1. BACKGROUND

The United Nations Development Programme (UNDP) and the United Nations Department of Economic and Social Affairs (UNDESA) jointly organized a capacity development workshop on Governance Challenges in Crisis and Post-Conflict Countries in partnership with the World Alliance for Citizen Participation (CIVICUS), the Africa Governance Institute (AGI), and the United Nations Human Settlements Programme (UN-HABITAT).

The workshop was an opportunity for the participants to hold in-depth, follow-up discussions to the 7th Global Forum plenary sessions, which focused on governance challenges in crisis and post-conflict societies, particularly with respect to rebuilding trust in government. Participants and speakers were encouraged to share global, regional, and country-level experiences on how to strengthen governance in crisis and post-conflict countries.

The workshop discussions focused around five broad topics:

1. Post-Conflict Recovery of Governance and Public Administration and the Delivery of Services
2. Security as the Critical Public Service and a Prerequisite for Recovery and Development: Security Sector Reform in Post Conflict Situations
3. Recovery in the Provision of Judicial Services and Reconstructing Reconciliation Mechanisms and Processes
4. Constructing Conflict Sensitive Constitutions: Process and Content of Post Conflict Constitutions
5. Conflict Prevention through Redistributive Justice

Please see the aide-memoire and final workshop agenda, as well as the workshop presentations attached to this report. All documents can be found at:

2. OUTPUTS

Key outputs from the workshop are:

- A deeper understanding by the participants of the critical importance of rebuilding trust in government in crisis and post-conflict societies, in general, and of the specific governance challenges
- The identification of some key alternative strategies and approaches to building trust in government in crisis and post-conflict societies
- A fruitful exchange of information and experience with respect to better practices and innovations in addressing the five governance challenges discussed in crisis and post-conflict societies
- A brief summary of the workshop discussions and conclusions as presented at the Global Forum plenary

3. INTRODUCTION AND OVERVIEW OF AREAS OF DISCUSSION

The workshop covered a variety of key governance challenges in post-conflict settings. The main thematic areas of discussion, based on the presentations and contributions provided during the workshop, are outlined below.

Post-conflict recovery and state-building are complex challenges for the state and the society. The authority of the state has often collapsed and remaining structure of government have often lost their legitimacy in post-conflict settings, thus leading to political and societal disintegration on a national and even regional level. Fragile post-conflict governments have little capacity and resilience to restore the power of the state or meeting basic public responsibilities like security, education or health.

Rebuilding the capacities of the state in crisis and post-conflict situations and the re-establishment of **credible, transparent, participatory and efficient governance and public administration institutions** is arguably the key ingredient to achieving peace, stability and sustainable development. A solid governance infrastructure, with well-articulated horizontal and vertical divisions of power, is crucial to delivering political promises along with the needed public goods such as health care, education and infrastructure. State- and nation-building are the central objective of every peacebuilding operation to ensure the reconstitution of sustainable governance structures. Post-conflict nation-building comprises, at minimum: the rule of law and judicial reform, constitutional reform, the establishment of mechanisms of political participation and inclusive policies, the effective provision of basic services and goods, fighting corruption, fostering a democratic culture, free and transparent elections, and the promotion of local governance.

At the center of credible governance and public administration is an effective **public service**, whether understood as an institution, a structure of organization, a cadre of public officials, or simply as the service provided by a public authority. Therefore, a capable public service, based on a merit- and incentive based system, has a greater bearing on recovery than is generally recognized, both in terms of delivering aid and basic services and in rebuilding national cohesion and the credibility, legitimacy, and trust of government. However, it needs to be recalled that the public service is not external to a conflict or crisis situation. It is part of the socio-politico-economic and cultural conditions that interplayed to fuel the conflict in the first place and often it is itself a causality of the destruction engendered by the conflict. As a central actor in the reconstruction process, therefore, the public service is called upon to be an agent of
change and to ensure that it undergoes sufficient self-transformation to adapt to and manage the changed and changing overall socio-politico-economic and social governance terrain.

Post-conflict reconstruction is only feasible if a minimum level of **security** is obtained in any post-conflict setting. Therefore, the support and the reform of the security sector as part of broader governance efforts are of utmost importance and necessary prerequisites for any post-conflict development. Ensuring security is fundamental on different levels: (re-) establishing and maintaining the state monopoly of power (possibly endangered by e.g. warlords trying to establish parallel systems of power), police reform (to effect a community-oriented dynamic that wins community trust), democratic control of the security sector, ensuring physical integrity of the citizens, small arms control, and strengthening of the judiciary. In addition, it is essential to integrate ex-combatants into civilian, post-conflict life, but the success of such measures not only depends on revamping the institutional framework, but also on transforming cultural norms and strengthening the population’s to renounce violent behavior patterns and deal with collective and individual trauma.

