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Governance *for* Peace



SECURING THE SOCIAL CONTRACT



*Empowered lives.
Resilient nations.*

UNITED NATIONS DEVELOPMENT PROGRAMME

Bureau for Crisis Prevention and Recovery

Bureau for Development Policy

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Displaced children play with kites in Petion Ville Club, the biggest camp for internal displaced persons in Haiti, hosting over 45,000 people. Monday, 8 March 2010
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PREFACE

Our times are characterized by sweeping political, social, and economic changes. New voices are being heard and new forms of social organization are emerging. Now the work of the United Nations Development Programme (UNDP) and its efforts to empower lives and build resilient nations assumes a new salience. Nowhere is this more important than in those countries affected by fragility and conflict. For in these settings UNDP's focus on governance particularly matters.

In establishing a framework to guide UNDP in improving governance in fragile settings, this report supports the ongoing efforts of the United Nations Secretary-General to foster peacebuilding in the immediate aftermath of conflict. It also draws on the latest theoretical and field-based work to fill gaps between policy and practice.

The report's findings are drawn from experience and evidence firmly grounded in the local context of affected countries, as well as from the views and knowledge of UNDP managers and practitioners through our worldwide network of Country Offices. Collaboration and consultations with governments and civil society partners strengthen our knowledge base and our ability to engage and deliver results in this important area.

Going forward, we hope that this report will generate a frank and substantive discussion about innovative governance practices and programmatic initiatives, and that it will strengthen and deepen our partnerships with governments and civil society, as well as across the United Nations family and the broader international community.

Most importantly, by implementing the findings of the report and moving beyond a 'business as usual' approach, UNDP's assistance will be centered on those affected by conflict and fragility so that they, too, may enjoy the dividends of development: sustainable peace and prosperity.



Helen Clark
ADMINISTRATOR
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FOREWORD

Today, states facing fragility are home to over one-quarter of the world's population. At least half of these states are affected by armed conflicts of varying intensity. Moreover, fragile and conflict-affected states, so vulnerable to external shocks, are the furthest from reaching the Millennium Development Goals by 2015. In these settings the impact of crises can impede the legitimate functioning of government and jeopardize the social contract.

Addressing the dilemmas involved with supporting delicate peace agreements, institutional recovery, and political processes in environments that entail acute operational, programmatic, and physical risks is not a new challenge to UNDP. UNDP's commitment to long-term support has been sustained in the midst of armed conflict in extremely volatile situations such as areas of Afghanistan, Iraq, and Somalia. Elsewhere, UNDP has provided assistance in developing national capacities and institutions to initially weak interim or coalition governments in post-conflict settings, such as in Liberia and Timor-Leste.

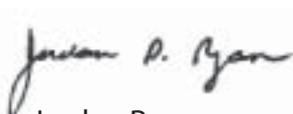
Fragility, in its many dimensions, has emerged as a central issue on the 21st century development agenda. From new and emerging states in Africa and the Balkans, to those facing sweeping political and social change in the Middle East and North Africa, development partners are fundamentally rethinking the way they work in societies affected by fragility and conflict. And so is UNDP.

We have revisited our past experience to inform and improve future involvement in governance promotion, with the aim of building national resilience against shocks of all types. Over the years, UNDP has learned that the process of governance — how it is exercised and by whom — may be just as important as the outcomes. For governance to be effective, UNDP recognizes it must be aligned with peacebuilding and statebuilding aspirations forged by the affected governments and people themselves.

As part of UNDP's reflection, this report offers a framework for action with four core objectives. The framework proposes an overarching approach to

governance that reconstructs responsive institutions, promotes inclusive political processes, fosters resilient societies, and strengthens partnerships. It also encourages UNDP and its partners working in crisis settings to continue learning by doing and to challenge core assumptions. Success in our endeavours should be measured by an approach oriented around outcomes rather than interventions or discrete sector-specific achievements.

UNDP is committed to building on new evidence of what works to bridge short and long term development strategies while engaging national counterparts and external partners in a joint endeavour for a more peaceful society. In so doing, UNDP will be better positioned to help nations deliver on the promise of sustainable human development and, most critically: resilient nations and empowered lives.



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The lead authors of the report are Robert Muggah and Timothy Sisk with substantive contributions from Eugenia Piza Lopez, Jago Salmon and Patrick Keuleers.

