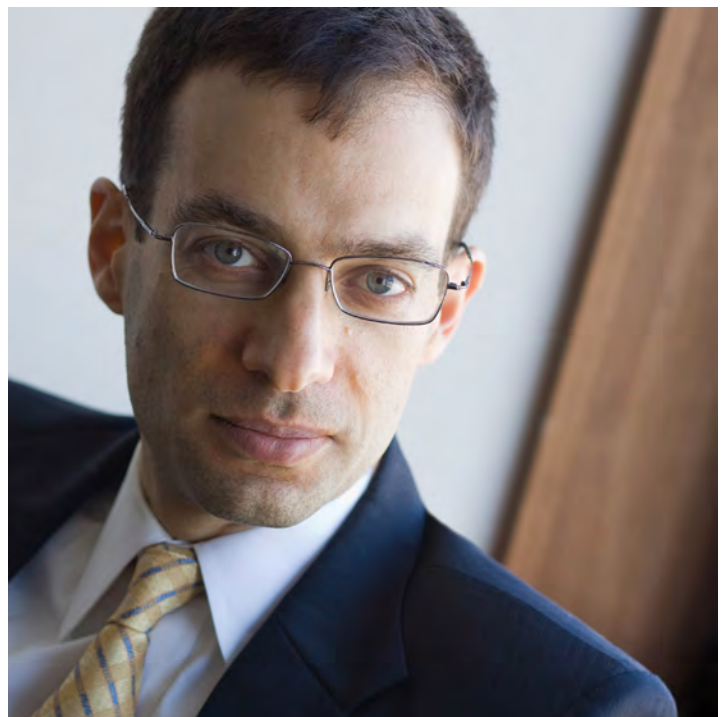
There is no single model of development. Every country has unique assets and challenges. Building on what works is far more likely to succeed than trying to import any particular model from overseas.

To distil the essentials: developing countries need leaders who can leverage a certain degree of cohesion, develop a reasonably competent government, and roll intelligently with local and national circumstances.

Deng Xiaoping famously said, “It doesn’t matter whether it is a white cat or a black cat, a cat that catches mice is a good cat.”¹ More than anything else, post-Mao China has been pragmatic, unafraid to follow results and to mix and match ideas from multiple sources. This lesson, more than any stock recipe for “reverse engineering” the Chinese *Wirtschaftswunder*,² might be the best one for developing countries to draw.

Notes

1. See http://en.wikipedia.org/wiki/Deng_Xiaoping
2. Translates from German as “economic miracle”, see <http://en.wikipedia.org/wiki/Wirtschaftswunder>



Seth D. Kaplan is a Professorial Lecturer in the Paul H. Nitze School of Advanced International Studies (SAIS) at Johns Hopkins University, Senior Adviser for the Institute for Integrated Transitions (IFIT), and consultant to organisations working on governance, state building, and poverty reduction.



The role of justice in peacebuilding: Lessons from transitional justice

By Dr. Laura Davis

Transitional justice initiatives are often undertaken in societies emerging from violent conflict and/or authoritarian rule. “Transitional justice” refers to a set of judicial and non-judicial approaches that societies may use to deal with the legacy of massive and systematic human rights violations, to contribute to fairer, more democratic societies in which human rights are respected and protected.

There is no blueprint for whether, when or how a society deals with the past, but the most common transitional justice mechanisms include: prosecutions through domestic courts, internationalised or hybrid tribunals, or the International Criminal Court (ICC); truth-seeking; reparations for victims; and the reform of public institutions, particularly in the justice and security sectors.

After violent conflict, demand for justice may be high but the ability of state institutions to deliver is often low. The justice system may be weak or absent, or the justice and security

services may be repressive and part of the conflict and not trusted by (part of) the population. Transitional justice may contribute to strengthening the legitimacy of public institutions – particularly in the justice and security sectors. It can therefore be seen as an important part of peace- and state-building.

Although usually framed as a way to deal with the past, transitional justice is often intended to contribute to social and political change and to developing legitimate institutions. However, these initiatives may also be (mis)used to legitimise a current

regime and to whitewash the past. They may destabilise a fragile security situation, or detract from longer-term state- and institution-building projects. Transitional justice is not a ‘technical’ undertaking: it is highly complex, sensitive and political. Understanding the multiple political – and politicised – objectives of transitional justice initiatives is therefore critical for all actors involved in the process. There is no single model – experience shows that successful initiatives draw on international experience adapted to the context, taking into account local needs, opportunities and constraints (including funding).

“Transitional justice is not a ‘technical’ undertaking: it is highly complex, sensitive and political. Understanding the multiple political – and politicised – objectives of transitional justice initiatives is critical for all actors involved in the process.”

Consultation

Transitional justice initiatives are often designed and set up quickly. Public participation and consultation over the aims, scope, mandate and design of initiatives are nonetheless critical for public buy-in, credibility and legitimacy. Particular efforts may be necessary to ensure that the perspectives and needs of marginalised groups are taken into account. Processes that fail to address the different experiences of women and men and of particular population groups risk reinforcing rather than reducing structural violence, and may contribute to further division or violence in the future.

Public participation and engaging victims in the design and implementation of transitional justice initiatives may, in itself, directly contribute to empowering citizens – recognising that victims are full citizens, and that women and girls, for example, are full members of society.

Transitional justice mechanisms

Experience suggests that the transitional justice mechanisms are more effective together, as part of a holistic approach, than apart.

After conflict, there is often a high demand for perpetrators to be prosecuted by the national authorities, the ICC or an internationalised tribunal. Prosecution through the *national courts* is believed to be the most effective as trials are more closely connected to the victims and society than when the court is internationalised. There may, however, be significant challenges to domestic prosecutions: the justice system may be weak or widely held as illegitimate, there may be an ongoing conflict and/or links with organised crime. Innovative methods may address specific problems: mobile courts bring the justice system to areas lacking justice infrastructure in DR Congo,

and the Rwandan *gacaca*¹ trials, for example, attempted to address the gap between demand for justice and the ability of the justice system to deliver. Some of these challenges may be (partially) overcome with donor support to justice sector reform, technical assistance and international political support.

If the state is unwilling or unable to prosecute, the International Criminal Court may intervene, alongside (not instead of) domestic prosecutions. In each situation, the Court can only prosecute a handful of suspects. As many people may be responsible for systematic abuse, this leads to an ‘impunity gap’. Its distance from the national setting, and international nature may also be seen as foreign justice. In some countries, *internationalised tribunals*, *mixed or hybrid courts* have been established, but due to their cost and the existence of the ICC, these models are increasingly rare.

Truth-seeking

Even with trials underway, broader questions may remain about the role of state institutions in abuse or the social conditions that enabled human rights violations. Truth-seeking endeavours – such as *truth commissions* – attempt to address these, and other questions. For some, truth commissions may be seen as an alternative to criminal justice. Where the justice system is dysfunctional, a truth commission may be the only feasible form of accountability, for now at least.

There are many forms of truth commission, but in general they are official, temporary bodies that investigate patterns of abuse in the past by engaging directly with victims and/or the population more broadly. Early truth commissions investigated what happened and why (Argentina, El Salvador, Uganda) while some later commissions also emphasised reconciliation (South Africa, Timor-

Leste). Some had a greater focus on perpetrators (Ghana, Liberia, South Africa) and others investigated deeper societal factors such as racism and economic discrimination (Peru, Guatemala). Some commissions provided support to prosecutions (Peru) and others have emphasised reparations (Morocco).

Truth commissions face some common challenges. Well-functioning commissions generally have official and public support, trust and buy-in for their work, which is difficult and politically sensitive. Their composition often reflects the societies they serve and the context – past and present - in which they operate. They are usually established with a short timeframe during political transitions. Careful preparation of the commission is therefore critical, as it may have to balance high public expectations with constraints due to its mandate and resources. Broad consultation of at least victims’ groups on the mandate of the commission is generally seen as important. The mandate will address sensitive issues such as the scope, powers and objectives of the commission. A poorly designed or composed truth commission can do harm: in DR Congo, a truth commission was created without consultation in which all the belligerent groups were represented, with no scrutiny of the personal record of the commissioners. It lacked credibility and did not hear a single case – and set a bad precedent for future truth-seeking. In Kenya, the commission lost valuable time and credibility over the controversy surrounding the appointment of the chair.

Reparations

Reparations programmes for victims help repair the material and moral damages of past abuse, typically through a mix of *material and symbolic benefits*. Reparations also represent public acknowledgment of the wrongs committed against individuals, and

affirm the victims' rights to redress. Examples include pensions for certain victims of the Pinochet regime in Chile, accompanied by an apology by the president, and an apology by the Sierra Leonean president to the women victims of the conflict.

Designing and implementing reparations programmes may be very sensitive, highly complex and challenging. Defining who is and is not a victim of repression or conflict may re-victimise certain victims and increase tension between communities or groups in society. Broad consultation on the design of reparations programmes may help avoid this. The extent to which reparations are gender-sensitive may have a lasting impact on women victims and society more broadly. In Morocco, for example, women are entitled to compensation through the reparations programme, which supplements compensation to take into account the particular abuse women suffered.

