Governance Strategies for Post Conflict Reconstruction, Sustainable Peace and Development

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1.   Abstract

The purpose of this paper is to provide insights into governance challenges and suggest guideposts that may assist government officials, leaders and decision makers to adopt appropriate governance systems and tools as part of post-conflict reconstruction efforts.

The paper points out that post-conflict reconstruction issues are linked to the specific challenges each country has to overcome. Despite the specificity of each country, lessons highlighted in the paper show that a sound mix of policies based on universally shared values and the proper use of management systems and tools are crucial for every country emerging from conflict.

The paper outlines critical dimensions impacting the effectiveness of post-conflict reconstruction strategies. It emphasizes, in particular, the importance of conducting a situation analysis for a thorough understanding of each specific context and for identifying key pillars of these strategies. It further shows the need for them to be peace-sensitive and development-oriented, taking into consideration effective public policies, and appropriate governance institutions that mediate relations between governmental actors, civil society, the private sector and other regional and international partners.

2.   Introduction

The challenges that countries in crises and post-conflict situations face are complex, multifaceted and vary due to the variety of different historical root causes of conflict and the different political, social and geographical contexts. The strategies to address these challenges and effectively support a country on a path of recovery, development and durable peace are therefore diverse. What works in one country does not necessarily work in another. However, there are some universally shared values, principles and key elements that have been found to be sine qua non for sustainable peace that will be described and analyzed in this paper. These comprise: focused and committed leadership, security, solid government structures providing basic services, building people's trust and legitimacy, information dissemination, sound civic dialogue, mediation and community participation.

Experience from different countries emerging from conflict has demonstrated that when a leadership sets up appropriate, transparent and accountable management systems and tools, and then applies them properly and equitably, the key components of sustainable peace and development become more achievable. Government legitimacy and trust in national institutions are created. Economic activities can flourish and generate growth and prosperity. Difficult reconciliation can be achieved.

This discussion paper proposes that a sound mix of policies based on universally shared values and the proper use of management systems and tools are critical for every country emerging from conflict. And, that bringing them to the fore are key to the aims that governments profess they are striving for in terms of sustainable peace and development benefiting to all. The paper will also outline major governance challenges for sustainable peace in post-conflict reconstruction and will attempt to enumerate peace-sensitive strategies to respond to these challenges.

This discussion paper will provide examples from case studies and lessons learned elaborating on selected country experiences of strengthening public administration and governance in post-conflict recovery. The particular focus of the paper will be on how public policies, governance institutions and mechanisms that mediate relations between governmental actors/institutions and their civil society can be designed and rebuilt in a peace-sensitive way. The particular role of the public service as the bulwark of a long-term and peaceful recovery will be explored, as well as tools and mechanisms to foster dialogue, build consensus and strengthen social cohesion. A secondary focus will look at the role of the international community in supporting and strengthening national efforts to ensure a sustainable and peaceful development in post-conflict societies.

3. Key Elements and Challenges for Developing Post-conflict Governance Structures

Post-conflict recovery and state reconstruction are complex challenges for the state and the society. They constitute, in fact, the major goals to be reached when a series of specific challenges have been met. The most critical key challenges in post-conflict realities are enumerated below:

Legitimacy Trust and Authority of the State
When the **authority of the state** has collapsed, and the remaining structures of government often lose their legitimacy in post-conflict settings, thus leading to political, societal and economic disintegration on a national and even regional level, the main task of governments in post-conflict situations is to rebuild economic and political governance and regain legitimacy and the trust of their populace. It is generally acknowledged that the critical determinant of sustainable recovery, peace and development is a committed leadership aimed at: protecting human rights; ensuring rule of law and security; re-establishing and strengthening credible, transparent and accountable public administration institutions; reconstructing an efficient, representative public service that achieves equitable service delivery and re-generates an equitable post-conflict economy.

These key areas of concern constitute the basic prerequisites of peace-sensitive reconstruction and reconciliation. Demonstrated action toward accomplishing them can transform the mindset of people to trust in their government's ability to deliver lasting peace and progress and to be patient through the hardships that will prevail. At their inception, post-conflict governments, especially transitional authorities, often lack **legitimacy and have not yet earned** trust, as they were formed as a result of negotiations between warring parties without the involvement of the majority of the population or they include former combatants perceived by the population to be responsible for crimes. They also exercise limited control over the country's assets. The development of public policy often has to be negotiated with other actors (sectarian groups or former parties to the armed conflict) who may control parts of the territory and/or national resources.

Political Will for Transparency and Accountability
The fragility of post-conflict situations creates multiple openings for **corruption** and the lack of a common ethos of governance undermines the political will for **transparency and accountability,** thus impeding the creation of robust mechanisms to deal with it. The absence of a shared vision and ethos of governance within the new, constituted governing group, especially when its members are drawn from former warring parties, often induces factionalism that makes different groups in government work at cross-purposes rather than for the national good.

Rule of Law
Absence **of rule of law**, accompanied by a culture of impunity, especially affects many post-conflict situations and severely undermines the legitimacy of the State. It is likely that weak rule of law existed prior to violent conflict and was characterized by ineffective or corrupt institutions. The fall out from this circumstance is especially evident in the judiciary and police, where dysfunctional institutions have over time eroded confidence in the formal mechanisms for dispute resolution and grievance management and induces citizens to resort to illicit means. There is a need to re-build the judicial infrastructure from the highest to the lowest levels, with the most severe challenges being to rebuild the physical infrastructure and capacities of the staff, and to establish and promulgate an enforceable legal and regulatory framework that will be accepted by the populace.

Social Capital and Social Cohesion
Post-conflict public policies are particularly vulnerable to distortion by sectarian behavior towards particular groups, sectors or communities overriding national interests. The loss of human and social capital, a dearth of **social cohesion,** continued exclusion of targeted groups in society, and absent participatory mechanisms in public policy formulation, all perpetuate a lack of trust in government and challenge the revival of legitimate local and national governance structures. Internally displaced people (IDPs), returning refugees, and unsupported youth and (former) child soldiers/ex-combatants and others are particularly vulnerable to being co-opted into unproductive or illicit activities that are counterproductive to the effective functioning of the state. The State must organize specific, demonstrable initiatives to regenerate social cohesion through policies and programmes that promote participation, equity and inclusion.

Reconciliation processes which are ignored, overlooked or delayed in the press of urgent humanitarian or political and economic conditions can create longer-term problems and aggravate unresolved issues that make people resistant to overt attempts at enforcing social cohesion. In many post-conflict societies, peace accords and truth and reconciliation commissions are being set up, but are ineffective and sometimes counterproductive as they lack adequate implementation, follow-up or sincere commitment. The lack of coherence between the peace consolidation process as a medium term action on the one hand, short-term peacekeeping actions and long-term development efforts on the other, may further destabilize efforts to achieve sustainable peace and development.

Economic Reconstruction and Service Delivery Structures
Another major challenge is the need to simultaneously sustain ongoing governance reform and economic restructuring programmes at the same time securing visible achievements in poverty alleviation efforts as dividends of peace and stability. With regards to **economic reconstruction**, the short-term economic orientation of local actors which is focused mostly on private immediate gain, often prevails in post-conflict settings. This situation, exacerbates a credibility and legitimacy deficit for the new political actors, and limits the citizens' compliance with their obligations.

War economies and parallel economies continue to thrive particularly during situations of ceasefire. Unless concerted action to retake regulatory control of the State accompanies the cessation of violence, these parallel economies deny the state access to substantial revenues and the beneficiaries undermine and destabilize attempts to rectify the situation. Within this arena, the exploitation and abuse of mineral and **natural resources** by illicit national and/or foreign actors, coupled with worsening terms of economic exchange, are other crucial challenges that need to be addressed to ensure a sustainable economic reconstruction.

Security and Cross-border Movements
Continuing **insecurity and violence** affect the provision of basic services, and re-establishment of government authority and administration at local levels. A lack of institutional authorities and failure in the security sector, in particular the police forces, lead to continuing mistrust of the population in public authorities and, at best, a State lacking legitimacy, and at worst, a breeding ground for the re-eruption of unresolved conflicts and violence.

Conflicts spilling across borders represent an additional source of continued post-conflict disintegration, on both a national and regional level. Such cross-border conflict issues include the illegal traffic of small arms, light weapons and anti-personnel mines. The fundamental question here is how to regulate movements across borders in order to discourage illicit traffic while promoting legal and safe movements and advancing more cohesion and integration among countries.

4. Governance Guideposts for Post-conflict Peace and Development

This section suggests a range of key governance guideposts and strategies for post-conflict and peace-sustaining reconstruction within different policy areas. These guideposts contain a mix of shared universal values integrated with first-hand experiences in post-conflict settings.

The diagram A: "Governance Strategy Pillars for Post-Conflict Reconstruction Peace and Development" shows the key elements to be considered in designing, implementing, monitoring and evaluating any governance strategy leading to post-conflict recovery, sustainable peace and development for a country or region emerging from crisis. There is, however, need for a thorough in-house situation analysis in conjunction with an analysis of external (regional and global) factors in order to achieve a comprehensive understanding of the root causes of conflict in the context of the country before working on a post-conflict reconstruction strategy.

This diagram illustrates the coexistence of three different areas: the surrounding area (represented by the lines emanating from the cultural context, external factors, and management tools), the center area and the periphery.

The **center area** symbolizes the functioning of a country or a region through a triangle where three governance levers should always be considered by a **leadership** to accomplish its **vision**. The three central and interrelated governance levers are: (i) the people, (ii) the resources, and (iii) the services.