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LIST OF ACRONYMS

ADB	Asian Development Bank
AFDB	African Development Bank
ART-REDES	Articulación de Redes Territoriales-Reconciliación y Desarrollo / Coordinated Territorial Network-Development and Reconciliation
BCPR	Bureau for Crisis Prevention and Recovery (UNDP)
BDP	Bureau for Development Policy (UNDP)
CAF	Conflict Assessment Framework (World Bank)
CPA	Comprehensive Peace Agreement
DESA	Department of Economic and Social Affairs (UN)
DFID	Department for International Development (UK)
DDR	Disarmament, Demobilization, and Reintegration
DPKO	Department of Peacekeeping Operations
EC	European Commission
EU	European Union
FAO	Food and Agriculture Organization (UN)
GDP	Gross Domestic Product
HDR	Human Development Report
IADB	Inter-American Development Bank
INCAF	International Network on Conflict and Fragility (OECD-DAC)
IDPs	Internally Displaced Persons
MDGs	Millennium Development Goals
OECD	Organization for Economic Cooperation and Development
OECD-DCD	OECD Development Cooperation Directorate
OECD-DAC	OECD Development Assistance Committee
NGOs	Non-Governmental Organizations
ODI	Overseas Development Institute
PAPP	Programme of Assistance to the Palestinian People
RENAMO	Resistência Nacional Moçambicana / Mozambican National Resistance
SIPRI	Stockholm International Peace Research Institute
SPARK	Sustainable Partnership Assistance for Returns in Kosovo
SSR	Security Sector Reform
TLAVA	Timor-Leste Armed Violence Assessment
UN	United Nations
UNDAF	United Nations Development Assistance Framework
UNDP	United Nations Development Programme
UNICEF	United Nations Children's Fund
UNMIL	United Nations Mission in Liberia
UNMIN	United Nations Mission in Nepal
UNRISD	United Nations Research Institute for Social Development
USAID	United States Aid Agency
WHO	World Health Organization (UN)

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EXECUTIVE SUMMARY

The impacts of crisis on human development are far-reaching. Beyond the catastrophic loss of life and property, which are too often the consequences of violent conflict or natural disasters, crisis can destroy institutions, fracture social relations, and polarize political culture. Left unaddressed, repeated or continued crisis can erode the social contract between a state and its population, and transform the fundamentals of society creating conditions of chronic fragility and underdevelopment. In 2011, around one-quarter of the global population—some 1.5 billion people—lives in countries affected by fragility. Many of these countries are afflicted by armed conflicts of varying intensity. Others are affected by widespread organized crime, chronic drug-related violence, and political and social unrest.

The 2011 World Development Report and other empirical studies reveal that not one of the 50 states burdened by fragility has achieved or will achieve a single MDG by 2015. As a result, UNDP has recognised that development support in contexts of fragility cannot be “business as usual”. Fostering progressive policy reform, advocating state-led service delivery capacities and supporting democratic elections, although critical to long-term stability, will fail if they do not take into

account the immediate needs and complex state-society relations that characterize fragile and conflict-affected societies.

More than two decades since UNDP’s deliberate engagement with governance capacity development in the aftermath of crisis, this report takes stock of UNDP’s track record. It gathers evidence on UNDP’s approach and its implications for programming. It aims to reflect and contribute to emerging theories and policy

debates on promoting governance in fragile and conflict-affected settings, draws attention to innovative promising practices on governance in crisis, and proposes a framework for governance in the context of fragility and conflict. The framework is designed on the basis of empirical and secondary research, consultations, and interviews with policy makers, field workers, and other experts from around the world.

UNDP'S APPROACH TO SUPPORTING GOVERNANCE FOR PEACE

Supporting governance to consolidate peace is about assisting national stakeholders to gain control of the recovery process in the immediate aftermath of a crisis in order to lay the foundations for long-term transitions from fragility. UNDP firmly believes that achieving governance results in fragile environments requires a renewed focus on capacity development that is guided by the principle of national ownership, and that this focus must be adaptable to the complex and dynamic context of fragility and conflict. Furthermore, these efforts must be targeted at a wide range of actors including vulnerable and marginalized groups (e.g., women and youth) to bring them into the dialogue for peacebuilding and statebuilding in the early stages. The framework emerging from UNDP's work over the years focuses on strategic outcomes rather than sector-specific outputs.