Symbolic reparations may lead to frustration and resentment, particularly when communities that have suffered abuse continue to suffer the effects of extreme poverty and the lack of public services and economic development. Financing reparations programmes is a particular challenge in developing countries, and may be a low priority for national governments (e.g. South Africa) and international donors (e.g. Liberia).

Institutional reform

Prosecutions may remove individuals from public life, but *systemic institutional reform* is necessary for longer-term change and the non-repetition of abuse. It may also be a precondition for other transitional justice approaches, removing spoilers within key public institutions that may be able to block justice initiatives. Vetting – the identification and removal from public office of individuals responsible for abuse, particularly within the security and justice systems – can contribute to broader reform designed to increase the credibility and legitimacy of institutions. In El Salvador, the armed forces and police service were vetted and some limited mechanisms to increase judicial

accountability were created. In Bosnia-Herzegovina vetting focused on the police and judiciary. Vetting may also be closely connected to symbolic reparations, such as public apologies issued on behalf of institutions for previous abuse, or changing the names and insignia of security services (Northern Ireland, former Yugoslavia).

Other approaches

In Sub-Saharan Africa, there is increasing use of so-called '*traditional*' approaches to transitional justice, often in addition to more formal, 'international' or 'Western' initiatives and may complement and come into tension with them. These vary in objective and form as they draw on and adapt traditional practices. Some become part of the official justice system, others remain more non-governmental. In Rwanda, *gacaca* courts try some categories of genocide perpetrators. In Uganda, the relationship between the *mato oput*² rites and other transitional justice initiatives is complex. The *bashingantahe*³ are part of the transitional process in Burundi.

Civil society organisations and human rights groups may play an important role in the design and implementation of transitional justice initiatives. They may also have specific roles, as human rights monitors (e.g. Afghan Independent Human Rights Commission), in unofficial truth-seeking, and in collecting and documenting evidence of abuse for future endeavours (e.g. Brazil, Northern Ireland, Uruguay, former Yugoslavia).

Transitional justice in context

Transitional justice initiatives are highly sensitive and political. Poorly designed initiatives may reinforce structural violence in a society, or serve only to legitimise the current regime. Despite the short timeframe within which transitional justice is usually undertaken, broad public consultation is key for truly addressing the past. Engaging meaningfully with traditionally marginalised groups is particularly important. Initiatives 'owned' by an elite, rather than the broader public, are less likely to credibly contribute to peacebuilding.

The ways in which international actors can usefully engage in transitional justice measures is highly dependent on the context. Understanding the objectives of transitional justice initiatives, the context and the roles and perceptions of different international actors in the preceding conflict and in peacebuilding should therefore shape international involvement. In most places, effective international assistance will be to support inclusive, national processes politically, financially and with appropriate technical assistance. Where transitional justice initiatives are fundamentally flawed or not undertaken in good faith, international actors supportive of justice and peacebuilding agendas should keep their distance.

Notes

1. See http://en.wikipedia.org/wiki/Gacaca_court
2. *Mato oput* is the ritual climax of an Acholi justice process for bringing reconciliation in the wake of a homicide within the community.
3. See <http://fr.wikipedia.org/wiki/Bashingantahe>



Dr. Laura Davis writes and consults on transitional justice issues, particularly during peace-making and peacebuilding processes. She is also an associate researcher at the University of Ghent, Belgium.



Rule of Law is a Game of Thrones

By Sheelagh Stewart

Having had Cinderella status for many years, justice and security – or rule of law programming - is having a development ‘moment’. It is seen now as at least a critical part of a holistic development package, at most possibly the most critical piece of the development package. At the same time, evidence is emerging which suggests that rule of law interventions are mostly not working. Our understanding of what makes an effective intervention urgently needs sharpening before the rule of law is abandoned.

Rule of law interventions – particularly those that involve the whole system, both informal and formal - have the potential to significantly shift the institutionalised terms on which the state engages with its citizens. This matters, particularly in fragile states where the failure to rebuild the confidence of alienated constituencies (or as in Sudan where new policies created newly alienated groups) consistently foils attempts to rebuild peaceful societies. The Maliki Government’s failure to establish a state which had something to offer Sunni Muslims is a major contributor to the current crisis in Iraq.

This article interrogates our current understanding and suggests an approach to increased rule of law programming effectiveness.

We agree that the rule of law is political, but not on what this means

There is wide agreement on the need to approach rule of law as “political”. In fact it would be difficult to find anyone who admitted that they approached this or any other development issue technically. Yet, there is no agreement on what this means, or what it looks like on the ground.

Our first task therefore is to get some joint understanding of what ‘a political approach means’ in theory, and our second to understand what this means in practice.¹ Such an understanding provides a framework for rule of law programming that will be more effective.

To get to this joint understanding we need to go back to basics, and this means going back to North’s definition of institutions as ‘*the rules of the game*’.² Our understanding of what this means is sharpened when we understand that the rules of the game are deeply infused with power. Playing the game is like a Game of Thrones. Laws, practices and constitutional processes are artifacts of the way the game is played.

“When you play the game of thrones – you win – or you die”

As Circe Lannister suggests in the Game of Thrones, the stakes are high. They determine which groups are powerful and rich, which powerless and poor, and, sometimes who lives and who dies. The way in which the deal is framed can easily form the basis for future conflict. As Frances Stewart has shown, “Where ethnic [or religious, or caste]

6 The failure to rebuild the confidence of alienated constituencies consistently foils attempts to rebuild peaceful societies. 9

identities coincide with economic or social ones ... instability of one sort or another is likely”.³ It is tempting to note that the stakes are higher in poorer countries, but a cursory glance at our own governments shows that the stakes are very high wherever the game is played.

In contexts where there is an established peace, the mechanisms for managing the game contribute to a system of rule of law. Such a system of rule of law exists i) when the playing field is more-or-less level; ii) when all players have an opportunity to defend themselves against unfair practice, and iii) where players can use the legal system to change the rules of the game.⁴

The rule of law as a game of thrones

Peace negotiations and constitutional assemblies set out the rules of the game. These are *recorded, interpreted, enforced and reinforced* within the justice system. The use of and state monopoly over force are legitimised within the justice system. As such, the justice system is both critical to and a critical symbol of national systems of governance which determine who accesses power and resources. The justice system can also be a powerful tool for enforcing discrimination. This tends to happen in two ways – either the less-powerful are consistently targeted through the justice system, or they are excluded from accessing justice to manage livelihoods of physical security issues. In short, the use or abuse of the justice system is an important element in governance.

Systems that beget constituencies – particularly those defined by ethnicity, caste or race – which invariably lose and lose-out and which have no recourse or no chance of changing this outcome within the rules, are most usually the systems which erode trust and generate conflict. Systems of peaceful contestation result when different (ethnic, religious, caste) groups trust the justice system sufficiently to use legal means to negotiate, and choose to not resort to violence. Importantly, they do not have to trust the entire system, or all of the players, for this to work.⁵

What does this mean in practice?

As Frances Stewart argued, the legal system is a distinct arena for the institutionalised reflection and reproduction of inequality. Issues of power and inequality thus need to be an integral component of rule of law programming. This means that rule of law cannot be approached as separate from a wider change process, but needs to be part of rethinking the social contract, which implies most importantly the incorporation into the rules of the game: i) a reduction of structural inequalities; ii) systems which enable challenge to inequalities as they arise in the future. The

Somali Compact, which highlights the justice and security system as a key area for delivery of the compact, is a good example of contextualising rule of law as a critical part of wider reforms.⁶

Governments need to make changes to institutionalised inequality – but they also need to be seen to be making change. While it is true that change in the rules of the game happens slowly, it is simply untenable to programme in a way that reflects the ‘it is going to take 25 years to make realistic change’ truism. No population that has suffered extreme abuse, and fought a long hard conflict will wait 25 years. The window for change is short – between 3-5 years - and the reform process long. In South Sudan confidence started to erode very early – within a year. Rule of law programming needs to accommodate this reality. This means that rule of law programming needs to include some areas that deliver fast. This is not easy, as there are few “low hanging fruit” because patterns of inequality are embedded deep with institutions and practices.

The key focus therefore needs to be on those obvious artefacts of inequality which can be changed quickly and then build the programme around changing these in the very short term, backed with longer term work to institutionalise changes. The critical word here is “obvious” – things which can be seen – or brought quickly to the attention of the whole population.⁷ Communication of a different intent, release of political prisoners and reform of laws, statements of a new and different intent, matter hugely. Other key early actions might include registration of weapons with a view to later disarmament, and changes of law and practice for groups against whom there has been consistent legalised discrimination. Donors need to consider supporting the publicising of these measures.