The **periphery** consists of nine key elements considered as pillars of the strategy. The three common complementary and fundamental powers deemed necessary to rule the state (Executive, Legislative and Judiciary) constitute the first ones. The six others to taken into consideration are: (i) civil society, (ii) environment and natural resources, (iii) private sector and socio-economic factors, (iv) technology, (v) security forces, and (vi) public administration.

In addition, it is assumed that all these nine governance pillars, including the ruling leadership, are constantly influenced by the **surrounding area** comprising the culture of people, the international environment and partnerships, globally agreed principles and values of good governance as they relate to rule of law, democracy, and management systems and tools. These can focus on information, communication, coordination, planning, formulation, implementation and evaluation of policies, strategies and programmes, and service delivery (including control – monitoring - and evaluation mechanisms).

Based on the analysis of the relevant factors pertaining to the nine identified pillars, we will examine key guideposts that are the ingredients for the success of post conflict reconstruction strategies. The guideposts are abstracted from the analysis of the pillars illustrated in the diagram A.

Diagram A: Governance Strategy Pillars for Post-Conflict Reconstruction Peace and Development

Executive Power & Politics

Legislative Power

People

Judiciary Power

- o People Culture
- o International Environnent & Partnership
- o Good Governance
- o Management Systems & Tools

Security Forces

Country Vision: Peace-Prosperity Development & Welfare for All

Economy & Private Sector Business

Services

Resources

LEADERSHIP

Public Administration

Civil Society

Technology

Environment & Natural Resources
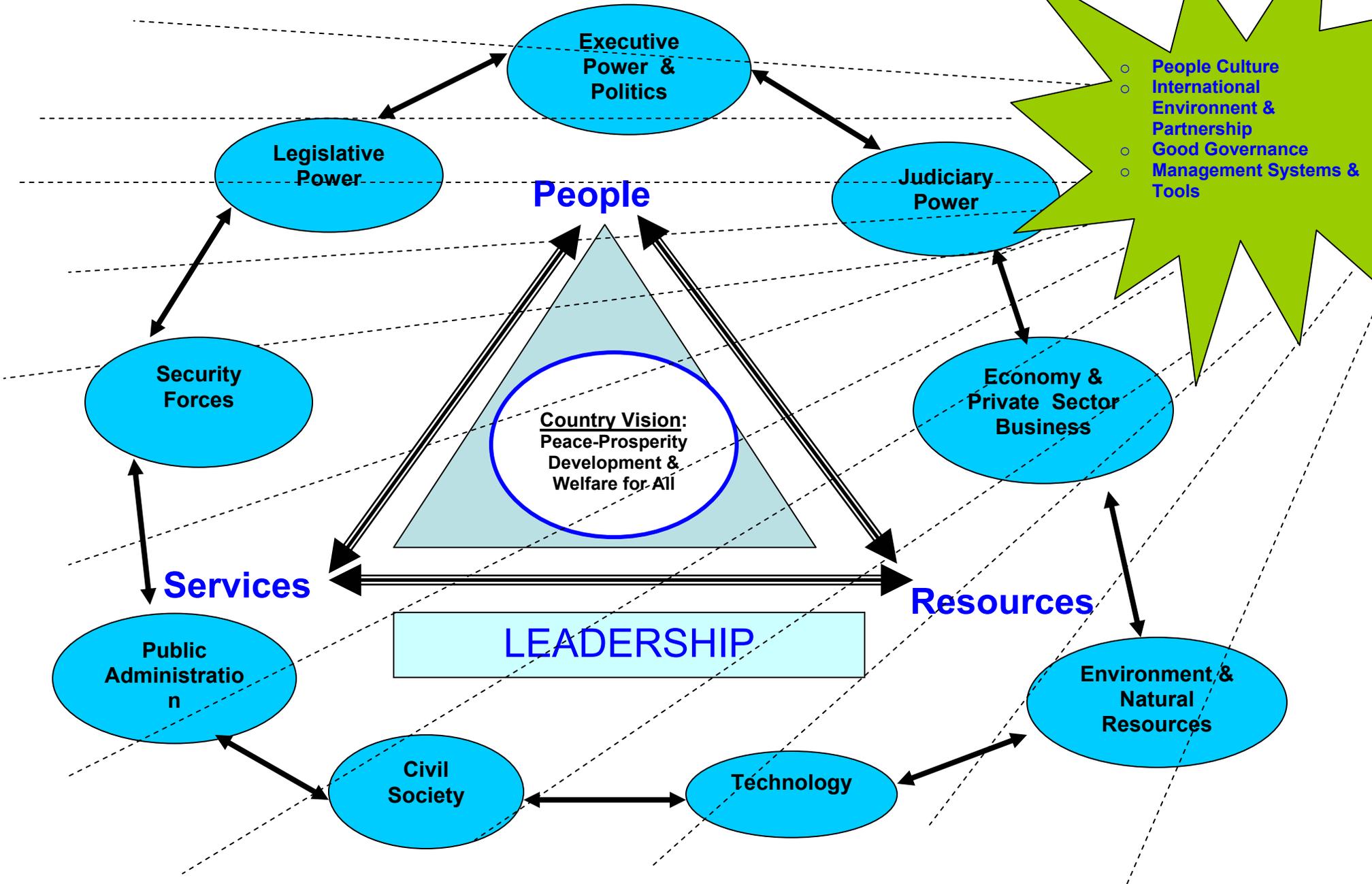
4.1   Leadership and Governance

The success or failure of post-conflict reconstruction efforts is closely linked to the existence of a coherent and legitimate government. Rebuilding the capacities of the state and the (re-)establishment of credible, transparent, participatory and efficient governance and public administration institutions in fragile post-conflict settings is the key ingredient to achieving peace, stability and sustainable development. A solid governance infrastructure, based on well-articulated horizontal and vertical divisions of power, is crucial to delivering political promises along with the needed public goods such as security, health care, education and infrastructure. State- or nation-building is the central objective of every peace building operation and is dependent upon the reconstitution of sustainable governance structures. Post-conflict nation-building comprises, at minimum: the rule of law, judicial, constitutional and security sector 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.

Merely establishing formal institutions and processes does not guarantee that policies will be developed and implemented by all relevant actors. What is required is to integrate institution building with building skills and capabilities of civic and political leadership including those of constructive negotiation and consensus formation.

Arguably, 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. 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 is crucial and needs to model the behavior of inclusiveness.

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 resorting 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 that of the group, presupposing the ability to successfully manage and resolve conflicts in a participatory manner. Leaders need to be able to put aside self-interest in the name of the larger national interest, such that there are not victors, nor vanquished, but only partners.

 Leadership to establish priorities and implement strategies in crisis and post-conflict countries unquestionably rests with national stakeholders. But, as demonstrated below in sections 5 and 6, solid partnerships with international interlocutors are also necessary to create and solidify viable governance structures that are re-constituted through inclusive

processes and begin to re-establish credibility and trust in the state. 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.

Decentralization is a key policy area in post-conflict settings. The dispersal of key government functions to the provincial or local levels promotes inclusion and participation, and reduces the stakes for a contest over centralized power. However, experience shows that decentralization cannot by itself resolve the intractable problems that led to violence or the post-war challenges[1]. This is because a successful decentralization process - since it entails a transfer of power, authority, responsibilities and resources from the centre to local governments - requires consultations and participatory actions. These processes are unlikely to develop in the immediate aftermath of war or conflict without concerted actions.

If control over territory is what is contested, then territorial decentralization may contribute to peace (bearing in mind specific territorial areas of a country that are put under governance of one warring faction). However this would not be decentralization in the real sense because it actually represents a loss on the part of the central government and a victory of the warring faction. All the same, there is a case for designing decentralized governance systems in order to promote peace. Decentralization in fact provides a structural arrangement for orderly negotiation and shared exercise of power and facilitates the involvement of the local people in policy decisions on their own development. Moreover, it offers effective resource allocation, improved service delivery and better prospects for peace. Thus the design and development of local representative structures is a key element of peace-building efforts in conflict and post-conflict situations.[2] However, when decentralized governance is not well managed, it can lead to instability and conflict rather than peace. Therefore, supporting capacity building for decentralization, especially the delivery of basic services in an inclusive and participatory manner, is a critical element of peace and development strategies.

4.2   Public Administration

In any development context, and particularly in a post-conflict setting, the public administration "must be capable of the management and implementation of the whole set of government activities dealing with the implementation of law, regulations and decisions of the government and the management related to the provision of public services."[3]

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1 John-Mary Kauzya, "Decentralization and Decentralized Governance for Enhancing Delivery in Transition Conditions", presented as a background paper for the Regional Forum on "Enhancing Trust in Government through Leadership Capacity Building" in St.Petersburg, 28-30 September 2006, http://unpan1.un.org/intradoc/groups/public/documents/un/unpan025134.pdf

2 Regional Expert Network on Local Democracy in Asia, "Summary of E-discussions, September 1, 2006 – February 26, 2007", April 2007.

3 UNDP/UNDESA, "The challenges of Restoring Governance in Crisis and Post-Conflict Countries" page 21

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 in 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 in the first place to fuel the conflict 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 self-transformation to adapt to and manage the changed and changing overall socio-politico-economic and social governance terrain.

The Rwandan experience (7.2) demonstrates that **institution-building** is essential to ensure the promise of good governance and the achievement of economic and social goals. In addition, the South African experience (7.3) indicates that it is impossible to transform a government and therefore a State without transforming the public service. It therefore needs to be representative, coherent, productive, transparent, accountable and committed to respond to the needs of the citizenry and to attain peace and development.