Another decisive factor in the effectiveness of governance promotion is the experience of a country and society in **democratic processes**. Where governance measures can rely on such traditions and previous experiences, the transition from violence to a peaceful and democratic political culture is greatly facilitated. One big challenge for the international community is the initial dilemma to cooperate with government institutions that are not fully democratically legitimized. This implies intervening in the precarious balance of power in the post-war period. Social inclusion, political participation and social cohesion are crucial to post-conflict reconstruction, but also represent complex processes of political and social consultations.

Most fundamentally, sustained peace requires a **visionary leadership in a trustful, transparent and participatory partnership with civil society**. The central question of successful state-building often comes down to whether newly re-established and reformed states can manage diversity and competition among different groups without resort to violence and authoritarianism, and in a manner that delivers access to political and economic opportunities to all citizens equitably and irrespective of identity. Any post-conflict leadership needs to place the larger national interest over the group, and to successfully manage and resolve conflicts. They need to be able to balance self-interest with the larger national interest, such that there are not victors, nor vanquished, but only victors and partners. Any visionary post-conflict leadership needs to consider the particular importance of the contributions of all **genders and vulnerable and marginalized groups** in post-conflict reconstruction.

In the area of **socio-economic governance**, the promotion of macroeconomic reconstruction and stabilization is one key determining factor for sustainable long-term reconstruction. Regulating ownership in a post-conflict society and combating and constraining the basis of so-called ‘war economies’ and parallel economies are fundamental priorities. In the immediate period after the end of violence, the creation of jobs through public works programmes and the stimulation of micro and small enterprises are crucial. Threatened livelihoods can easily lead to a new break-out of conflicts. Reintegrating ex-combatants, refugees and internally displace people into the economy represent further financial challenges on fragile post-conflict states suffering from sharply reduced revenues. Inflation might be additionally increased by further credits; declining confidence in the domestic currency leads to brain drain and dwindling capital, thus to a spiral of continued economic failures. New macroeconomic policies and institutions as well as capacity-building for people working in these areas are required to encourage the development of market mechanisms that can efficiently and effectively allocate scarce economic resources. International actors should encourage governments to establish sustainable partnerships with the private sector (public private partnerships) and private sector development, but need to carefully balance their interactions in this area.
International actors may be needed to deliver emergency and relief aid in humanitarian operations during and in the immediate aftermath of crisis and to provide the foundation for long-term development. To prevent a further destabilisation of post-conflict societies, rapid solutions and a quick transition from planning to implementation are needed. Experience has demonstrated, however, that the international presence tends to overwhelm vulnerable countries emerging from conflict with imposed priorities or inadequate responses. Hence it is important to ensure that first phase support measures are also a product of joint consultation and are as flexible and unbureaucratic as possible. The international community needs local knowledge, networks, and support which are ultimately the only sustainable foundation for reconstruction. However, relying too strongly on civil society actors creates the potential danger of substituting and delegitimizing state organizations and thus potentially undermining long-term efforts to strengthen them. Local, national and regional institutions, structures and processes are the only dynamic and sustainable factor that can provide initial support and eventually take over and implement emergency as well as longer-term reconstruction activities within all sectors of society. It is crucial for the international community to identify and cooperate from the very beginning with main drivers of change – individuals and key institutional partners – for post-conflict reconstruction. Also, the sequencing of reconstruction measures on all mentioned levels (security, political-administrative, socio-economic) in post-conflict settings is decisive for a sustainable long-term development.

4. KEY FINDINGS AND CONCLUSIONS

Several main issues, insights and recommendations from each of the main areas of focus within the workshop were identified by the participants. The following recommendations and insights all derive from concrete experiences, and have been implemented in one or more instances in specific country contexts.

The workshop participants agreed that political as well as societal and religious leaders need to be strongly committed to the interests of their country in order to develop a shared national vision and be responsible enough to manage people’s expectations. Governments should convey that the vision cannot be delivered immediately, but that it is a path along which the country will develop. To the extent possible, leaders should pursue redistributive policies, as failure to do so, creates a tendency towards the violent resolution of disputes. Leadership to establish priorities and implement strategies in crisis and post-conflict countries unquestionably rests with national stakeholders. But solid partnerships with international interlocutors are necessary to create and solidify viable governance structures that are reconstituted through inclusive processes and begin to re-establish credibility and trust in the state.

There was a consensus amongst the participants that the vision and mission of post-conflict government should be based on national dialogue and a delineation of short- and long-term priorities, and should be accompanied by the establishment of a public service that is viewed by the public as united and technically competent, and distinct from the pre-conflict system. Such a service is key to delivering on the commonly established priorities.