It is guided by four key objectives:

- A) building responsive and accountable institutions,
- B) promoting inclusive political processes,
- C) fostering resilient state-society relations, and
- D) promoting partnerships.

BUILD RESPONSIVE AND ACCOUNTABLE INSTITUTIONS:

During the months and years after war, or during volatile transitions, governments lack the physical infrastructure, human resources, and rules and procedures to be able to deliver a peace

dividend. Building responsive institutions is about those core state capacities that are designed to address immediate needs and provide essential services including security, the rule of law, and reinstating state authority. Responsive institutions are close to the people and so the emphasis is on local governance. Needs-based institutions can foster legitimacy, bring people and the state closer, and thereby facilitate platforms for state-society dialogue.

PROMOTE INCLUSIVE POLITICAL PROCESSES: The promotion of inclusive political processes is essential to realigning the rules of political negotiation in countries marred by conflict and crisis. By broadening opportunities for conflict transformation and state-society dialogue, inclusive processes allow multiple voices (including spoilers and the most vulnerable) to be legitimately integrated into political life, and encourage the consolidation of stable political settlements.

FOSTER RESILIENT SOCIETY: By strengthening informal institutions and networks, empowering vulnerable groups, particularly women and youth, reinventing the public space to attract hitherto excluded groups to participate in decision-making and building collective problem-solving skills a more resilient society is fostered. It is also about supporting a society to strengthen or, in some cases, renew the social contract between state and society.

PROMOTE PARTNERSHIPS: Partnerships developed with national and subnational

government counterparts, civil society organizations, international financial institutions, the private sector, and the wider United Nations system to deliver in more coordinated, coherent, and complementary ways.

Underpinning this approach is UNDP's commitment to undertake thorough and comprehensive analyses of crisis dynamics, the varying states of formal and informal institutions, and the emerging drivers critical to achieving positive change.

On their own, each of these four objectives is hardly new. What is novel, though, is their interconnectedness and the demonstrated positive impact that combining them in a coherent strategy have made in the number of cases reviewed in this report.

The field of post-crisis governance has grown in recent years, with new players and more complexities in the contexts. For instance, the United Nations as a whole is devoting more attention to promoting specialized civilian capacities in the aftermath of crisis to ensure peaceful and sustainable transition. Other actors, including the World Bank, are becoming more active. How we build governance capacity in contexts of fragility and conflict will remain a subject of inquiry in the foreseeable future. This report is a pace setter.

It must be said that there are no simple recipes for success in crisis contexts, and that is equally true of the framework presented in this report. But what is certain is that practice is far ahead of policy

development for governance in crisis, and that capturing the extensive new and innovative learning in the field is timely.

UNDP's Bureau for Crisis Prevention and Recovery and the Bureau for Development Policy have taken some first steps to glean policy directions from lessons, insights, and emerging practice on the ground in governance in crisis. We will continue to develop an inventory of policy and programming experiences in fragile and conflict-affected settings. In examining some of the key causes, manifestations, and consequences of fragility, the report provides a critical point of departure for UNDP engagement.

The **first chapter** defines the political, social, and economic characteristics of fragility and conflict. UNDP has correctly identified transitional processes as a key priority.

The **second chapter** considers the nature of international engagement with governance in fragile and conflict-affected settings. It traces the evolution of UNDP involvement over recent decades and considers some of the ways the agency has altered practice to deal with this challenging agenda. This chronology provides insight into the opportunities and constraints faced by UNDP over the years, and into crucial areas for improvement.

The **third chapter** introduces the framework for governance promotion in fragile- and conflict-affected states. It is informed by UNDP's current strategy for crisis

and conflict prevention, but also by past and emerging practices from the field. The chapter critically reviews underlying assumptions shaping activities of development agencies in this area and calls for flexible approaches that are tailored to local contexts, embrace informed opportunism and balance short and long-term expectations.

The **fourth chapter** considers the crucial place of responsive and accountable institutions in fragile settings. Specific programmatic areas of engagement include, inter alia, enabling the state to perform essential core government functions; re-establishing local government authority and local governance; and promoting the rule of law, access to justice, and the protection of human rights.