Governments need **the capacity to undertake in-depth conflict analysis** and situation analysis through inclusive, participatory processes in order to fully understand both the issues that may cause conflict and those are most important to the people. Conflict triggers, as well as peace building factors, need to be thoroughly examined, their interactions and potential impacts understood. 'Process' skills, which are key ingredients for an inclusive public policy development process, need to be built or rebuilt. Credible governance will require the political actors learning and employing new sets of process skills, such as collaborative **negotiation, mediation, and consensus building**. The vision and mission of post-conflict governments should be based on a process of **national dialogue** that will produce a demand-driven delineation of short- and long-term priorities. It needs to be accompanied by the establishment of a public service that is viewed by the public as representative, united and technically competent, and distinct from the pre-conflict system. Such a public service is key to delivering on those commonly established priorities.

The laws and administrative procedures regulating public sector institutions should be peace sensitive, inclusive and development oriented. Their establishment should be designed in accordance with the challenges to be overcome and the priority needs or issues to be addressed. They should be made functional according to the real existing capacity in terms of financial and human resources as well as technology and equipment. Their administrative structures should be compatible with the staff profiles required for their optimal functioning. The availability of skilled staff should be assessed in order to plan training activities needed. Moreover, the equipment required for the running of these structures should be adequate to the available technology and capacity of staff, as well as to their mission for responsive service delivery. The work itself should be performed
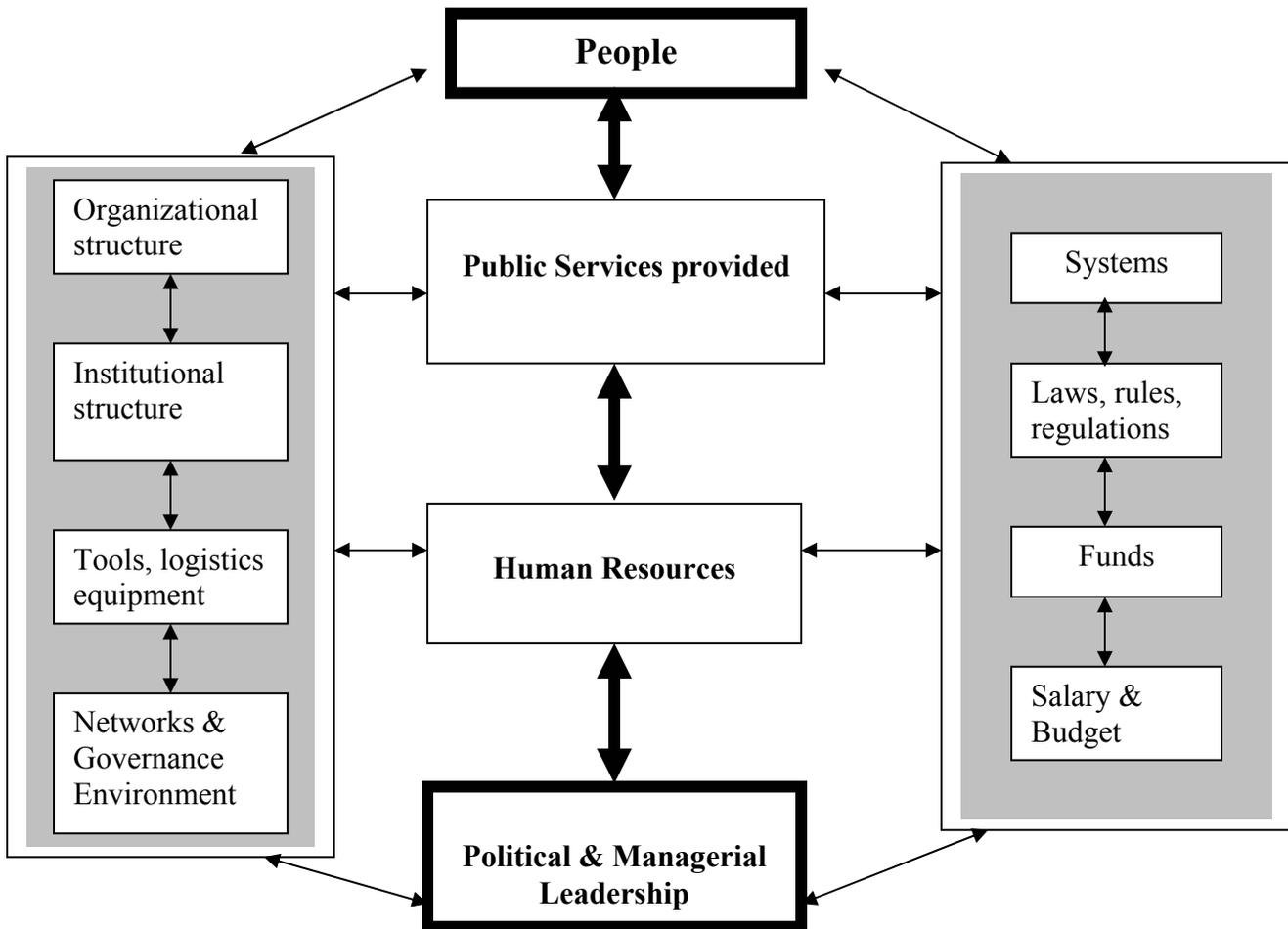
based on sound management practices guided by clear systems and tools known as standards or norms.

The diagram below entitled "post-conflict pubic sector reconstruction" outlines the dynamic needing to be activated between the basic constituents of a public service looking for better responsiveness and efficiency. In sum, there is need for public service transformation which addresses the weaknesses and major challenges the public sector is facing considering the unique context of each country.

Even though the public sector reform is guided by its own specificity, it is essential to establish a proper congruence between policies, strategies, public programmes/projects, norms and standards to be implemented at national and local levels whatever the socio-economic sector. This implies the key role the citizens and public servants will play under a political and managerial leadership focusing on transparency accountability, equity and professional ethics for working methodologies, approaches and practices. In this perspective, the budgeting process - including the salary policy for the public servants - and the fiscal system will be the prominent factors with regard to the reconstruction of public service.

Experience has shown that post-conflict recovery will not be sustainable unless governments, civil society, and other stakeholders enhance the meditative capacities of a range of actors in society. This requires that a range of stakeholders acquire the specific **capacities and skills** to manage and resolve, through compromise and consensus, recurring conflicts and competition over scarce resources, the allocation of mineral wealth, land and between different identities. 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.

Diagram B: Post-conflict Public Sector Reconstruction

People

Organizational structure	**Public Services provided**	Systems
Institutional structure		Laws, rules, regulations
Tools, logistics equipment	**Human Resources**	Funds
Networks & Governance Environment		Salary & Budget

Political & Managerial Leadership

In this perspective, as shown in diagram B "Post-Conflict Public Sector Reconstruction", public sector reconstruction will be conducted based on the logical links between the three columns (structural elements, human resources and available systems), comprising the public sector's fundamental constituents and following the institution development methodological approach. An adequate balance of these constituents becomes a great asset for peace and development. If for any reason there is no consistency between the twelve fundamental constituents within the three columns, new sources of conflict might be elicited. For example, Ivory Coast and Guinea Bissau experienced a degree of inconsistency among certain public sector constituents when there was an absence of payments to soldiers in the first case and civil servants in the second one. This situation of non-payment precipitated demonstrations in these countries which escalated to violent conflict. These experiences demonstrate how lack of consistency among the constituents of the public sector might create tension that could potentially escalate into violent conflict.

Most crucially, there is a need to broaden emerging consensus on reconciliation as a means toward conflict prevention and to **develop a culture of prevention.** A broad range of actors must be involved in the elaboration and implementation of practical prevention policies and mechanisms 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 institutional mechanisms for addressing potential crisis which take account of the perspectives of the parties to the conflict.

Consensus-based decision-making needs to be fostered as preferred state practice related to state design and policy. For example, peace agreements and new constitutions may need to be designed and, above all, implemented. The process of drafting a new constitution needs to engage the participation of the majority of the population instilling a sense of ownership among/across different ethnic and religious groups. The need for consensus building processes that reinforces trust between government and people cannot be compromised even by the need for political institutions to act as quickly as possible. Sometimes constitutional re-design can be misused as a stalling maneuver between antagonists that don't trust each other. Dialogue and confidence-building, however, may temporarily obviate the need for constitutional change by bringing consensus on contentious issues. Embarking on a constitutional process in the aftermath of conflict may take time, energy and funding away from more urgent needs. Raising trust between antagonists and imparting collaborative negotiation skills can help facilitate and expedite contentious negotiations where constitutional change is needed. However a thorough constitutional review process needs to be undertaken when conditions are conducive to full freedom of expression engaging all different strata of the society.

4.3   Legislative Power and Rule of law

The guidepost involving legislative power and rule of law is derived from the interlinkages of the legislative and judiciary pillars. Parliaments have a fundamental role to play in peacebuilding processes, including oversight of reconstruction, legislating on human right issues and addressing post-conflict security concerns. Parliamentary strengthening is critical to allow a parliament to fulfill its constitutionally mandated role of holding the executive branch accountable for its actions and performance[4]. It also contributes to peacebuilding while restoring legitimacy and trust in the legislative power. Therefore in post-conflict realities, the legal framework, judicial institutions and the penal system need to be re-established to sustainably ensure the **rule of law.**

The establishment of truth and 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

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4 Parliaments, Crisis Prevention and Recovery, Guidelines for the international community, United Nations Development Programme, 2006

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 or an agreement on contentious issues, the rewards of a carefully constructed process of participation will be worth the time once conditions are mature for a full freedom of expression. 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 creation of a constitution drawing from the history, the suffering, and the aspirations of the people and truly reflecting their needs and vision.