The workshop participants concurred that post-conflict governance should be inclusive and reflect a country’s diversity. Several post-conflict transitional governments have sought to achieve this goal by sharing power among groups with different ethnic or religious identities. However, constituting a government along these lines, especially in societies where such identities have previously not been sharply drawn, or where different groups have suffered from relatively unequal access to opportunity, may heighten division among groups, and lay the basis for future tension in socio-political interactions and ultimately in conflict.
It is not possible to transform government institutions without a **transformation of mindsets** of people and the ways in which they relate to each other and their capacities for positive engagement. This is both a short-term and long-term process that can be achieved through a combination of transformative policy prescriptions and a commitment to their practical application. There is need to broaden the emerging consensus on maintaining peace and to **develop a culture of prevention**. A broad range of actors must be involved in the elaboration and implementation of practical prevention policies which should address the root causes of conflict in particular situations. This calls for a new spirit of collaboration among national and international actors and involves the development of common tools and mechanisms for addressing potential crisis which take account of the perspectives of the parties to the conflict. Comprehensive human rights-related learning, socialization and education, consensus-seeking skills at all levels, and consciously inclusive policies, that are formulated and implemented with full participation are all vital and indispensable to creating new norms for collaborative engagement among former antagonists. Even if new institutions are established, they will deadlock as their members fail to reach consensus or compromise. Thus, leadership again is crucial and needs to model the behavior of inclusiveness.

Post-conflict revival of governance structures needs to be sensitive to the **specific country context**. Aid policies must be driven by needs that are assessed in an inclusive and participatory manner.

The workshop participants agreed that **external funding and technical assistance** must be **sequenced and long term**, focusing on developing capacity from the outset so that governments can mobilize resources domestically. Paradoxically, the most aid is available early on when crisis or post-conflict governments’ absorptive capacity is weakest. When governments actually develop capacity, aid often dries up. External donors also need to strike a balance between the need for ensuring accountability and the necessity of collaborating effectively with other assistance groups. There needs to be a careful balance between short-and-long-term initiatives. Capacity-building of institutions must begin immediately, but must be sequenced realistically acknowledging that programmes of reform need to be incremental, ongoing and long-term.

Governance of the **security sector** is a precondition for stability – to provide safety and security for the populace, assure the return of internally displaced people (IDPs)/refugees and resettlement, and ensure good management of DDR processes. A well-governed security sector is a key public service and a prerequisite for stability, recovery and development. Thus, security sector reforms need to be initiated and implemented within a wider and long-term peace-building perspective. Downsizing or reforming the security sector on the basis of international standards is not a sufficient starting point. The primary emphasis should be on determining, on the basis of dialogue among relevant stakeholders, the genuine internal and external security needs of a post-conflict society, and then ensuring the allocation of resources to meet these needs. For demobilized security personnel, these resources should include the provision of secure economic alternatives. Reconstituted thus, the security sector should be subject to democratic, civilian oversight.

According to many experiences shared in the workshop, the establishment of equitable **access to justice**, often absent in many pre-conflict and in-conflict situations, is key to lasting reconciliation and hence sustainable peace. However, the imperatives of justice can often clash with those of reconciliation. Fragile post-conflict situations may not be able to stand the stress of putting leaders on trial. The balance may lie in ensuring that justice and human rights protection is equitably and fairly available to communities and individuals in the short-term through an interim system of rule of law, while wider justice is achieved at the national level through mechanisms ranging from truth commissions to special courts, once the process of recovery is stabilized.
Sustainable peace requires **legal and constitutional frameworks** for governance that must be constructed through a process of inclusive participation, especially if they are expected to be visionary and accomplish more than an end to fighting, but also lay the foundation for democratic development. While short-term needs may have to be met through an interim constitution, the rewards of a carefully constructed process of participation will be worth the time. National and international actors should jointly invest in these processes. They secure legitimacy and increase credibility. They build commitment to democracy. Although such participation may be conducted in different ways, it should allow the constitution to draw from the history, the suffering, the aspirations of a people to construct a constitution truly reflective of their needs and vision.

There was a consensus amongst participants that post-conflict management must ensure the effective implementation of agreed **political frameworks** (international, regional, and national), and in particular UN Resolution 1325 through direct and **equal participation of women** in all processes, provision of adequate resources, and protection of rights of women, children and other vulnerable groups. In this regard, governments and all stakeholders need to be urged to ensure mainstreaming a gender perspective in all policies and programmes.

Finally, there was an agreement amongst workshop participants that post-conflict recovery will not be sustainable unless governments, civil society, and other stakeholders acquire the specific **capacities and skills** to manage and resolve, through compromise and consensus, recurring conflicts over scarce resources, the allocation of mineral wealth, land, or identity. While many recovery efforts focus on the rebuilding of physical infrastructure, equal emphasis must be placed on building “infrastructure for peace,” that is, the institutions and processes through which a society mediates its own conflicts.

In summary, the workshop participants concluded that conflict is the antithesis of development. It destroys infrastructure, kills and maims people, but even more tragically, breaks the spirit of our future generations. Instead of spending financial and human resources on post-conflict reconstruction, we should develop a culture of prevention to prevent and transform conflicts. Repairing the seen, but especially the unseen, damage takes generations. It is our continuing responsibility, especially as practitioners and policymakers of governance within governments, civil society and international organizations, to expend our energy and effort on pre-empting violence by addressing inequities, grievances and unresponsive governance every day through our work.