Programming for Rule of Law

The focus of programming around the rule of law should therefore be on those issues that generate distrust in governance. What programming for a power and inequality sensitive approach to Rule of Law Programming will look like can only be determined in a specific context. Such analysis needs to go further than a focus on the formal system and its laws, and include the whole of the justice system. The specifics will vary according to context, and will need to be assessed with the local partners. Yet, a number of themes are worth special mention.

1. Safety and security are key

People rely on justice system actors to keep them physically safe and provide the conditions within which they can go about normal life. Ordinary activities which form the fabric of survival (planting crops, going to work, going to the doctor, going to school, fetching

water) depend on physical and personal security. When people are unsafe, they are poorer and more risk averse and development suffers. When people are unsafe because their religious, ethnic or caste identity groups are targeted (often with sexual violence) or refused assistance by the state, then trust in the state is eroded and they look beyond the state for help. Looking elsewhere often sows the seeds of conflict. Insurgency groups (e.g. the Taliban, Hamas) often provide at least 'rough' justice which is perceived to be fairer than the state.

Women's safety matters hugely here, not necessarily because parties to conflict share the view that women's rights are human rights, but because the ability to protect women is closely associated with masculinity and honour and is therefore deliberately used as a tactic of war. Making sure – as DFID has recently done⁸ – that women are in the front and centre of thinking about safety and how to deliver it matters hugely.

2. Understanding access to justice is crucial

Access to justice has become a catch phrase in much rule of law work. As such it can lead to a variety of unevidenced and weak interventions. When people cannot access justice they cannot deal with land disputes, theft, licensing and other issues which can threaten their livelihoods. Again some groups may be excluded from basic legal provision as a function of discrimination. In mainstream development we often overlook the way in which group and personal prejudices about gender, ethnicity, caste, religion etc. infuse the approaches of neutral or "independent" formal and informal officers of the law. These prejudices contribute to a dangerous distrust in legal ways of solving problems. The way in which prejudice works its way into legal practice and process, needs to be better understood.

It is important to determine why groups lack access before embarking on specific programmes such as legal aid, or barefoot lawyers or mobile courts – all of which work in some contexts and not others.

3. Addressing exclusion

Rule of law interventions therefore need to have a plan for delivering consistent and fairer justice in areas where it is absent – either because the state has ignored certain areas or groups or because it has deliberately discriminated against them. Exclusion, which is a function of discrimination, usually needs to be dealt with first because of its close connection to potential or existing conflict. The connection of the exclusion of people beyond the Kathmandu Valley to the Maoist conflict is well-evidenced.

4. Redress for past crimes

Post-conflict, acknowledgment and redress of human rights abuse plays a role in whether societies can move forward. Transitional justice, which initially provides external support for dealing with past crimes and then (through the complementary agenda) supports countries own capacity to deal with past abuse sustainably, is often key to building a platform for peace.

Summing up, the key to more effective programming therefore is i) to understand that the law sets the rules which determine who wins and who loses in a given context; ii) that issues of power and inequality need to be addressed if a fair system of rule of law is to be obtained. It is thus necessary to identify the key issues that undermine trust and confidence in the justice system, and work these into a programme that combine quick visible and symbolic results with longer term work to address the institutionalisation of inequality and other forms of exclusion.

“The justice system can also be a powerful tool for enforcing discrimination.”

Notes

1. There is a great deal of evidence, based on bilateral and NGO programming in Africa and South Asia over at least the last 30 plus years. I strongly recommend that this evidence be consolidated, in order to strengthen understanding further.
2. North, D.C. 1990. *Institutions, Institutional Change and Economic Performance*. Cambridge University Press. UK.
3. Stewart, F. 2002. Horizontal Inequalities: A Neglected Dimension of Development. QEH Working Paper Series – QEHWPS81.
4. More technically, "rule of law" means that everyone is equal before the law and no-one regardless of position, race, ethnicity, gender, religion, caste, sexuality etc. is above the law.
5. The recent Scottish referendum is interesting in this regard. It is clear that many Scots trust neither politicians nor the way in which the game provides for the future of Scotland. The turnout at the polls (an almost unprecedented 80% or above), however, suggests that they trusted aspects of the game enough to vote.
6. All too often, the critical junctures (e.g. peace processes) which follow crisis are seen by international partners as a moment to disengage, cut expenses etc. International partners need to understand that these processes are just the beginning. Funding needs to reflect the needs – not be cut the day the agreements are signed. Programming approaches cannot return to "normal" either. The political order needs to be approached by donors as contested with the careful practice around "doing no harm" that this implies.
7. In Zimbabwe and South Africa, the immediate removal post apartheid of "Whites Only" signs, release of political prisoners and the abolition of racist laws and the stated intention of the government, created immediate confidence – and therefore a preparedness to wait for reforms which were going to take longer. In Zimbabwe, the longer term work of land reform which was a critical underpinning of the racist polity remains incomplete, with clear consequences.
8. HM Government. 2014. *A Call to End Violence against Women and Girls: Action Plan 2014*. March 2014.

Sheelagh Stewart is a Governance, Rule of Law and Gender Consultant with over 25 years experience in the UK civil service and the UN. Sheelagh works as an independent consultant and as a senior Research Associate at the Overseas Development Institute (ODI).

Fostering private sector development in fragile states: Why public private dialogue is part of the recipe

By Steve Utterwulghe

Private sector development in fragile states

Private sector development (PSD) is playing a crucial role in the expanding field of post-conflict economic development and poverty alleviation strategies in fragile states. However, fragile states face major private sector challenges such as difficult access to finance, power and markets, poor infrastructure, high levels of corruption and a lack of transparency in the regulatory environment.

Paul Collier, among others, has studied the correlation between conflict, stagnation and poverty, defining the vicious cycle that affects fragile states and post-conflict countries as the conflict trap.¹ Fragility will impede economic development and, according to the World Bank's *World Development Report 2011: Conflict, Security, and Development*, lack of economic opportunities and high unemployment are key sources of fragility. The private sector has nevertheless shown resilience in the face of

conflict and fragility, operating at the informal level and delivering services that are traditionally the mandate of public institutions, as is the case in Somalia. However, in post-conflict situations, PSD can have predatory aspects, thriving on the institutional and regulatory vacuum that prevails.² Pro-poor and growth strategies need to focus on strengthening the positive aspects of PSD – the private sector being the creator of 90% of jobs worldwide – while tackling its negative aspects.

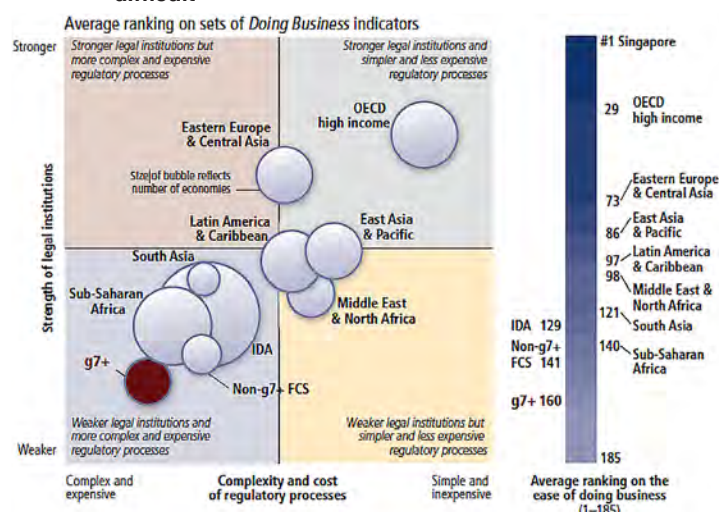
Improving the investment climate

Investment climate interventions, such as those implemented by the World Bank Group and other development donor agencies, aim at improving the economy as a whole in order to boost local and foreign investment, and eventually stimulate growth and generate employment.



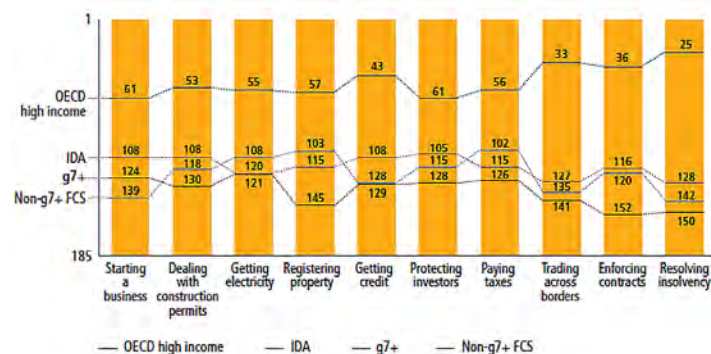
As mentioned, post-conflict business environments are characterised by informality, predatory behaviours, and stifling, obsolete or absent business regulations, which discourage potential investors. The most common areas which require legal and regulatory reforms that affect the life of a business and can boost the investment climate include: starting a business, dealing with construction permits, getting electricity, registering property, getting credit, protecting investors, paying taxes, trading across borders, enforcing contracts, resolving insolvency and employing workers (Figure 1).³

Figure 1: Doing business in g7+ economies and fragile and conflict-affected states (FCS) is comparatively more difficult⁴



Most fragile states and post-conflict economies, the majority found in sub-Saharan Africa, lie at the bottom of the World Bank's Doing Business ranking (Figure 2). Improving the business environment by easing the way of doing business will bolster formal private sector activities as well as state authority and service delivery. Indeed, increased economic activity and sustainable investment will boost the state's revenue through taxation and enhance its credibility vis-à-vis its citizens.