It is important to mention that an accurate revision and enactment of laws and regulations, supported by appropriate funding provisions, may be needed to promote women and vulnerable groups' participation in leadership and decision making positions.

4.4   Participatory Development and Social Cohesion

A decisive factor in the success and effectiveness of post-conflict reconstruction is the prior 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. **Social inclusion, political participation and social cohesion** are crucial to post-conflict reconstruction, but also represent complex processes of political and social consultations. 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 tensions in socio-political interactions and ultimately lead to future conflict.

Non-governmental actors and civil society movements can make major contributions and play important roles in identifying, analyzing and addressing root causes of conflict. Enabling societies to dialogue with itself and to encourage dialogue between governments and the civil society needs to be amongst the key goals of post-conflict reconstruction in order to find solutions that consolidate peace in the long run. Support to the establishment of civil society umbrella bodies helps to create a structure through which civil society organizations can collectively engage in lobbying, advocacy and

monitoring programmes that help enhance the development of pro-poor development polices[5].

Therefore, any post-conflict development initiative must be implemented with the participation of the affected populations. This is to ensure correct understanding of their actual needs, including society transformation after conflict, local participation and ownership as well as responsibility for sustaining achieved results. Intervention must be conflict sensitive and "de-ethnicized," especially if ethnic tension was at the root of conflict. Interventions must actually go beyond simply 'doing no harm,' but must proactively address the root causes of conflict and diminish tension and destructive competition among interest groups.

Dialogue mechanisms, systems, and processes for the resolution of day-to-day disputes within society need to be established to build up and reinforce an infrastructure for peace. Religious, civic and community leaders can play constructive roles in fostering an environment for the peaceful settlement of disputes.

4.5   Economic Reconstruction and Development

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 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 displaced 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 promote private sector development, creation of economic opportunities for business operation and development as well as entrepreneurship training and policy frameworks for small and medium enterprise development. They should also assist governments to establish sustainable partnerships with the private sector, where the latter exists (public private partnerships), and carefully balance its interactions in this area in order to prevent polarization of interests that might undermine the benefits of the general population, hence generating renewed or even new conflict.

Economic policies need to be closely aligned with peace-building components. Governments must balance carefully the trade-off between tight fiscal management and

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[5] Cf. Lealem Berhanu Dinku – 7 September 2007 DGP-Net discussion on Local Governance and Development, STA-Governance and Head of Office, UNDP-Sudan-Kadugli Field Office.

the need to show quick success in stimulating the economy and providing basic services. This helps people differentiate between the results of war and the benefits of peace and encourages their participation in the reconstruction process. Some emerging best practices are worth considering. One of them is to establish robust systems of public control and oversight to minimize imprudence or corruption. Another may be to negotiate the distribution of income from the exploitation of natural resources, such as gold and oil, across geographical, ethnic and sectarian lines. Also, the government should strive to engage its armed forces in the delivery of public goods to justify public expenditure on them.

4.6   Security Sector

Governance of the **security sector** is a precondition for stability – to provide safety and security for the populace, assure the return of IDPs/refugees and resettlement, and ensure good management of disarmament, demobilization and reintegration (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 overall 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 as well be neutral vis-à-vis any political party or former belligerent faction.

The security sector has the potential to generate tremendous political good will and protect economic growth within a post-conflict country. Thus, governing authorities need to ensure security as a precondition for any further post-conflict development. Although security sector concerns may vary among post-conflict countries because of unique political and historical legacies, often there are four common characteristics of the post-conflict security sector[6]:

- Bloated military apparatuses that drain economic resources
- Military and police forces that frequently play major role in politics and the economy, and which may be incompetent, abusive and corrupt
- Armed groups/militias posing significant threats to individual/community security
- Dysfunctional civil - military relations

The trust domestic citizens and international investors have in the security sector can either enhance or hinder the amount of investment, aid, and development opportunities a country will receive. Thus, the trust in this sector is not only essential for the creation of a

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[6] John Ohiorhenuan, UNDP – Bureau for Crisis Prevention and Recovery, Presentation during the 7th Global Forum on Reinventing Government, Vienna, 26-29 June 2007.

sustainable peace and public administration and judicial system but also for the future economic and political development of a country. The sector has the responsibility of protecting an environment of trust by the citizenry, the private sector and the international community which is a *sine-qua-non* condition for launching a process of growth and investment creation. It is clear that the need to restore people's confidence and reestablish trust in government cannot be fulfilled without an effective and democratically accountable security sector. Consequently, reform of this sector needs to be initiated to avoid a situation of fragility in the gained peace and to avoid relapse into conflict. Field experts have identified four common security sector reforms which take the following steps in post-conflict countries[7]:

- The restructuring of the military: downsizing and salary review
- Integration of armed groups into national army and police
- Re-training military and police
- Re-integration packages for ex-combatants

The goal of the security sector reform (SSR) should be the establishment of a security sector ensuring "adequate capacity to respond to the threats facing the nation whilst facilitating the provision of an enabling environment for socio-economic development and poverty reduction through growth and promotion"[8]. It is essential that the reforms introduce transparent management mechanisms as well as accountability of the security sector to the government. This can preferably be ensured through a "democratically accountable civilian oversight"[9] ensuring a balanced allocation of state resources to this sector in line with those of the other strategic institutions. External funding may be required to assist post conflict countries to face their challenges of financing this sector. The SSR also requires a delicate attention to institutional capacity building. This is more important than effecting a drastic reduction of budgetary allocations or of the "size and shape" of the armed forces. It is also important to pay adequate attention to the creation of "force multipliers" ensuring robust response to threats in society.

However, many governments avoid SSR and necessary downsizing of the military because of the benefits it provides to their stability, to its soldiers and the deterrent to criminal behavior it provides. Thus, governments often seek alternatives to downsizing and complete the following tasks:

- Reorient soldier tasks: external security and providing support during complex humanitarian emergences
- Engage soldiers in peacekeeping (this requires training efforts)
- Hire/consider private military/security firms (this poses issues of standards and accountability)

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[7] John Ohiorhenuan, UNDP – Bureau for Crisis Prevention and Recovery, Presentation during the 7th Global Forum on Reinventing Government, Vienna, 26-29 June 2007.
8 Al-Hassan Kharamoh Kondeh, Sierra Leone Ministry of Defence, Reforming the security sector for its effective contribution in a post-conflict state
[9] Idem

- Create/utilize labor intensive works (this may crowd out private sector and not be appreciated by the military)
- Create reintegration programmes retrain ex-combatants to increase chance of sustainable livelihood [10]

Ethnic tensions need to be particularly taken into account with actors in the security sector in order to avoid that these issues are carried out at the expense of vulnerable groups in post-conflict societies and people who are only starting to rebuild their trust in government.

Moreover, although there has been increased attention regarding the connection between livelihoods and trust during the last ten years, there are still many unanswered questions. Some of these concern the actions to be taken against former combatants as well as the concerns over human rights abuses, which persist with impunity long after the conclusion of many conflicts.

SSR provides opportunities to link post-conflict recovery strategies with other targeted programmes supporting economic recovery, legislative and public sector capacity-building and civil society empowerment. During the SSR process many levels of mistrust must be overcome and trust between individuals and security must be established or re-established if collapsed or previously non-existent. However, to create the dimension of trust between individuals and the security forces, citizens must believe that the management and the oversight of the security sector is not only inclusive, but also accountable to them in a transparent manner. Additionally, actors of all levels must be empowered to ensure the stability of trust in the security sector. Specifically the executive and legislative actors must be empowered to create more **effective direction and management** and civilians must be empowered to **participate in oversight.**

Nevertheless, it should be noted that trust in the security sector does not ensure trust in other areas of the government: the legislative, executive, or judicial authorities and it does not prevent/reduce problems that may result from the lack of proper institutions. Therefore trust in this sector, although essential, does not singularly enhance the livelihoods or human security of individuals in a society. In sum, SSR is a necessary, but not sufficient component of post-conflict reconstruction.

4.7   Information and Communication Technologies and Knowledge Management

Access to reliable and objective information is a vital element of democratic process and settings. Countries' experience shows that the manipulation of information can be a trigger of rising misunderstanding and tensions that can lead to devastating conflicts. Therefore, the promotion of exchange and dissemination of information is an important element of re-construction efforts. It is therefore in the interest of governments to set up mechanisms allowing them to manage information and knowledge assets. In particular

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[10] John Ohiorhenuan, UNDP – Bureau for Crisis Prevention and Recovery, Presentation during the 7th
Global Forum on Reinventing Government, Vienna, 26-29 June 2007.

information and communication technology (ICT) "can play an important role as a powerful tool for both economic and social development, allowing governments to improve efficiency and to deliver more transparent, high-quality services to citizens"[11].

As seen in par. 4.1, many post-conflict governments implement decentralization strategies to improve service delivery and foster inclusion, participation and peace. Experience in countries including Rwanda, has demonstrated that these strategies greatly benefit from the effective application of information sharing and dissemination through ICT. This technology, in fact, facilitates communications between decentralized authorities and increases information sharing and coordination. It also promotes better accountability and streamlines capacity building[12]. ICT is also highly effective in collecting information on a wide range of vulnerability factors for preventing the relapse of conflict and supporting sustainable peace processes.