The **fifth chapter** focuses on fostering inclusive political processes as core outcomes of transitions from fragility towards a consolidated peace, furthering democracy, and facilitating development. Key areas of activity include constitution-making processes, facilitation of electoral activities, investing in parliamentarians, assisting civil society monitoring, political reintegration of former combatants, and enhancing the participation of women and others in decision-making processes.

The **sixth chapter** reviews the critical place of resilient society relations in shaping effective governance during transitions from fragility to peaceful and sustainable development. Programmatic areas of engagement extend from the

promotion of national dialogue processes and enhancing the rule of law, to promotion of early warning and crisis management, laying out architectures for peace, and nurturing leaders and progressive leadership.

The **seventh chapter** stresses the importance of partnerships in shaping the positive outcomes of governance in fragile settings. Core partnerships are pursued by UNDP with national and municipal governments, the United Nations Secretariat, other United Nations agencies and international financial institutions, the private sector, foundations, and civil society organizations. UNDP must adjust its partnership modalities to maximize governance returns.

The **final chapter** offers recommendations for moving the UNDP engagement forward. It highlights the many strategic, policy, and practical operational dilemmas, along with opportunities to promote governance in fragile settings. Ultimately, there is no simple formula for governance in fragile and conflict-affected settings. Nor does investing in this agenda imply that UNDP must design entirely new programming streams. It will, however, require that UNDP continues to work more effectively and strategically in its efforts to enhance governance in fragile and conflict-affected settings.





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Understanding Governance in Situations of Fragility and Conflict

Fragile and conflict-affected states have emerged as the *bête noire* of the international security and development communities. For more than a generation, development aid was focused predominantly on low and middle-income settings where stability prevailed. The antecedents of fragile contexts — whether described as failed, failing, or collapsed — were treated as the preserve of humanitarian and peacekeeping agencies. And yet fragility can no longer be ignored by development agencies. Fragile and conflict-affected settings are an unavoidable feature of the security and development landscape.

Despite its widespread invocation and application, there is limited consensus on the definition of ‘fragility’, or what constitutes a ‘fragile state’. Such conceptual uncertainty cannot be discounted as purely semantic or academic. How fragility is defined has implications for how interventions are designed, implemented, monitored, and evaluated. This chapter briefly revisits the key characteristics of fragile and conflict-affected states and considers their implications for peacebuilding, statebuilding, and development.

1.1 | DEFINING FRAGILE AND CONFLICT AFFECTED SETTINGS

Consensus on the definition of fragility remains elusive.

The debate over the dynamics and drivers of fragility is as extensive as it is contentious.ⁱ In many cases, fragility is characterized as the inverse of an idealized form of statehood. For example, a fragile context is described as one where public authorities exhibit a weak capacity to provide for and administer a population and its territory. As a result, the state has lost the ability to effectively mediate mutually constructive and peaceful relations with society (OECD, 2010: 12).ⁱ In this way, fragility connotes not just the erosion of a state's authority and capacity, but also a pronounced deterioration in the relationship between states and their societies.

Meanwhile, a number of development agencies define fragility on the basis of selected indicators of state effectiveness. The World Bank, for instance, has described fragility according to several indicators of governance performance, including the rule of law, government effectiveness, levels of corruption, and adherence to core human rights standards.ⁱⁱ In this way, patterns of improvement and deterioration in fragile settings can be highlighted and indicative change can be tracked across time.

Despite the commitment by some United Nations agencies, bilateral donors and G7+ states² to establish goals of peacebuilding and statebuilding progress, there are considerable challenges to developing benchmarks and indicators of how fragility ought to be measured and monitored. Notwithstanding those caveats, there appears to be consensus on several broad characteristics of fragility.

- **FRAGILITY IS NOT A FIXED STATE, BUT RATHER A CONTINUUM.** At one end are states that have collapsed outright, that exhibit few capacities to recover, and have fatally ruptured the social contract with their citizens. At the other end are states that feature stability in some institutions and regions, but are nevertheless at risk of regression.
- **FRAGILE CONTEXTS ARE AT RISK OF — OR ARE AFFECTED BY — CRISIS, WHETHER MAN MADE OR OTHERWISE, AND ARE UNABLE TO EITHER PREVENT OR RECOVER WITHOUT SUBSTANTIAL ASSISTANCE.** These crises are frequently linked to internal and external stresses ranging from rapid political transformations, systemic youth unemployment, and acute corruption to global market volatility, transnational organized crime and climate change.