Figure 2: On average, g7+ and FCS economies rank in the bottom third in all areas measured by Doing Business



J. Nelson from Harvard University posits that in fragile states and post-conflict economies, there is often deep mistrust between the government and the private sector, resulting from prevalent rent-seeking behaviours, cronyism and lack of legitimacy.⁵ To overcome the lack

“Fragile states face major private sector challenges such as difficult access to finance, power and markets, poor infrastructure, high levels of corruption and a lack of transparency in the regulatory environment.”

of transparency and to create trust and confidence, it is imperative to engage the private sector in policy reforms dialogue. Public private dialogue (PPD) mechanisms have proven to be very effective instruments to engage stakeholders in regulatory reforms, especially in fragile and conflict-affected situations (FCS).

Public private dialogue in fragile states

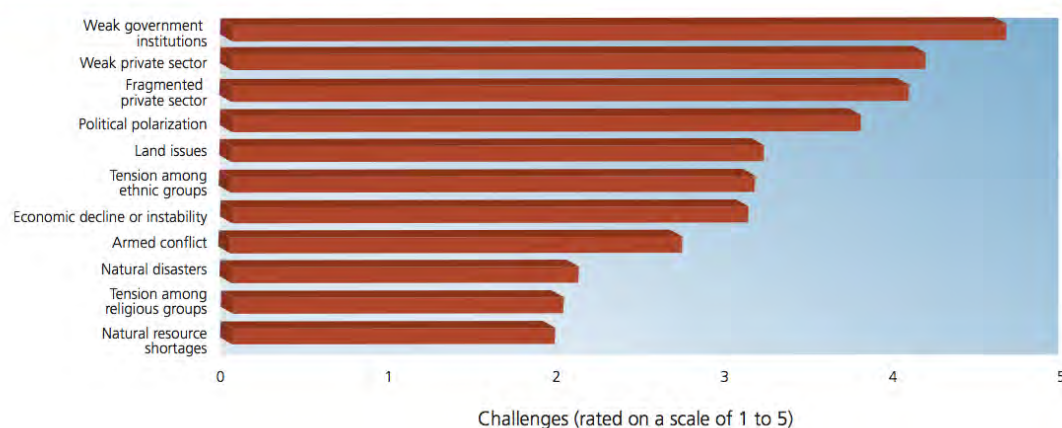
M. Porter argues that government “regulation is necessary for well-functioning markets and that the right kind of regulation can actually foster economic value creation”.⁶ However, badly designed regulatory frameworks which have not benefited from the private sector's inputs will have adverse effects. Such top-down business regulations and reforms will be resisted by businesses and will hinder investments, economic growth and employment generation.

The World Bank Group defines PPD as a structured engagement mechanism that aims to bring together all relevant stakeholders, in a balanced and inclusive manner, to assess and prioritise issues, and achieve sustainable results, facilitated through a trust enabled convening platform. A recent World Bank report on PPD in fragile states claims that PPD is highly necessary in fragile and conflict-affected situations to fill the gap resulting from the lack of legitimate institutions, to help create transparency and trust among stakeholders, and to identify the need for reforms and interventions that can improve the business environment and attract investment.⁷

The same report argues that the main impediments to achieving PPD objectives in fragile states stem from weak government institutions and private sector, and from fragmentation within the private sector (Figure 3).

Figure 3: Challenges to achieving PPD Objectives in fragile states

FIGURE 2: CHALLENGES TO ACHIEVING PROJECT OBJECTIVES



Source: Survey of Task Team Leaders and program staff members in FCS, World Bank Group.

Such findings have led development agencies to focus on the prerequisite of institutional capacity and to support public-public and private-private dialogues before bringing all the relevant stakeholders together. Furthermore, many developing countries, let alone fragile states, do not fully possess the capacity, resources, or institutional strength to support a platform for stakeholder dialogue. There is a crucial need for flexible and multi-faceted mechanisms to facilitate productive private sector participation. The World Bank, for example, advises and supports PPD processes at three levels:

- **PPD for Economy-Wide Engagement:** Large-scale, economy-wide interventions are used to establish a sustainable platform for a broader dialogue on reform and development agendas. These are most often used in low-income countries, especially in fragile and conflict-affected situations, where they can be the initial, and sometimes primary, point of engagement.
- **Sector-Specific PPD:** Sector-specific PPDs provide an integrated response to factors constraining sector growth and improve the pace of sector reform. Studies show that industry-centred PPD can be particularly

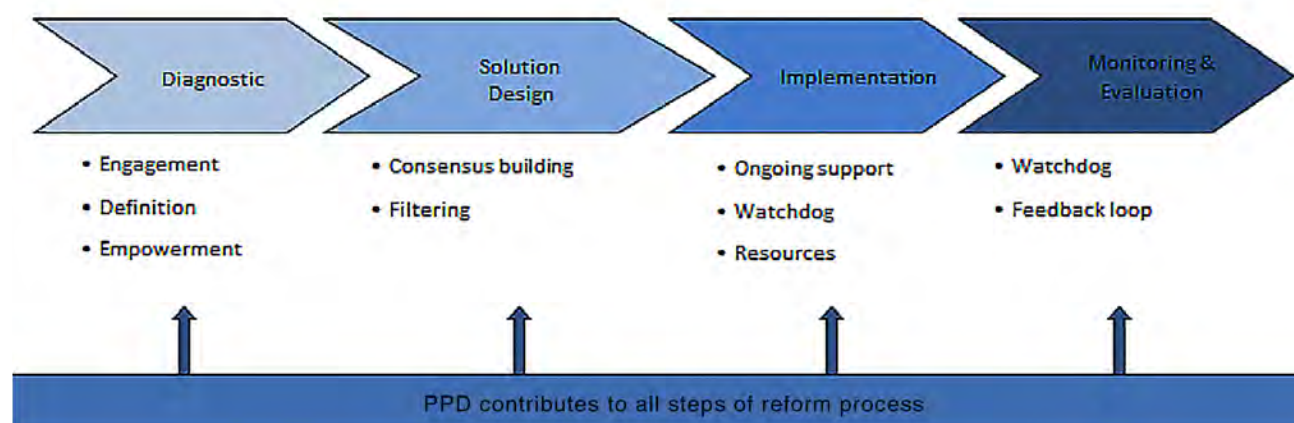
helpful in improving competitiveness and provide a highly valued platform for collaboration along the supply chain and across governments, businesses, and communities. Sector PPDs can also be implemented at a subnational or regional level.

- **Stakeholder Mobilisation:** Short-term, “light” PPD is applied to deliver project objectives and goals. These interventions are designed to support PPD initiatives that strengthen a weak private sector, facilitate dialogue among private sector stakeholders, and increase outreach to civil society or disengaged communities.

This multi-pronged approach has enabled the tailoring of context-sensitive PPD mechanisms and structures that ensure solution-oriented processes, local ownership, inclusiveness, and sustainability of reforms.

PPD contributes to all steps of the reform process. It helps identify the core bottlenecks to be addressed and empower the stakeholders. It builds consensus and trust in the solution design phase. PPD finally contributes to the key elements of regulatory reforms: the implementation and monitoring of legal and regulatory enactments (Figure 4). Through the structured dialogue between government

Figure 4: Steps of the reform process



Public private dialogue (PPD) mechanisms have proven to be very effective instruments to engage stakeholders in regulatory reforms, especially in fragile and conflict-affected situations.

bodies and businesses, workable reforms are identified and systems are put in place to ensure that the reforms work.

In summary, the benefits of PPD mechanisms include:

- improvement of information and setting priorities;
- improvement in the design of reforms;
- broadening of ownership and support for reforms;
- building of an atmosphere of mutual trust;
- improvement of accountability and transparency;
- monitoring the reform process.

Challenges include:

- the process may be diverted by the elite;
- failure can damage credibility;
- the process can become unsustainable;
- lack of broad support for the identified champions;
- lack of inclusiveness, especially in fragile states (marginalised groups are not represented);
- lack of government coordination and private sector fragmentation.

Impact of PPD in fragile states

The Nepal Business Forum (NBF), an economy-wide form of PPD, is helping to address key drivers of private sector development and improve market opportunities. To date, three reforms in the tax, export credit, and hydropower sectors have generated US\$8 million in private sector savings. It is expected to generate US\$10 million in private sector savings through its support for reforms. The NBF has been instrumental in creating a culture of dialogue between the public and private sectors and in building trust among stakeholders during this post-conflict period marred by political instability.