However, it must be noted that the implementation of ICT strategies in post-conflict contexts requires a careful interposition of technologies, starting with simple projects such as Internet kiosks and scaling up to more complex integrated budget systems that allow for improved financial management and increased transparency and accountability[13]. The use of ICT can assist post conflict governments to implement processes aimed at fighting corruption and restoring people's trust in the country's institutions. Due to the fact that ICT is expensive and usually beyond the financial capacity of governments in post conflict societies, assistance from external actors may be required, combined with internal knowledge of how to strategically address needs and constraints.

4.8   *Environment and Natural Resources Management*

The consequences of violent conflicts on the physical environment and irreplaceable natural resources are obvious. In the aftermath of violence, leaders and decision makers must pay a careful attention to environmental stewardship toward the ultimate goal of peace and sustainable development. This requires balance between reconstituting the eco-system, the optimal management of natural resources and equitable resource distribution to benefit all citizens. The main strategic areas to be developed further in both a conflict situation analysis and for policy development are as follows:

- o Protecting biodiversity for the global environmental balance as a key element of re-construction efforts. Governments need to implement specific policies and

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[11] Mr. Sha Zukang's speech at the Second Facilitation meeting on Implementing WSIS Outcomes Related to Action Lines C1 and C7eGov, Geneva, Switzerland, 24 May 2007.
12 Antonio Carlos Carvalho, Debate on ICT for Disaster Management and Post Conflict Reconstruction, 1810/2005(http://web.worldbank.org/WBSITE/EXTERNAL/TOPICS/EXTINFORMATIONANDCOMM UNICATIONANDTECHNOLOGIES/EXTEDEVELOPMENT/0,,contentMDK:20686822~menuPK:8281 58~pagePK:64020865~piPK:51164185~theSitePK:559460,00.html)
[13] Attracting Investment in Post-Conflict Countries: The Importance of Telecommunications
Antonio Carvalho and Samia Melhem, May 2005 Discussion
(http://rru.worldbank.org/Discussions/Topics/Topic63.aspx)

actions for preventing natural disasters and planning for problems such as climate change, desertification, etc. .

- o Enhancing socio-economic activities that reduce poverty, generate growth, and manage natural resources sustainable without further damaging the environment.
- o Participation and commitment of local communities in the management of natural resources.
- o Fostering an optimal resources management process based on transparency and accountability within three focal points: a) mapping of natural resource areas – e.g. "Tele-detection", b) exploitation norms including performance requirements and obligations and c) control, monitoring and evaluation.

5. The Role of Regional Actors and the International Community in Reconstructing Governance Structures in Post-conflict Societies

The **international community** as well as **regional actors** play a crucial role in the immediate aftermath of a conflict but are often challenged by a lack of coordination and unclear leadership role on security issues. External funding and technical assistance must be sequenced and provided on a long term basis. It should also focus on developing national capacity from the outset so that governments are prompted to 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 national actors.

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 destabilization of post-conflict societies, rapid responses and a quick transition from planning to implementation are needed. However, the international presence often overwhelms 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 un-bureaucratic as possible. One big challenge for the international community is the initial dilemma to cooperate with government institutions that are not fully democratically legitimized and at the same time help them strengthen and transform and become accountable and legitimate.

It is indisputable that continuing significant external technical and financial assistance is critical to sustainable post-conflict recovery. International support can play a particularly valuable role in creating national capacity for the implementation of post-conflict strategies and programmes. In addition to short-term relief and recovery needs, post-conflict assistance should also target the large-scale development of leadership skills and capabilities within the civil service to work inclusively in making and implementing policies and decisions. Additionally, the **sequencing** of reconstruction measures at all

levels and across all sectors (security, political-administrative, socio-economic) in post-conflict settings is decisive for a sustainable long-term development.

5.1 International Actors

The international community needs local knowledge, networks, and support which are ultimately the only sustainable foundation for reconstruction. It is crucial for the international community to identify, cooperate, and support from the very beginning with main **drivers of change** – individuals and key institutional partners - for post-conflict 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.

5.2 Local, National and Regional Actors

Local, national and regional institutions, structures and processes are the key dynamic and sustainable factor that can provide internal, culturally-appropriate guidance and eventually take over and implement emergency as well as longer-term reconstruction activities within all sectors of society. Relying on local knowledge and networks, and then building the capacities of public officials in policy design and implementation are crucial steps in the aftermath of a crisis or conflict. This cannot be compensated by handing over decision-making on domestic economic issues to international organizations. Adequate training measures, establishing appropriate incentives and reviewing all external strategies with national/regional/local necessities are key elements to make external interventions a success and support for long-term development.

Regional organizations can have an important role to play in post-conflict environments and can be a useful adjunct to the work of inter-governmental or bi-lateral partners. Regional counterparts can provide more acceptable support that is seen as neutral (in everything from brokers of peace agreements to peacekeeping troops to election monitors.) Their in-depth knowledge of the sub-region and political influence on governments and their opposition can often produce agreements or effect difficult decisions that other external actors have difficulty achieving.

5.3 Conflict Prevention and Peacebuilding Infrastructure

Both international and regional actors play a crucial role in peace-building as part of post-conflict reconstruction efforts. However, it is essential that they also support actions aimed at strengthening national capacities for **conflict prevention**. As part of these efforts, it is important to build skills and capabilities of civic and political leadership for understanding the **nexus between peace and development** and for enacting mechanisms for in-depth conflict analysis and prevention.

Within this context, public sector managers need to be aware of the existence of mechanisms which can be accessed to support post-conflict peace building activities as well as for conflict prevention. Among the former mechanisms it is worth mentioning the

Peacebuilding Commission, an intergovernmental advisory body established to enact a recommendation made by world leaders at the 2005 World Summit. The need for consolidating peacebuilding and development efforts has been institutionalized with the establishment of this body. The role of the Commission is in fact that to "marshal resources at the disposal of the international community to advise and propose integrated strategies for post-conflict recovery, focusing attention on reconstruction, institution-building and sustainable development, in countries emerging from conflict"[14].

Other sources of useful information on conflict prevention and reconstruction efforts are accessible through the:

- o United Nations Development Programme, Bureau for Crisis Prevention and Recovery (BCPR), which helps countries prevent and recover from armed conflicts and natural disasters through advocacy, capacity building, conflict sensitive development, development of tools and methodologies, gender equality, knowledge networking, strategic planning and programming, and policy and standard setting[15].

- o UN Peacebuilding Portal[16], an interactive website of 2,000+ peace-building and conflict prevention NGOs in sub-Saharan Africa, making it easy to identify and collaborate with organizations in the public, private and civil society sectors who are engaged in mitigating and managing conflict in Africa.

6. Towards Governance Strategies for Post-conflict Reconstruction

After having examined the governance guideposts for post-conflict peace and development (Section 4) and the role of external actors in support of this process (Section 5), we now turn to identifying key elements to be considered in the design and implementation of post conflict and peace sensitive strategies. These elements are to be taken into account within the perspective of governance and public administration while the post conflict societies are developing their individual strategies.

The crucial question examined in Section 4 is how to attain post conflict and peace sensitive governance reconstruction. How to protect human rights? How to ensure the rule of law? How to transform the mindset of people so that they are all oriented toward peaceful development, productivity, growth, public service delivery and the public good over sectarian interests?

This "how" question raises the issue of leadership style, commitment and focus, which is closely related to the management systems and tools employed to govern the socio-economic development of the country for the welfare of the people.

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[14] United Nations Peacebuilding Commission, http://www.un.org/peace/peacebuilding/index.html
[15] United Nations Development Programme, http://www.undp.org/cpr/we_do/building_national.shtml
[16] United Nations Peacebuilding Portal, http://www.peacebuildingportal.org

Amongst the varying questions relevant for post-conflict recovery, the following are key issues needing to be brought into the decision-making process that determines strategies, entry points, and the mix of policy and management decisions that need to be considered and integrated with each other:

- Questions of political will and national ownership in a post-conflict recovery settings – the role of political leadership
- How to (re-) build capacities of people and institutions for the design and implementation of peace-sensitive policies
- Sequencing and integration of activities after conflict / levels of activities and intervention – "holistic approach"
- How to (re-) build conflict management/resolution skills and tools, as well as dialogue and mediation skills
- How to initiate and how to provide incentives for reconciliation processes
- How to minimize/prevent corruption, sectarianism, and favoritism in fragile contexts after conflict
- How to (re-) establish ethics in the public service and how to provide incentives for efficient service delivery, how to avoid brain drain?
- How can the capacities of civil society institutions be strengthened in order to make them strong actors in post-conflict construction
- What are successful mechanisms and tools to overcome socio-economic disparities and social exclusion
- How can useful approaches be sustained and how can be ensured that these approaches are maintained over a longer period and not only in the immediate phase of attention in the aftermath of a conflict

How can the support of the international community be optimized and what lessons can be gleaned in terms of providing support and advisory services to support post-conflict recovery on all political and societal levels

The following discussion will not attempt to identify optimal global strategies. As has been argued above, strategies must reflect specific country circumstances and there are no generic prescriptions on an optimal strategy. This section will however, identify the critical elements that public sector managers need to focus on in order to create and implement successful post conflict reconstruction strategies.

6.1   Successful Policy Mixing

Any post-conflict reconstruction strategy to be successful starts from the beginning by determining the right entry point(s). The assessment of the context will then point out the key pillars around which the strategy(ies) should be built. Based on the sectors or pillars identified as crucial, sectoral policies and appropriate management arrangements will be made with a main purpose: create coherence among different policies and make them converge towards the common goal of sustained development, prosperity and peace. The difficulty resides in harmonizing policies and management mechanisms and avoiding exacerbating any unresolved conflict causes or other overlapping matters. In so doing, the people and national development actors can understand easily if the measures taken and

decisions made are set for their benefit. They will then stand ready for greater participation through partnerships, networks and various genuine forms of inputs.