© IRRI. Photo by Siegfried Morabia/Somalia

- **IN FRAGILE CONTEXTS, PUBLIC AUTHORITIES NO LONGER HAVE THE MONOPOLY ON LEGITIMATE VIOLENCE, THE ABILITY TO DELIVER SERVICES, OR THE CAPACITY TO COLLECT PUBLIC REVENUES.** While none of these capabilities is absolute in any state, overlapping deficits in these areas and the concomitant rise of unlawful and unauthorized groups can trigger a profound deterioration in the ability to peacefully mediate differences with citizens.

As the 2008 and 2011 global financial crises have amply demonstrated, all countries suffer to some degree from crisis in one or another part of their territory. In fragile and conflict-affected contexts, however, crises can impede the legitimate functioning of the government and call into question the state-society contract. The escalation of political and social unrest across the Middle East and North Africa throughout 2011 — the so-called *Arab Spring* — is a reminder of how countries once considered stable, despite having experienced long periods of repressive rule, can be rapidly upended by popular discontent and other factors.

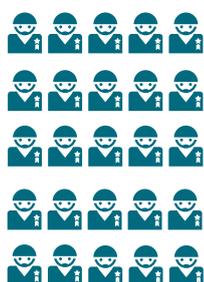
Although the origins of fragility are connected to specific histories of mobilization and escalation, triggers can change over time and there is no monolithic or even common pathway.³ Owing to the shifting and fluid dynamics of fragility, it is therefore a conceptually tricky proposition to reduce entire states to as reified a category as ‘fragile’. Indeed, it may instead be preferable to refer to “states suffering from fragility” or “fragile contexts”.

For the purposes of this report, fragile contexts include those countries and territories experiencing armed conflict, emerging from armed conflict, or affected by acute political, social, and economic vulnerability, and susceptible to chronic forms of organized criminal violence. These categories are neither analytically exhaustive nor exclusive. Many fragile

Fragile contexts are experiencing armed conflict, emerging from armed conflict, or are affected by acute vulnerability.

Fragility erodes the basis for effective governance.

In weak institutionalized environments, there is a risk of over-emphasizing institutional reform as the avenue for development progress.



25

NUMBER OF
COUNTRIES
AFFECTED
BY ARMED
CONFLICT
IN 2011

A social contract is forged on the basis of an agreement between elites and citizens. It is credible when it adequately reflects citizens' expectations and the state's capacity to meet those expectations.

contexts feature one or more of these manifestations simultaneously. This report does not profess to catalogue or explain all the various shades of fragility, but rather to draw attention to its heterogeneous and dynamic form and character.

It should be stressed that fragility is particularly acute in countries affected by armed conflict. In 2011, an estimated 25 countries were affected by armed conflict, most of them experiencing low- and medium-intensity armed violence. The majority of these armed conflicts were 'internal', that is involving one or more non-state armed groups contesting state authority (but with regional drivers and consequences). Since the early 1990s, internal conflicts within countriesⁱⁱⁱ (as opposed to between them) have become the modal form of war.⁴ Yet over the same period there has also been a pronounced decrease in the incidence and lethality of war.⁵ Some analysts attribute these declines to the growing effectiveness of the international community in fostering peace through 'war-to-democracy' transitions, including the resort to peacemaking and peacekeeping.^{iv}

Fragility is also often endemic in many post-conflict contexts. Despite the presence of peace processes, root causes and associated vulnerabilities may not have been comprehensively addressed at the negotiating table. Far from ending armed violence and heralding development, post-conflict political settlements can give rise to new social tensions owing to a rapid

BOX 1.1 Defining the Social Contract and the Political Settlement

The *social contract* is 'a dynamic agreement between states and societies on their mutual roles and responsibilities'.⁷

A social contract is forged on the basis of an (implicit) agreement arising from the interaction of elites and citizens. It is credible when it adequately reflects citizens' expectations and the state's capacity to meet these expectations. It demands the willingness of elites to allow the allocation of state resources and capacity in accordance with those expectations. If popularly viewed as legitimate, a social contract can help to reduce armed violence. Groups of

citizens may desist from claiming rights through violence, but rather obtain them through (non-violent) negotiation with public authorities and other citizens.