The Afghanistan Private Sector Advocacy Forum (APSAF), a sector-specific PPD initiative, helped identify bottlenecks in trade licensing procedures and prioritised licenses. A reduction in the time and cost of registering a business and obtaining a trade license has made starting a business in Afghanistan easier.

The Liberia Better Business Forum (LBBF) seeks to drive the creation of quality employment, poverty alleviation, and economic development by enhancing the business environment for private sector growth. The reforms implemented so far have yielded US\$4.7 million in private sector savings, created 20,400 new jobs, increased business registrations by 20%, and attracted US\$13 million in private sector investment.

In fragile states and post-conflict countries, basic societal and institutional structures are broken or have been weakened. The public sector lacks capacity and credibility, and an ineffective regulatory framework has led private businesses to operate in the informal sector. Furthermore, corruption, lack of trust, transparency and accountability has dampened sustainable private sector development and investment, hampering economic growth and job creation. In order to rebuild the confidence of economic actors, reforms need to be enacted and regulatory constraints eliminated to improve the investment climate and the business environment. Public Private Dialogue mechanisms have demonstrated that they are effective trust-enabling platforms that allow all relevant stakeholders to work jointly in a transparent way on the identification of private sector development constraints and the creation of sustainable policy reform solutions.

Notes

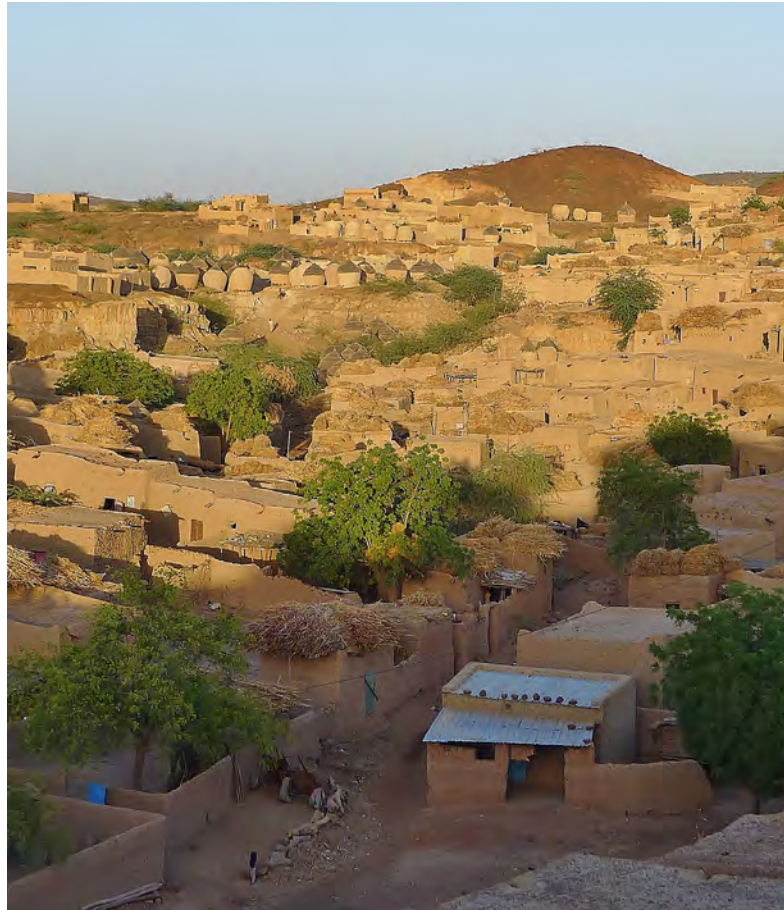
1. Collier P. 2007. *The Bottom Billion*, Oxford University Press
2. Private Sector Development in Post-Conflict Countries. A Review of Current Literature and Practice, The Donor Committee for Enterprise Development (DCED).
3. Doing Business Report 2013, World Bank.
4. The g7+ group is a country-owned and country-led global mechanism to monitor, report and draw attention to the unique challenges faced by fragile states. The group now comprises of 20 fragile states. Strength of legal institutions refers to the average ranking on getting credit, protecting investors, enforcing contracts and resolving insolvency. Complexity and cost of regulatory processes refers to the average ranking on starting a business, dealing with construction permits, getting electricity, registering property, paying taxes and trading across borders. Doing Business in the G7+, 2013, World Bank.
5. Nelson, J. Innovative Platforms for Public-Private Dialogue, Paper presented to the 2014 Brookings Blum Roundtable.
6. Porter, M. and M. Kramer. 2011. *Creating Shared Value. How to reinvent capitalism and unleash a wave of innovation and growth*. Harvard Business Review.
7. World Bank. 2014. Public-Private Dialogue in Fragile and Conflict-Affected Situations: Experiences and Lessons Learned, 2014, The World Bank Group. <https://www.wbginvestmentclimate.org/>



Steve Utterwulge is a Senior Private Sector Development Specialist and the Global Lead for Public Private Dialogue at the World Bank Group.

Building peace in the Sahel: A regional perspective

By Laurent Bossard



Affected by the now chronic instability resulting from trafficking and terrorism, Sahelian countries, namely Chad, Mali, Mauritania and Niger, are all vulnerable to varying degrees. What we commonly call the “Sahel Strategies”¹ therefore all have a strong “governance” component, focusing notably on security force and legal system reforms as well as on human rights and education. More generally, the governance pillar aims to support building effective and capable states that are accountable, transparent and serving the interests of all citizens. Significant long-term investment is needed to work toward these goals. However, to succeed, the countries concerned must also work at the regional level because this is where many of the threats they face originate. While these strategies underscore the crucial importance of the regional dimension,² regional responses are still scarce and perceived as difficult to implement.³

For this reason, the regional dimension must be placed at the centre of the reflection and dialogue in order to make sure that one day it will also be at the centre of action. With that in mind, the Sahel and West Africa Club Secretariat (SWAC/ OECD) has produced an “Atlas of the Sahara-Sahel”⁴ this article presents some of the key findings.

Sahel or Sahara-Sahel

No one would question that the Sahel problem currently at the centre of intense international attention is, in reality, a Sahara-Sahelian problem.

The tragedy of the droughts of the 1970s and 1980s was strictly confined to the Sahel. However, the disturbances and terrorism that have since developed in the area have now extended to the Sahara and other parts of Africa. Yet dialogue and co-operation among the countries on both sides of the desert are at an embryonic stage and have produced very few concrete outcomes. Indeed, genuine trans-Saharan co-operation faces many obstacles.

Firstly, we could mention the still deep animosity between Morocco and Algeria over the Western Sahara issue. Resolving this latent conflict

is likely a pre-requisite for long-term stabilisation of the Sahara-Sahel. Secondly, the complexity of the institutional landscape is a major factor. No regional organisation, whether the African Union, the Arab Maghreb Union, the Community of Sahel-Saharan States or the Economic Community of West African States, represents all of the countries concerned.

Shared by at least eight countries (Algeria, Chad, Libya, Mali, Mauritania, Morocco, Niger and Tunisia), this area is still too often perceived as the northern extremity of West Africa and the southern