6.2   Sequencing

There are four phases for reconfiguring a country's governance system. In most cases, they are: (i) the emergency phase, (ii) the rehabilitation phase, (iii) the reconfiguration phase and (iv) the development phase. These phases - strongly depending on the specific "idiosyncrasies of each country, the nature of the conflict that has affected the public administration, the extent to which this has been destroyed and what aspects of it have been destroyed"[17] - can be executed either in a chronological/sequential manner or in a comprehensive and simultaneous way.

The key question is: how to implement activities in order to generate an impact on reconstruction, peace and development? Against this backdrop, it is important to underline that in order for governments to identify an appropriate mix of policies, they need to know where and when to start, and what follows what? This implies that, for the political and managerial leadership, great capacities are required with regard to empathy and timeliness for action.

Having said that, the common breakdown of the sequencing process can be structured as follows:

- Situation analysis
- National dialogue and agreement on national priorities
- Building trust among people and restoring government legitimacy including the authority of state for the public good and interest for all
- Progressive stages towards development and well-being

6.3   Forging Effective Partnerships

The political and managerial leadership will learn that nothing could be made in isolation due to the amount of challenges to overcome. Some effective partnerships will be strongly tied between national institutions and international community agencies, for example, the public donor agencies and NGOs, or between institutions of public and private sectors including the civil society and the common citizen at national and local level.

As we have seen in Section 5, external assistance helps restoring governance functions when governments emerge out of hostility without legitimacy and capacity to meet the daunting reconstruction challenges[18]. However, in light of the importance of country's ownership of the post-conflict reconstruction process, it is critical for governments to

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[17] Approaches, Processes, and Methodologies for Reconstructing Governance and Public Administration in Post-Conflict Countries: Selected Cases of UNDESA's Experience in Africa, John-Mary Kauzya, 2004.
[18] This theme is developed in: The Challenges of Restoring Governance in Crisis and Post-Conflict Countries, Rondinelli and Cheema, 2007.

acquire the capacity of managing external relations and forging alliances with a vast range of stakeholders.

It is important to note that the alliances between the domestic and external actors need to operate within a coordinated, peace-sensitive approach. Each actor can not work in isolation from the other, but rather in a collaborative effort that utilizes each stakeholder's support to bring about endogenous goals within the post conflict society.

7. Country-specific Examples on Post-conflict Reconstruction

Experience shows that in order for a post-conflict reconstruction strategy to be successful it should be closely related to the context where specific challenges are to be overcome. Among numerous cases around the world this paper will highlight a few to illustrate the need for a thorough situation analysis as the first and foremost action to be taken and then to delineate the major challenges that are to be prioritized. Beyond this first step, these selected examples also outline that each strategy should be built around some specific governance pillars identified as critical for a peace-sensitive and development oriented reconstruction. They give evidence that each post-conflict reconstruction strategy is unique and bound to the contextual environment of a given country or region.

7.1 Example of Romania[19]: Revitalizing Public Service and Engendering Citizen Participation and Trust

The establishment of credible governance and public administration institutions and systems is a critical determinant of sustainable recovery and development. Restoring the **public service**, and especially doing so in an inclusive, transparent and comprehensive way that injects desirable traditional public service values, is especially difficult in post-conflict or crisis situations. Due to the profound disruptions and transformations of post-communist societies, their experiences can be relevant and inspiring for states and societies in post-conflict situations. Romania, whose prior state was most repressive and whose transition started after a violent "revolution," has perhaps faced the most difficult decade of transition to democracy and peace in the region. It has traveled the farthest and taken many steps in the right direction. However, most Romanian citizens still do not actively participate in governance processes.

This experience has shown that the process of transforming the public service and society requires a radical transformation of a mix of mentalities inherited from the values and norms implanted by the prior system. The transformation of the institutional landscape and the legal framework has proceeded faster than the change of mentalities which were still influenced by a lack of trust in public institutions, cynicism, unfulfilled high expectations, uneven access to resources and overwhelming socio-economic problems, poor knowledge of rights, and fragile democratic skills.

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[19] Source: Roxana Zyman: Consolidating State Legitimacy through Citizen Engagement in Post-Communist Transition. Lessons Learned from Central and Eastern Europe; prepared for the 7th Global Forum on Reinventing Government, Vienna, 26-29 June 2007

Romania's public sector has been both the object of and vehicle of reform in restructuring and modernizing the State. Concerted efforts and accomplishments in this regard have had a noticeable impact in maintaining a certain level of public hope for a better future of Romania, in contributing to rebuilding the people's trust in government, in professionalizing a culture of transparency and accountability in Government's activities and objectives, and in fostering participation in policy-making decisions. Some of the notable steps include:

(1) the establishment of the Ministry of Public Administration in 2001 including the Ministry of Interior and Administration Reform which oversees the National Agency of Civil Servants whose mission is to develop a professional, stable and politically unbiased body of civil servants;
(2) instituting laws for local public administration injecting the principle of 'consulting the citizens in solving the local problems of common interest and accordingly making meetings of all local councils open to the public;
(3) increasing government dialogue with civil society through a special government Department of Co-operation with Non-Governmental Organizations and State Secretary for Social Dialogue and a Department for Interethnic Relations;
(4) Legal measures for assuring transparency in recruiting civil service positions, insuring the neutrality of civil servants, and civil servant wealth declarations;
(5) Rules and codes of conduct guiding the behavior of public servants and the development of a network of public ethic officers;
(6) New institutional mechanisms for social dialogue between employers, trade unions and governments and for mediation in case of disputes;
(7) The establishment of a Council for National Minorities to defend ethnic minority rights and legislation to ensure education in minority languages; and
(8) Ensuring representation of all ethnic minorities in the Romanian Parliament either through voting or by ensured representation of each of nearly 20 minorities.

Despite these efforts and increased visibility of integrity and participatory measures more needs to be done. Training on public policy-making and negotiations should become mandatory for government employees, helping them to realize the value of civil society input. Finally, there is a need to find ways of raising the morale of citizens. Public education needs to pay more attention to teaching the value and importance of citizen participation.

7.2 Example of Rwanda[20] around Reconstructing Governance and Public Administration Institutions

Rwanda underwent a major institutional reconstruction process after the civil war and genocide of 1994. The country was devastated by wide scale conflict, no infrastructure was intact and there were no available supplies. The ruined economy was non-operational

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[20] Source: Protais Musoni, Minister of Local Administration, Rwanda. Reconstructing Governance and Public Administration Institutions in Rwanda; prepared for the 7th Global Forum on Reinventing Government, Vienna, 26-29 June 2007

and many societal structures collapsed. The production capacity of the private sector declined, and at the same time the public sector witnessed considerable reduction of its capacity to direct the economy. National, prefecture and local administrative structures were weakened or quite simply destroyed in the wake of the war in 1990 and with the genocide of 1994. Human resources were depleted either by the mass killings or by exile. The majority of public servants and the skilled professional workforce either were killed or fled along with two million other citizens to refugee camps in surrounding countries.

The judicial infrastructure of Rwanda was seriously damaged during the events of 1994, yet judicial institutions faced the consequences of the genocide, its perpetrators as well as ordinary cases connected with public order or with the private interests of the citizens. Related problems, such as those of human and property rights, were also a priority of the judicial system after the genocide. They became increasingly important especially after the emergency relief phase was replaced by a normal and more permanent situation.

The post conflict state of Rwanda faced six major challenges relating to: a) **security**, b) **politics**, c) **judiciary**, d) **econom**y e) **administration**, and f) **social cohesion**. At the closing stages of the conflict, the main priorities of the Rwandan post-conflict administration and the strategies it adopted to address them, were the following:

a) The most urgent priority was to suppress the conflict and any pockets of resistance both within the nation and across its borders in neighboring refugee camps. Thousands of members of the ex-Rwanda armed forces were retrained and integrated with the Rwanda patriotic army. A new national security force was created. A programme was also established that allowed and encouraged the population to participate in ensuring their security.

b) Another challenge was to work for national reconciliation, rebuild political institutions and lay a firm foundation for the country's successful growth, starting from transition arrangements and then moving towards a permanent and viable political apparatus. In order to ensure diversity representation, the accepted principle in Rwanda was the free and open competition for political power. Rwanda, unlike most post-conflict countries, allowed space for public pluralism, an active civil society and competition for ideas, influencing free media and freedom of expression. The rebuilding of political institutions proved an enormous challenge especially in light of the level of mistrust that preceded and was heightened by the genocide. A few individual projects (e.g. Local Governments Initiative, Community Development Fund) were implemented throughout the country to get an idea of the issues at hand and learn valuable lessons in order to design a system of governance that evolved out of the Rwandan culture that is democratic, building on the reconciliation process, and above all that incorporated the energies of all sections of the Rwandan society into the development effort.

c) Special attention was given to the need to resolve the judicial/legal issues caused by the violent conflicts. To help in the creation of an open society, communities were empowered in decision making in resolving the genocide cases rapidly. In addition legal and constitutional commissions were set up to work with the population to enact a new

constitution. After 1994 the International Criminal Tribunal for Rwanda was established to represent a link between conflict resolution and the rule of law. It was necessary for the population to understand and accept the nation's rule of law. In this respect Article 159 of the Constitution established a "Mediation Committee", in each sector responsible for mediating between parties disputes involving specific matters determined by law prior to the filing of a case. In this regard, the population at decentralized levels had a significant role in the affairs of the justice system.