The *political settlement* is a compromise between entities (usually elite groups) on how political power should be organized — the 'rules of the game'.

The political settlement determines how power and institutions should be organized on behalf of the people, and how resources are allocated between groups.⁸ While the political settlement may find expression through a formal

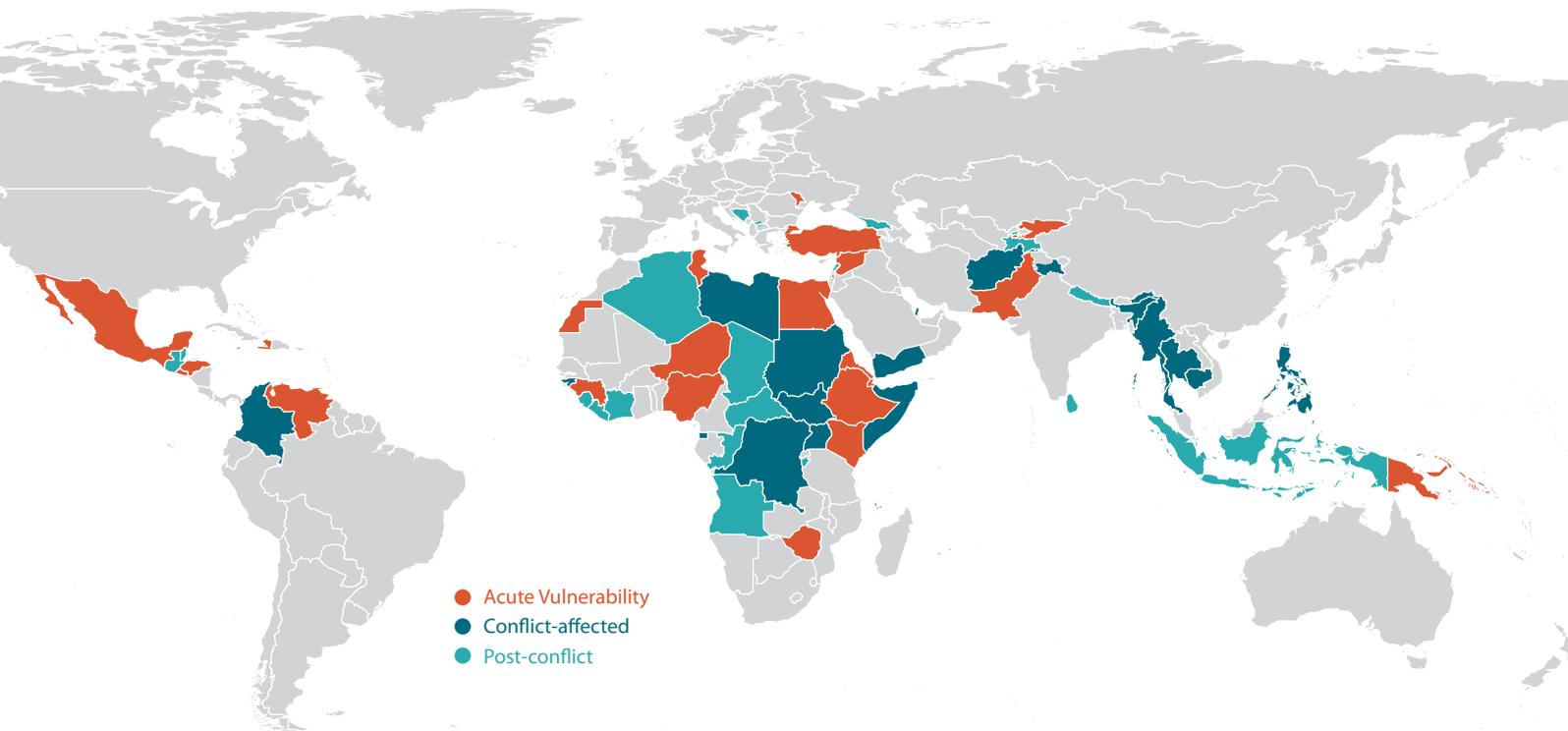
political process, for example a peace agreement or constitutional reform process, it may be just one step in achieving a settlement able to maintain equilibrium between competing political interests. In many states, elements of the political settlement may be defined through transactions outside the formal channels of political participation. Ultimately, when a political settlement is able to deliver on the expectations of the social contract, states exercise their authority in the context of a basic foundation of individual human rights and in the pursuit of public, not private, interests.