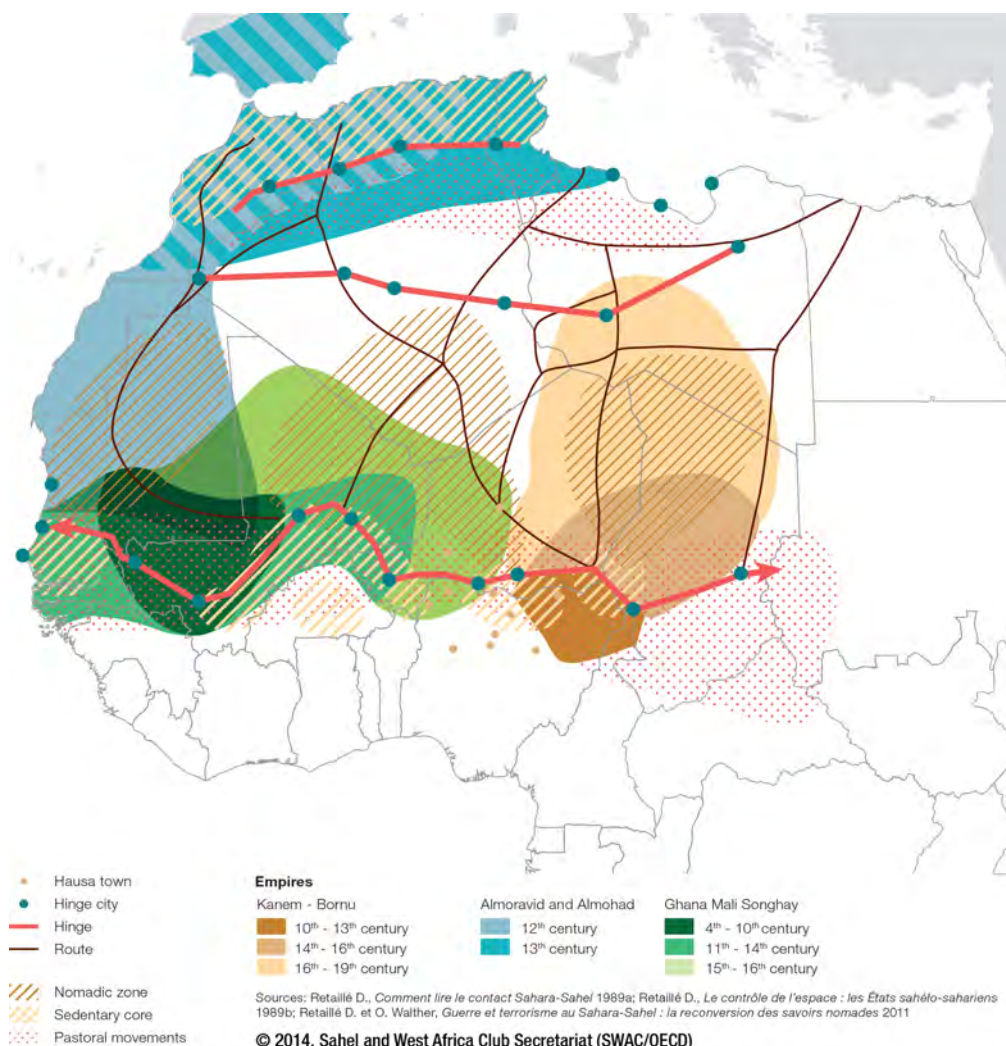
extremity of North Africa,⁵ while in fact, it forms the centre of a macro-region extending from the Mediterranean coast to the Gulf of Guinea. This macro-regional scale must be incorporated into a long-term geopolitical strategy regardless of whether or not the immediate problems (the chaos in Libya, for example) seem insurmountable. A macro-regional approach obliges one to think in long-term timeframes.

Spatial organisation centred on routes, not territory

While the most striking features of this “centre” may be its “vastness in space” and its 17,000 km of “porous” borders, space and territory have little meaning for the residents of the Sahara-Sahel. History shows that the influence of the different Sahel empires (Kanem, Ghana, Mali, Songhay and others) varied according to the routes (or trails) they built or conquered. Ultimately, the empty space between the routes was of no importance. This heritage remains today.

Routes are the vectors of a mobile space inhabited by mobile societies organised more around networks than states.

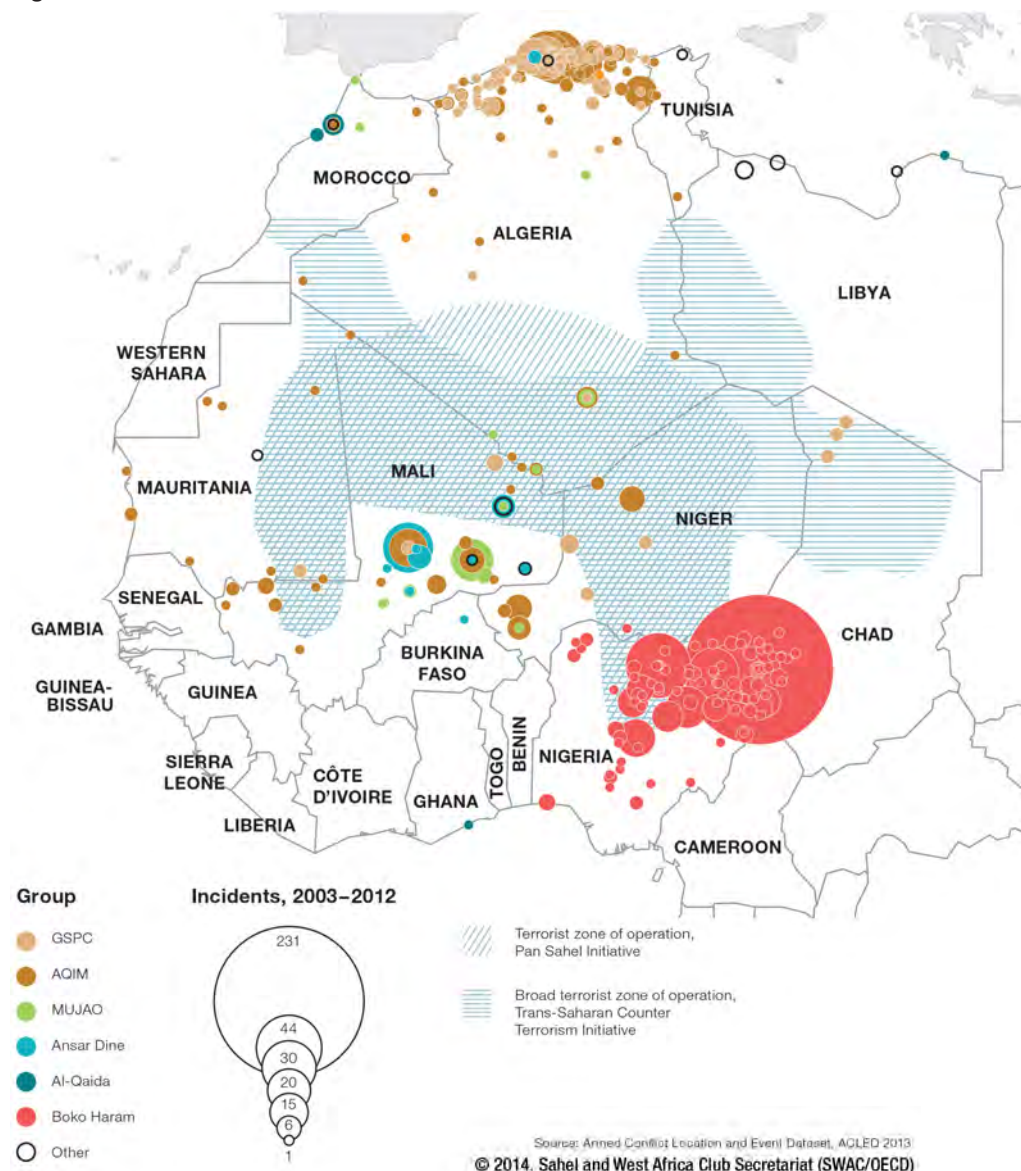
Figure 1: Route empires



In his introduction to the Atlas, Denis Retaillé, Professor of Geography at the University of Bordeaux/CNRS, asks the following question: “How can we invent a legitimate area that conforms to the spatial realities of mobile societies?” This question is addressed to political leaders such as decision-makers responsible for developing “Sahel Strategies” or Malian negotiators operating in Algiers. In another part of the world, in an area encompassing parts of Sweden, Finland and Norway, the nomadic Sami people were granted special rights to fish, hunt and live their lives unconcerned by borders in 1971. However, comparisons can be misleading.

Terrorist groups and criminal networks use the operating modes and expertise of nomads. Why should we accept that mobility is confiscated by these groups? Regional and international organisations have the ability, in dialogue with national governments, to overstep the confines of a territory and closed borders. In other words, *mobile threats call for mobile solutions*.

Figure 2: Location of terrorist incidents 2003-2012



“The regional dimension must be placed at the centre of the reflection and dialogue in order to make sure that one day it will also be at the centre of action.”

Threats and opportunities for half of the African continent

Does the Sahara-Sahel “centre” have any development potential? What could help foster economic growth in order to stabilise the area and protect its children from the temptations of trafficking and the risks of violence? These questions are key to the “Sahel Strategies”. Clearly, there are and will be only few drivers of growth in the Sahara-Sahel compared to the vibrant coastal areas. However, perhaps the question needs to be reframed. We must stop asking how the countries

and regions concerned can manage these vast “low-potential areas” but start thinking about the role these areas can play in the macro-regional development.

After all, the current situation recalls that instability in the Sahara-Sahel threatens the security and therefore the development of half of the African continent on both sides of the desert. Ensuring stability in the Sahara-Sahel also means creating the conditions for the future development of a large portion of the continent. Consequently, this approach requires changing the methods used to

calculate the cost-effectiveness of infrastructure in sparsely populated areas which must also take into account the cost of territorial management. Building a few hundred kilometres of road not only helps develop trade between Algiers and Lagos, it also facilitates transportation within the desert.

Towards a more ambitious, integrated approach

Nevertheless, a negative view of the Sahara-Sahel still dominates. This view is predicated on the following

“Terrorist groups and criminal networks use the operating modes and expertise of nomads. Why should we accept that mobility is confiscated by these groups?”