d) The events of the 1990-1994 also produced disastrous economic consequences. However, the situation was turned around, thanks to various national initiatives and strict financial and economic management practices.

e) In 1996-1997 civil servants who had fled the country during the genocide returned and were integrated into civil service. The Rwandan experience has shown however, that the task of rebuilding the national administration is a huge one particularly as a result of the qualitative insufficiency of the personnel needed. Following the adoption of a new constitution through a referendum on 26 May 2003, and the success of the decentralization programme, the Government of Rwanda undertook a public administration reconfiguration plan to allow it to meet new challenges and new missions imposed by the new constitution and changed capacities at local government level.

f) The political and economic crisis of 1994 brought about the destruction of the social fabric, of the human resource base, as well as the social infrastructure. In terms of capacity, the nation was destroyed. Not only was there a lack of infrastructure, human, financial, and social capital but a lack of institutional memory, in terms of what was the legal framework for public administration. In addition, there was the problem of ethnicity, which some believe can be used to explain the genocide. Strategies needed to be identified to overcome ethnic, racial, and religious divisions necessary to achieve sustainable development. Meeting the challenge of social integration was an important precondition for equal access to employment and to the economic resources of the Rwandan society, and thereby the elimination of poverty. The introduction of institutions to increase transparency and accountability improved access to opportunities seeking to discourage the negative tendencies of ethnicism, regionalism, and nepotisms in public business.

7.3 Example of South Africa[21] around Reforming the Security Sector

The transformation of the South African **Police Service** (SAPS) happened in the context of the country's unique political environment and transitional path to democracy. In 1994 South Africa's first democratically elected government initiated one of the largest post-conflict recovery processes occurred. The SAPS was transformed into a democratic

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21 Source: Mohammed Latiff Wahab: Reforming the Law and Order Sector as a Key Element of the Public Service Transformation: Lessons learned from the South African Police Service, prepared for the 7th Global Forum on Reinventing Government, Vienna, 26-29 June 2007

institution reflecting the demographic diversity of the country and serving the interest of all South Africans in accordance to the needs of the citizenry, carrying out its mission in consultation and co-operation with the people and upholding and protecting their fundamental rights.

Post-conflict police agencies require investment in the process of recruitment, selection, and training of police personnel. In addition, the human resource development needs are great at all levels of the organisation and the needs are often much greater than the available resources. A prioritization of needs was therefore necessary. Resultant from the fact that South Africa was previously divided into independent states and self governing territories, each with its own police force, and that the Interim Constitution prescribed the rationalisation of the eleven police forces into one national police service, the transformation process was managed in three phases:

1. Rationalisation: to ensure effective administration at national and provincial levels of government as prescribed by the Constitution.
2. Amalgamation: of the various existing policing agencies into one national police service.
3. Change: transformation into a professional, representative, efficient and effective, impartial, transparent, and accountable service.

Key aspects of the reform process included:
- Addressing issues of demographic representation (ethnic and gender equalities);
- Introducing a system of labour relations as well as accountability and the regulation of police conduct (parliamentary oversight, a civilian oversight agency and an independent complaints directorate);
- Improving access to police services particularly in communities previously disenfranchised and adopting community policing as the operational philosophy to address previous community hostility;
- Introducing a new selection system, a human rights training programme, a code of conduct and revising the basic training curriculum.

The success of the transformation depended upon the leadership and vision of the SAPS senior management with backing from the political spectrum and contributions of a wide range of actors. The following strategies proved to be successful among other things:
- Consistent/clear vision of the new government's policies and its vision for the police articulated regularly;
- Leadership and participative management style, wide involvement of members of the SAPS in the transformation process;
- Clear and regular communication to all levels within the police, labour unions and society;
- Clear achievement objectives and actions presented in a planned and orderly fashion, visible to all;
- Sound relationships with labour unions NGOs, parliamentary committees etc- to broaden support and facilitate communication;
- Redirecting of resistance to negotiable issues and away from key non negotiable issues.

The following key lessons were learned during the SAPS transformation process:

- Transformation must be clearly defined, i.e. the process required to reshape the SAPS for its role in the new dispensation as part of an integrated strategic plan for combating crime;
- Importance of careful prioritization of key issues;
- Need for an objective evaluation before anything is changed to avoid rejecting policies and practices simply because they come from the past;
- Need for an exit strategy for personnel whose services cannot or should not be used in a new and democratic dispensation;
- Transformation cannot come from the outside; the change must be initiated and managed by the police leadership and supported by internal and external change agents;
- Need to manage transformation so that its successes are visible on a regular basis;
- Importance of sensitizing relevant personnel on how to operate in a new democratic environment;
- Importance of communication and participatory processes.

7.4 Example of Bosnia and Herzegovina[22] around Reconstituting and Ethnically Balanced and Merit-based Civil Service

After the war in Bosnia Herzegovina from 1992 to 1995, which cost this small country more that 100,000 victims, the Dayton Peace Agreement was signed in December 1995,givingspecial powers to the institution called the Office of the High Representative (OHR), representing the international community in Bosnia Herzegovina, and being the ultimate power in the country. The country was divided into two entities – Republika Srpska and the Federation of Bosnia Herzegovina. The Head of State in Bosnia and Herzegovina is a three-member Presidency, one Bosniac and one Croat, each directly elected from the territory of the Federation, and one Serb directly elected from the territory of the Republika Srpska.

One of the biggest challenges the country faced after Dayton was to restore the functions of a democratic state, and an **ethnically balanced** (between the major ethnic groups – Serbs, Croats and Bosnicas), **merit-based public service**. All areas of public policies, public administration and the public service underlie strict regulations with regards to equal ethnic representation of these three major ethnic groups.

The main areas of institutional reform in post-war Bosnia and Herzegovina were the transformation of the **civil service**, as well as the **police** and the **judiciary**. Based on 2002 legislation in Bosnia and Herzegovina, all civil servants were subject to review processes by the Civil Service Agency. The review ensured a control to find out whether they were appointed in accordance with the Law on Public Administration, and if they

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[22] Source: Jakob Finci , Director, Civil Service Agency, Bosnia and Herzegovina: Challenges to reconstituting conflict-sensitive governance institutions and the public service – the case of Bosnia and Herzegovina; prepared for the 7th Global Forum on Reinventing Government, Vienna, 26-29 June 2007

fulfilled requirements of this law, in regards to the transparency and efficiency of processes such as hiring, promotion, retention, and rotation. In 2003, the three Prime ministers (State level, Federation of Bosnia and Herzegovina and Republika Srpska), signed a joint statement promising a reform of the public administration institutions and the public service. The objectives of this statement were: (1) to make public administration cost-effective and well organized, (2) to guarantee that public funds were spent efficiently and transparently, (3) to ensure that the civil service was professional and representative of its citizens, (4) to achieve a quality-driven and citizens-friendly public service and public administration in accordance with EU best practices. These reform efforts were supervised by international institutions and the Government of Bosnia Herzegovina.

In the early post-Dayton years, the state of the **judiciary** was especially weak, given the absence of an independent judiciary during the prior communist era, and the continuous influence of organized crime and nationalist leaders. In May 2000, the High Representative promulgated laws on judicial and prosecutorial services to improve the independence of both. These laws established commissions comprising Bosnian judges and prosecutors who assessed the performance of their peers over a period of eighteen months. But the process was never adequately resourced and ended in failure. The vast majority of complaints were dismissed as unsubstantiated. In late 2001, the Independent Judicial Commission, the lead agency on judicial reform, developed a new strategy for reform. It aimed to reduce the number of judges and make the judicial and prosecutorial services more ethnically diverse through a formal re-application and appointment process. Three High Judicial and Prosecutorial Councils were created by the High Representative in 2002. The Councils were permanent bodies comprising, for the most part, elected and appointed members from the legal and judicial professions. The High Representative also appointed international members to serve during a transitional period. The Councils had jurisdiction to appoint, transfer, train, remove and discipline judges and prosecutors. Under the re-application and appointment process, judges and prosecutors were required to submit detailed application and disclosure forms which included, among other things, questions about wartime activities. A considerable number of complaints were also received from the public. Once a file was considered complete, a Council nomination panel would review the application, interview the applicant, and make a recommendation. Unsuccessful applicants could file requests for reconsideration.

The most significant concern for this ongoing reform of the judiciary is that the goal of restoring the multi-ethnic character of the judicial and prosecutorial services appears not to have been fully achieved, particularly in cases where there was an insufficient pool of minority candidates. Another concern has to do with the limited nature of the investigations conducted into applicants' alleged or suspected wartime activities. This leaves some doubt about the sufficiency of the purge. Lastly, the exceptionally high cost and staff size demanded by the procedure encouraged public criticism. On the positive side, however, the procedure has the virtue of permanence. With the completion of the re-appointment process, the Councils will continue to operate as the standing appointment and discipline bodies for judges and prosecutors, and will be run entirely by nationals of Bosnia Herzegovina.

Next to the civil service and the judiciary, the reform of the **police** proved the most challenging. Police officers were deployed as soldiers during the 1990s wars, often serving at the front lines of ethnic cleansing alongside military and paramilitary battalions. A thorough purging of the country's police forces was, therefore, necessary in the post-Dayton era. Helpfully, the Dayton Accords provided that civilian law enforcement agencies would have to operate in accordance with internationally recognized standards and with respect for internationally recognized human rights and fundamental freedoms." It also required the parties to the Agreement to ensure the "prosecution, dismissal or transfer" of police officers and other civil servants responsible for serious violations of minority rights.