transformation of political, economic, and social relations during years of conflict and a deepening of shadow economies. While a negotiated settlement may set the stage for reconstituting a social contract, its primary purpose is to end insecurity, and may not, as a result, always lead to what may be perceived by citizens or outsiders as legitimate institutional development. Furthermore, post-conflict societies witness dramatically increased levels of inter-personal, gender-based and sexual violence.⁶

Women, the poorest people, and marginalized segments of society, suffer most from fragility.

Definitional caveats aside, the scope and scale of fragility and armed conflict is considerable. An estimated 1.5 billion people live in roughly 50 fragile settings (Figure 1.1).⁷ According to the 2011 *World Development Report*, just one in ten fragile contexts will successfully halve poverty and hunger, compared to one in five of all developing countries.⁹ What is more, countries experiencing fragility are more likely to regress to war than their more stable neighbours. There is also mounting evidence that the systematic abuse of women's rights is a direct outcome of, and a potential contributor to, state fragility.¹⁰ Ultimately it is the most marginalized segments of society that suffer most acutely.¹¹

FIGURE 1.1 Shades of Fragility: 2011



SOURCE: World Bank, Centre for Systematic Peace - State Fragility Index and Matrix, Uppsala Universitet - Department of Peace and Conflict Research, and UNDP data (2011)

1.2 THE CHALLENGES OF GOVERNANCE IN FRAGILE SETTINGS

Efforts to promote comprehensive shifts to democratic governance in fragile and conflict-affected states confront a host of recurring tensions and trade-offs.

Post-conflict governance and rebuilding of core state capacities are at the heart of peacebuilding and statebuilding.

Democratic governance is widely supported as method of resolving social conflict in a non-violent and deliberative manner. Yet the route to democracy can be revolutionary and conflict-generating, involving dramatic transformations in states and societies, including new ways in which power holders are selected and new approaches to the administration and execution of power.

Internationally-supported efforts to promote democratic governance in fragile and conflict-affected states confront a host of recurring tensions and trade-offs. In fragile environments, long-term reform agendas routinely fail to gain sustained traction. The rapid introduction of competitive politics without adequate checks and balances can engender violent winner-takes-all dynamics.

The presumption of rapidly establishing stable democratic governance and rational bureaucratic public institutions in fragile contexts is unrealistic and often ill-advised.¹³ A premature push for elections before investing in autonomous election management bodies or representative political parties can trigger collective violence.¹⁴ Likewise, premature investment in capacity development can result in bloated public sectors that disproportionately service specific identity groups while excluding others and generating more tension.^{vi} As a result, efforts to enable governance in fragile and conflict-affected states often fall short of expectations.

Despite these challenges, restoration of national partners' capacities is essential to reversing fragility and contributing to development. To reconcile many of the tensions in fragile and conflict-affected settings, development actors need to position themselves at the interface of state and society, rather than exclusively as a supplier of services to one or the other. That requires UNDP to improve the balance of its support to central governmental institutions with intensive investments in social, informal, and hybrid governance arrangements, including informal service providers at the periphery.

BOX 1.2 UNDP's Understanding of Governance and Capacity Development

UNDP defines *governance* as the exercise of political, economic, and administrative authority in the management of a country's affairs at all levels.

Governance thus focuses on the mechanisms, processes, relations, and institutions through which citizens and groups articulate their interests, exercise their rights and obligations, and mediate their differences.