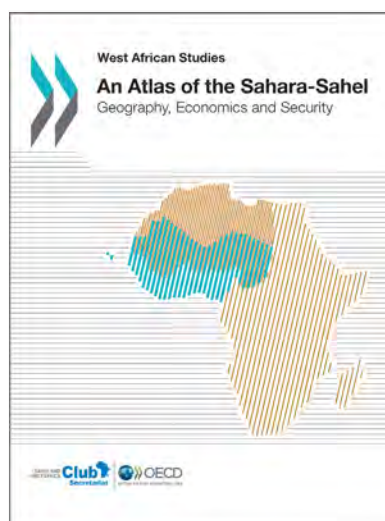
observations and beliefs: 1) Sahara-Sahel has limited potential apart from a few mining deposits; 2) it is sparsely populated and the area is thus destined to remain “on the margins of African economic development”; 3) irredentism is a chronic problem, the area is structurally difficult to control; infrastructure development is costly and likely to suffer from environmental deterioration. The strategy associated with such a vision of the future is compelled to limit its focus on security issues, control, territorial management and maybe some social development projects at the local level.

On the other hand, a more ambitious, integrated approach is feasible under a different vision that accepts to integrate a long-term perspective. This approach sees the central Sahara-Sahelian areas as connected, useful, shared, fluid and peaceful yet still fragile. Such a vision rejects the notion of marginalised areas with no future. It gives (back) these territories a role based on local assets. It assumes intense trans-Saharan co-operation that, although appearing somewhat unrealistic today, should nonetheless be the compass that guides our actions.

This article has been translated from the original French version which can be found on the ECDPM website.

Notes

1. The European Union's Strategy for Security and Development in the Sahel (2011); Mauritania's National Strategy to Combat Terrorism and Transnational Organised Crime (2012); the Strategy for Security and Development in the Sahel-Saharan Areas of Niger (2012); the Plan for the Sustainable Revival of Mali (2013); the United Nations Integrated Strategy for the Sahel (2013); the African Union Strategy for the Sahel Region (2014); the ECOWAS Strategy for the Sahel (2014); and the Sahel G5 Investment Priorities Plan (2014).
2. Strategy for Security and Development in the Sahel (EU): *“The problems in the Sahel are cross-border and closely intertwined. Only a regional, integrated and holistic strategy will enable us to make progress on any of the specific problems. [...] The security threats in the Sahel [...] as well as their solution – are of a transnational nature [...]. The sometimes differing perception of the threats and solutions by the three Sahel States and their three Maghreb neighbours (Algeria, Libya and Morocco) and the absence of a sub-regional organisation encompassing all the Sahel and Maghreb states, lead to unilateral or poorly coordinated action [...]”.*
3. United Nations Integrated Strategy for the Sahel: *“The challenges facing the Sahel do not respect borders and neither can the solutions. [...] A number of worthy initiatives have suffered from inadequate coordination and have failed to take into account the broader regional dimensions of the problem, partly owing to lack of trust, lack of effective regional instruments or lack of information”.*
4. OECD/SWAC. 2014. *An Atlas of the Sahara-Sahel: Geography, Economics and Security*, West African Studies, OECD Publishing, Paris.
5. OECD Publishing, Paris. OECD, ADB, UNDP, AEC (2014), “African Economic Outlook.” OECD/ADB/UNDP (2014), African Economic Outlook 2014: Global Value Chains and Africa's Industrialisation, OECD Publishing.
6. North African countries have certainly made significant investments in their southern desert region. However, these policies were intended to encourage people to move to the Mediterranean coast rather than connect these areas with Sub-Saharan Africa.



Laurent Bossard is the Director of the Sahel and West Africa Club Secretariat (SWAC/OECD).

Further thematic reading: Our Publications and blogs

<http://ecdpm.org/programmes/conflict-security-resilience>



de Weijer, F. 2013. Resilience: A Trojan horse for a new way of thinking? (Discussion Paper 139). Maastricht: ECDPM.



Faria, F. 2014. What EU Comprehensive Approach? Challenges for the EU Action Plan and beyond. (Briefing Note 71). Maastricht: ECDPM.



European Think Tanks Group (ETTg). 2014. Our Collective Interest: Why Europe's problems need global solutions and global problems need European action. (see chapter on peace and security)



Sherriff, A., Hauck, V., and Rocca, C. 2013. Glass half full: Study on EU lessons learnt in mediation and dialogue. (Study submitted to the European External Action Service by ECDPM through the AETS Consortium – Cardno). Maastricht: ECDPM.



Hauck, V., Galeazzi, G., and Vanheukelom, J. 2013. The EU's State Building Contracts: Courageous assistance to fragile states, but how effective in the end? (Briefing Note 60). Maastricht: ECDPM.



Helly, D., and Galeazzi, G. 2014. Planting seeds and breaking eggs: EU Delegations dealing with peace and security - the Sahel case and beyond. (Briefing Note 70). Maastricht: ECDPM.



Blogs related to the conflict, security and resilience programme

New Deal for Fragile States Needs Time and Political Commitment to Flourish, *Helder da Costa, 17 April 2014*

A Step in the Right Direction for the EU's Fight Against Ebola, *Sophie Desmidt & Volker Hauck, 24 October 2014*

Shaping a Real European Foreign Policy: Challenges Ahead for Federica Mogherini, *Andrew Sherriff & Cecilia Gregersen, 10 October 2014 24 October 2014*

Will the Action Plan to Implement the EU's Comprehensive Approach Have Any Bite? *Volker Hauck & Andrew Sherriff, 23 May 2014*

Taxes and Fragile States – How Political Can it Get? *Bruce Byiers & Frauke de Weijer, 14 February 2014*

EPA Update

by Kathleen van Hove, Isabelle Ramdoo and San Bilal

Following the conclusion of Economic Partnership Agreement (EPA) negotiations in three African regions in July and October 2014, the attention is shifting to the signing process and implementation matters for EPAs already in place.

The ECOWAS-EU EPA is expected to be signed mid-December: at the EU Foreign Affairs Council on 12th December 2014, and few days later by ECOWAS. Some uncertainty remains related to the position of Nigeria, where opposition to an EPA is high. Legal scrubbing of the EPA negotiated text is ongoing in SADC and will start in the East African Community in early 2015 before they are signed.

Kenya to be re-inserted on MAR1528

Following the conclusion of the EAC-EU EPA on 16th October 2014, the European Commission adopted, on 14th November 2014, a delegated Regulation to re-instate Kenya back to Annex 1 to EC Market Access Regulation (MAR)1528/2007, pending signature and ratification of the EAC-EU EPA. It will take effect within a maximum of two months if no objection is raised by the Council or the European Parliament. On 1st October 2014, Kenya was automatically removed from the MAR, thus losing its duty free quota free market access to the EU, and having to trade instead with the EU under the less preferential GSP Scheme, causing revenue losses to the tune of € 5.7 million per month due to customs duties¹ paid on exports of its cut flowers.²

4th Meeting of the EPA Committee under the Interim Agreement between ESA and EU

On the 25-26th November 2014, the Fourth meeting of the EPA Committee under the Interim Economic Partnership Agreement (iEPA) between the Eastern and Southern Africa (ESA) region and the EU was held in Harare, Zimbabwe. The two Sub-Committees, the Customs Cooperation Committee and the Joint Development Committee, took place

back-to-back with the EPA Committee. It is recalled that the iEPA is being implemented by four signatory countries, namely Madagascar, Mauritius, Seychelles and Zimbabwe, while the larger ESA configuration, comprising of 11 countries in all, is negotiating a full and comprehensive EPA with the EU, including in services, investment and other trade-related issues.

The purpose of the meeting was to discuss progress in the implementation of trade and development commitments made under the iEPA. In particular, ways to accelerate the implementation of projects following the allocation of €4 million under the 10th European Development Fund (EDF) to address ESA States' immediate needs as a result of the implementation iEPA were considered. Furthermore the meeting examined potential specific support to address medium-term needs for EPA implementation under the 11th EDF.

The meeting also exchanged views on the recent developments in other EPA configurations, notably in EAC, ECOWAS and SADC as well as on EU FTAs with third countries.

At the time of publication of this *GREAT insights*, a press release had not yet been published.

ECDPM sources indicate that discussions addressed the practical difficulties in concluding Administrative Cooperation Agreements for the purposes of cumulation, in particular with non-ACP countries.

The fifth meeting of the committees will take place in Brussels in 2015.

Caribbean and European civil society and officials taking stock of EPA implementation

Six years after the EPA was signed, the CARIFORUM-EU Consultative Committee (CC) met for the very first time in Brussels on the 13-14th of November 2014.

This committee is quite unique as it was set up as an integral part of the EPA and is tasked to advise the Joint CARIFORUM-EU Council on aspects of social, economic, environmental and development issues as they arise in the context of implementing the CARIFORUM-EU Economic Partnership Agreement. It also meant to strengthen the dialogue between representatives of civil society. The committee is composed of 25 CARIFORUM and 15 EU civil society representatives (including ECDPM). Discussions were broad and often not focused on tangible outcomes.