Subsequent vetting efforts were far more successful. The UNMIBH Human Rights Office established a fifty-person Local Police Registry Section made up of international police officers, local lawyers and administrators, and two UN professional staff, all of whom were supported by the Human Rights Office and by two ICTY liaison officers. The vetting process itself consisted of three steps: mandatory registration, pre-screening and certification. Anyone decertified was barred from serving in law enforcement anywhere in Bosnia and Herzegovina. Decertification decisions were subject to an internal appeal only and no oral hearing was provided.

Though generally regarded as successful – the police forces are smaller and more diverse now, and attacks on minority returnees are less common – public perceptions of the process appear to be mixed. The process has been criticized as having been too slow and too closed. Within the police service itself, opinion is less charitable. Many, but particularly those decertified, question the fairness of the procedures, and as many as 150 former police officers challenged their decertification in domestic courts after the departure of the UNMIBH.

7.5. The importance of conflict prevention - example of Jamaica[23]: Crime Prevention and Community Safety

Very often peace-building is only seen in the context of post-conflict reconstruction. However, it is essential to lessen propensities for violence and strengthen capacities for violence prevention in countries with fragile social situations. Addressing the underlying causes of violence and conflict necessitates strengthening societies to be aware of, respect and bolster the rule of law, human rights and social cohesion in many different ways.

In light of the experience of severe election violence in 1980, Jamaica has re-designed its institutional environment to avoid new occurrences of violence. The Crime Prevention and Community Safety Strategy (CPCSS) strategy is a long-term policy aimed at creating conditions in which opportunities and motivation for crime are reduced, as well as for

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[23] The Inner-City Basic Services Project (ICBSP). Managed by the Jamaica Social Investment Fund (JSIF), the ICBSP is being   implemented in twelve pre-selected communities across the island. These communities were selected by the Planning Institute of Jamaica (PIOJ), the MNS, the SDC and JSIF.

transforming the capacity of the state's law enforcement apparatus, and the mindset of the citizenry to deal effectively with crime and efforts to prevent crime.

The main initiatives under the CPCSS include:

- Parish Crime Prevention Programme (PCPP)

The PCPP is designed to engage the police and other stakeholders in public consultations on a parish by parish basis. The programme results in the establishment of Parish Crime Prevention Committees (PCPCs), to oversee the implementation of parish-specific action plans and to give support to the police. Where vibrant parish organizations with similar objectives to those of the committee already exist, the approach would be to seek the necessary accommodation of such organizations for the crime prevention and community safety issues.

- Community Security Initiative (CSI)

The CSI seeks to aid the process of transformation of communities, primarily those emerging from domination by criminal gangs. Target communities are identified following the successful removal of organized criminal gangs from a community. The CSI facilitates efficient and effective "joined-up action" by the social agencies of the state and focuses on rebuilding credible community governance structures through the development of Community Development Councils (CDCs), which are a prerequisite for community development activities. Interventions are not prescribed beforehand but emerge from the identified needs of residents through broad-based consultations.

- Citizens Security and Justice Programme (CSJP)

The CSJP addresses both the traditional and "softer" issues of policing through an integrated approach at the community level. The programme aims to enhance citizens' security and justice through preventing and reducing crime and violence, strengthening crime management capabilities and improving the delivery of judicial services. CSJP comprises of the following components: development of a National Crime and Violence Prevention Strategy, capacity enhancement within key ministries, strengthening the criminal justice system and community action. Under its community action component, the CSJP has contracted six NGO partners to deliver a range of social services to sixteen inner-city communities across the Corporate Area. Community Action Committees (CAC) are organized in communities where CSJP operates. The programme also undertakes small projects in communities targeted by the Peace Management Initiative (PMI).

- Peace Management Initiative (PMI)

The PMI represents an alternative option to the use of force for resolving violent disputes within and among communities. The PMI provides an early intervention to detect and manage potentially violent situations in communities. It brings together representatives of

political parties, the church, civil society, academia, musicians and NGOs to work with communities prone to conflict, in order to chart a course for pacifying conflicts and sustaining long-term peace. The PMI is now established in Kingston and St. James and has been very effective in diffusing conflicts and helping to channel youths into productive endeavours.

- Safe School Programme (SSP)

The SSP is a joint effort of the Ministries of National Security, Education and Youth and Health, working in collaboration with stakeholders of the education system to address violence and anti-social behaviours in schools. Major activities under the SSP include: the assignment of police officers as School Resource Officers (SROs); the conduct of security surveys and other research; training for parents, teachers, school administrators and selected student leaders to improve school climate, classroom management, conflict resolution and anger management skills; physical security enhancements; safety promotion within the schools and communities. The slogan for the SSP is "Building Safer Schools in Safer Communities." All schools and not just those considered to be at risk are now invited to become actively involved in promoting safety and working to reduce anti-social behaviours.

The above examples drawn from experiences emanating from Europe, Africa and the Caribbean give an insight of post-conflict reconstruction strategies. Each strategy is designed to connect with different development factors while concentrating on crucial governance areas considered as pillars for peace, development, and prosperity for all.

8. Lessons Learned and Conclusions

This paper has attempted to provide an overview of peace-sensitive considerations and insights to policy and practice in the main areas of concern to post-conflict reconstruction. This analysis has focused on the most crucial issues and the interactions between various sectors and processes. It attempts to demonstrate that a successful process of post-conflict recovery consists of many different sectoral interventions that are mutually supporting and carefully attuned to each other.

This paper has enumerated the key areas of concern through a lens of suggested participatory and management principles, processes, and practices that need to be applied. Doing this will ensure that the more concrete operational aspects of reconstruction -- restoring security, economic recovery, re-establishing governance and social services -- evolve hand-in-hand with more affective dimensions of re-building trust and restoring the legitimacy of the state -- convening social dialogue, participatory decision-making, appropriate dispute resolution mechanisms, and initiatives promoting integrity and inclusion (and demonstrably excluding corruption, favoritism and exclusion). Some lessons can be learned from post-conflict reconstruction experiences. Among them, special attention should be paid to the following:

It is critical for countries emerging from conflict to have engaged leadership committed to adopting effective and efficient strategies that establish effective, trustworthy, transparent, participatory and efficient governance institutions capable of ensuring the delivery of basic services to the population.

Institutions are therefore expected to be responsive to the critical needs of human well-being (water, energy, healthcare and sanitation, shelter and education). Effective post-conflict leadership also requires commitment to address inequalities, social exclusion, manage diversity, foster social dialogue, consensus, peace, reconciliation and development.

Post-conflict reconstruction strategies need to be built around sectors or pillars consensually identified as crucial, ensuring appropriate harmonization through the mixing and sequencing of policies in the framework of management mechanisms conducive for integrated reconstruction and development action fostering prosperity and peace.

Every governance strategy should be carefully crafted so that it is in line with each specific context and aimed at fostering state/nation building. A central objective of peace-building efforts is to promote a participatory partnership with the civil society, private sector and all development actors at national and international levels. Deepening the democratization and peace building process therefore requires the genuine and active participation of the civil society and citizens in the workings of the local government.

Governance institutions need to make use of effective mechanisms including management systems and tools that enhance transparency, effectiveness, dialogue, participation and accountability, access to reliable communication and information technologies and adequate knowledge management systems.

As a central actor in the reconstruction process, the public service is called upon to be an agent of change and therefore needs to undergo self-transformation or reconfiguration aiming at re-engineering its management systems, working tools and processes to change people's mindset including the overall socio-economic and political governance terrain.

Effective governance of the security sector and the rule of law are preconditions for stability. However, it is important to reconcile the imperatives of justice with those of reconciliation and identify solutions that reinforce trust of people in the state and ensure an interim system of rule of law. In this regard, the proper integration of customary governance practices and structures greatly enhance peacebuilding in post-conflict environment.

The laws and administrative procedures regulating public sector institutions should be consciously and conscientiously peace-sensitive, inclusive and development oriented. Thus, it is essential to establish a proper congruence between policies, strategies, public programmes and projects, norms and standards to be implemented at national and local levels whatever the socio-economic sector. For instance, the promotion of

macroeconomic reconstruction and stabilization, a key determining factor for sustainable long-term reconstruction, needs to be closely aligned with peace-building components.

It is crucial to integrate institution building with post-conflict civil service capacity building efforts aimed at generating capacity at all levels in content areas and process skills to meet the nearly unlimited post-conflict reconstruction capacity demands. Governance capacity building programmes, equally targeting all branches of governance and accompanied by the provision of appropriate working methods and instruments, enhance effectiveness of public institutions as well as checks and balance in government and therefore greatly enhance accountability and trust.

Capacity building efforts need to be implemented in a sustainable, effective, comprehensive and integrated way within a long-term perspective, which is in line with evolving national requirements. The commitment of national and local authorities in these efforts is essential. As part of these efforts, it is important to build skills and capabilities of civic and political leadership for constructive negotiation and consensus building as well as to enact mechanisms for in-depth conflict analysis, prevention and transformation.

Against a backdrop of multiple and complex demands and scarcity of resources, post-conflict governance capacity-building requires continuous donor support to effectively address public sector service delivery management issues. It is therefore of vital importance for governments to acquire the capacity of managing external relations and forging alliances with a vast range of stakeholders, in order to capitalize on partnerships and stimulate inputs from regional and sub-regional actors within coordinated strategies that are country-driven and focus on developing national capacity.

9. Literature

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Related interactive UN websites:

www.peacebuildingportal.org; http://peacemaker.unlb.org/