In a statement³ presented to the 4th CARIFORUM-EU Trade and Development Committee (TDC) in Brussels, which was held on the 18-19th of November, the Committee requested (i) to be consulted on the monitoring framework before it is decided upon, (ii) access to all relevant information so as to be able to fulfil its monitoring role, and also (iii) greater involvement in the negotiations around the 11th EDF. The TDC welcomed the involvement and suggestions from the civil society. However, despite the loud request for transparency, no public information has been made available on the TDC meeting. According to ECDPM sources, the study on Monitoring the implementation & results of the CARIFORUM-EU EPA agreement was presented and plans discussed for conducting the joint review of the EPA by the next meeting of the Caribbean EPA Council, likely to be held in the second quarter of 2015.

This is the last EPA Update to appear in *GREAT insights*. As of 2015, updates on EPAs will be published in a different format, available at www.ecdpm.org/epa.

Notes

1. <http://allafrica.com/stories/201410061994.html>
2. <http://ecdpm.org/dossiers/dossier-economic-partnership-agreements/>
3. <http://www.eesc.europa.eu/?i=portal.en.events-and-activities-cariforum-jcc-1-state-ment.33929>

Talking Points



Our blogs aim to deepen the dialogue on policy issues, and get to the heart of the matter in an honest and concise way.

Behind the Facade: Looking Deeper into Busan



Talking Points, Geert Laporte, 21 November 2014

Major meetings in Busan (2011) and Mexico (2014) re-iterated the key principles for effective development: ownership, a focus on results, inclusive partnerships and transparency and mutual accountability. Translating this ‘jargon’ into a more accessible language means nothing more than, in an ideal world, all stakeholders in developing countries should lead in achieving development with the support of their development partners...

Spatial Inclusion in Africa – It’s Still Political



Talking Points, Bruce Byiers, 21 November 2014

The 2015 African Economic Outlook will focus on Spatial Inclusion in Africa, so ECDPM was invited to a brainstorm hosted by the OECD, UNDP and AfDB on the topic.

What emerged from discussions was the wide range of ways of interpreting spatial inclusion, but also a need to think politically...

Celebrating Industrialisation Day in Africa: Twenty-four Years on, Where Are We?



Talking Points, Isabelle Ramdoo, 20 November 2014

As the African continent celebrates its 24th Industrialisation Day today, it is opportune to take a step back to look at how the debate has evolved over the years, and more importantly, who has achieved what?

European Contribution to Stability and Development Through External Cultural Action



Talking Points, Damien Helly and Greta Galeazzi, 20 November 2014

A ring of fire instead of a ring of friends: that is what the EU got as a result of its Neighbourhood policy. The EU has failed to create an area of development and stability on its doorstep and has largely disenfranchised many of the populations in the Southern Mediterranean.

The Weekly Compass

Want to know the direction in which development cooperation is sailing? Stay informed of all the latest news on EU-Africa and EU-ACP development cooperation with the ECDPM Weekly Compass (WECO)



Is Regional Integration Working? | International Criminal Justice in Africa | 5 Points to Take Away From ICN2 |

Weekly Compass, 28 November 2014

This issue of the Weekly Compass highlights discussions at a recent workshop on the political economy of African Economic Integration. Trevor Manuel, South Africa's former Minister of Finance, helped set the tone: "Imagine telling a girl in conflict-ridden Goma about the benefits of regional integration". We also include a series of articles from The Institute for Security Studies (ISS) Africa on international criminal justice, immunity and stability in Africa. Further articles examine the necessary follow-up to last week's Second International Conference on Nutrition (ICN2) and Africa's perspectives on the post-2015 development agenda.

Behind the Facade: Looking Deeper into Busan | New Mega-Trade Deals: What Implications for Africa? | Aid on Demand

Weekly Compass, 24 November 2014

AidData investigates whether the political leaders of aid-receiving countries use Chinese foreign aid inflows to further their own political or personal interests. Aid allocation biased by leaders' selfish interests arguably reduces the effectiveness of aid, negatively affecting development outcomes. AidData's research shows that current political leaders' birth regions receive substantially larger Chinese financial flows than other regions. They do not find evidence that leaders shift aid to regions populated by groups who share their ethnicity.

A World on its Way to Sustainable Development | Strengthening Commitments to Food and Nutrition Security | Jobs

Weekly Compass, 14 November 2014

The Global Nutrition Report 2014: Actions and Accountability to Accelerate the World's Progress on Nutrition is an outcome of the 2013 Nutrition for Growth summit in London, where dozens of stakeholders joined forces to make financial and other commitments to combating malnutrition. It examines several dimensions of nutrition status and progress globally and by country, and brings together evidence on the coverage of programs designed to reduce malnutrition both directly and indirectly. By reporting on whether countries, donors, companies, and other stakeholders have carried out the investments and actions to which they have committed themselves, it serves as a tool for accountability. Developed by IFPRI and IDS.

Accelerated Progress in Africa Towards the MDGs | Strengthening Governance to Prevent Conflict in Africa

Weekly Compass, 7 November 2014

Performance on the Millennium Development Goals (MDGs) has varied by country and region, but Africa has accelerated progress despite unfavourable conditions and the adverse effects of the recent food, fuel, financial and Eurozone crises.

Colophon

Governance, Regional integration, Economics, Agriculture and Trade (GREAT) *insights* is ECDPM's monthly magazine covering a wide range of topics related to economic development in Africa and the developing world. GREAT *insights* gathers expert analysis and commentary from a wide variety of stakeholders with different perspectives.

GREAT *insights* is published by ECDPM

Editor:

Sanoussi Bilal
sb@ecdpm.org

Co-editor:

Pamela O'Hanlon
poh@ecdpm.org

Guest-editors:

Volker Hauck
vh@ecdpm.org
Frauke de Weijer
fdw@ecdpm.org

Claudia Backes, ECDPM
Yasmine Medjadj, YM Design

Photos: thinkstock.com, and Flickr.com.
Portrait photos supplied by the authors.

HEAD OFFICE

Onze Lieve Vrouweplein 21
6211 HE Maastricht
The Netherlands
Tel +31 (0)43 350 29 00
Fax +31 (0)43 350 29 02

BRUSSELS OFFICE

Rue Archimède 5
1000 Brussels
Belgium
Tel +32 (0)2 237 43 10
Fax +32 (0)2 237 43 19

ISSN: 2215-0593 (print)
2213-0063 (online)

For further information or to subscribe to our E-newsletters, visit www.ecdpm.org/subscribe. To order a hard copy of an ECDPM publication, e-mail info@ecdpm.org

This publication benefits from structural support by ECDPM's following partners: The Netherlands, Belgium, Finland, Ireland, Luxembourg, Portugal, Sweden, Switzerland and Austria. This issue also benefits from funding from the Department of International Development (DfID), UK.

Copyright:

Prior permission is not required for quoting, translating or reproducing part of the contents of this publication provided the source is fully acknowledged.



Latest ECDPM Publications

Ramdoe, I. 2014. New mega-trade deals: What implications for Africa? Briefing Note 73. Maastricht: ECDPM.



The stalemate at the WTO over the last two decades has been accompanied by a proliferation of bilateral and regional trade agreements, and more recently mega trade agreements, such as TTIP, TTP, RCEP and FTAAP. Mega trade deals will have an impact on trade flows, on the direction and intensity of investment, on the structure of regional and global value chains, and will redefine the 'rules of the game'.

Lein, B; de Roquefeuil, Q; van Seters, J. 2014. Strengthening policy coherence for development in Switzerland: The case of food security. Discussion Paper 166. Maastricht: ECDPM.

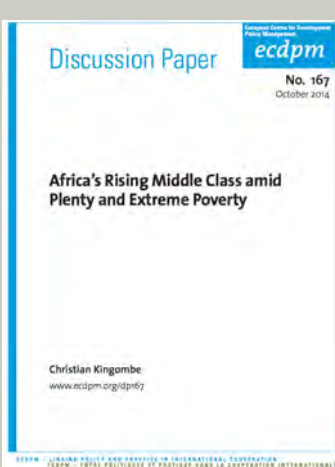


Securing the right to food for all requires coherent action across a wide range of policies and at different, complementary levels of governance. This study offers a critical analysis of the academic and policy discussions in a selection of policy areas with a potentially critical bearing on global food security.

Engel, P., Knoll, A. 2014. Development is thinking ahead: A world on its way to Sustainable Development Goals. Briefing Note 72. Maastricht: ECDPM.



Unlike the formulation and agreement of the MDGs, the post-2015 discussions has so far been characterised by an inclusive process allowing the voices of different stakeholders to be heard. The possibility for the public to follow the negotiations closely has contributed to accountability. This inclusiveness will need to continue to find ways to translate global policy objectives.



With the emerging middle class, Africa is poised to become the next global economic powerhouse.

Next issue of *GREAT insights*:
Food Security, nutrition and sustainable agriculture
February/March 2015, Volume 4, Issue 2

To subscribe to *GREAT insights* or other ECDPM publications go to:
www.ecdpm.org/subscribe
To read previous issues of *GREAT insights*, go to www.ecdpm.org/GREAT