UNDP defines *capacity development* as the process through which individuals, organizations, and societies obtain, strengthen, and maintain the capabilities to set and achieve their own development objectives over time.¹²



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1.3 MOVING FORWARD — INTERNATIONAL EFFORTS TO PROMOTE GOVERNANCE IN FRAGILE AND CONFLICT-AFFECTED STATES

Several major policy review processes have explicitly linked governance in fragile and conflict-affected settings with wider peacebuilding and statebuilding goals. A shortlist includes:

- The United Nations Secretary-General's Report, *Peacebuilding in the Immediate Aftermath of Conflict*, which places post-conflict governance and rebuilding of core state capacities at the heart of the enterprise.¹⁵ It also lays the ground for strengthened system-wide coordination and enhanced UNDP engagement.
- The United Nations *Civilian Capacities Review*, which sets out a broad reform agenda to enhance United Nations' support to the consolidation of peace and development in conflict-affected states. It encourages the United Nations to build national ownership, more effective responses, and enhanced south-south cooperation.
- The United Nations has started to develop practical guidance to promote coordinated and system-wide approaches to governance in fragile and conflict-affected settings. Specifically, a United Nations Working Group on Public Administration is engaged in reviewing country experiences in relation to post-conflict public administration. The goal is to develop strategic and practical guidelines to enable the United Nations to operate more effectively.

Intermediate peacebuilding and statebuilding objectives can help to prioritize and consolidate progress towards the MDGs in countries affected by fragility.



MILLENNIUM DEVELOPMENT GOALS (MDGS)

- UNDP has also partnered with the International Dialogue on Peacebuilding and Statebuilding. Cooperation with the G7+ group of countries is intended to better align international donor interests with those of fragile countries. It also prioritizes recipient-led coordination of aid, more inclusive and participatory governance, and the sustainable development of national capacities.

While the MDGs remain the basic benchmarks for shaping national development assistance priorities, intermediate peacebuilding and statebuilding objectives can help prioritize and consolidate progress towards the MDGs in countries affected by fragility (Box 1.3). Governance, and in particular capacity development, is at the heart of the peacebuilding and statebuilding agenda.¹⁷ But the International Dialogue process is a reminder that local ownership is essential for durable progress and sustainable development.¹⁸ Indeed, a recurring lesson is that while external assistance is often necessary to help foment governance in fragile and conflict-affected settings, it is rarely sufficient.¹⁹

BOX 1.3 International Dialogue on Peacebuilding and Statebuilding

The International Network on Conflict and Fragility (INCAF) is a forum of donor and recipient states that is designed to rethink ways of promoting aid effectiveness. With support from the OECD, the Network launched an International Dialogue on Peacebuilding and Statebuilding with a number of fragile countries in 2008.

During a seminal session of the International Dialogue in 2010, a group of fragile and conflict-affected countries started to forge a common position. Describing themselves as the G7+, these countries presented the Dili Declaration.

The Declaration represents the first time that fragile and conflict-affected countries adopted a common voice on the global stage.

Building on these gains, in 2011 the G7+ presented the *Monrovia Roadmap on Peacebuilding and Statebuilding* and agreed that a “clear set of international peacebuilding and statebuilding objectives is needed to lay the foundation for meeting the MDGs, both at the country level and to guide international action.”¹⁶ The Roadmap features five basic intermediate goals designed to help fragile states achieve wider gains:

- **LEGITIMATE POLITICS** — foster inclusive political settlements and conflict resolution
- **SECURITY** — establish and strengthen people’s security
- **JUSTICE** — address injustices and increase people’s access to justice
- **ECONOMIC FOUNDATIONS** — generate employment and improve livelihoods
- **REVENUES AND SERVICES** — manage revenues and build capacity for accountable and fair social service delivery.

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- ⁱ By way of contrast, 'resilient states' are those capable of absorbing shocks, maintaining political stability, preventing violence, and exhibiting capacity and legitimacy. See OECD (2010: 12).
- ⁱⁱ A more complete selection of indicators across all countries can be seen at <http://info.worldbank.org/governance/wgi/index.asp>.
- ⁱⁱⁱ Between 1989–2008, there were 128 recorded armed conflicts. Of these, 93 per cent were internal to states. See Uppsala Conflict Data Programme (2008) *Conflict Termination Dataset v. 2.0, 1946–2006*, and K. Krause, R. Muggah, and E. Gilgen eds. *Global Burden of Armed Violence: Lethal Encounters*, (Cambridge: Cambridge University Press, 2011).
- ^{iv} In a reversal of historical patterns where most wars ended in military victory, since 1989 more conflicts ended at the negotiating table than on the battlefield or in the streets. See L. Harbom, S. Högladh and P. Wallensteen, "Armed Conflict and Peace Agreements," *Journal of Peace Research* 43 (5): 617–631 (2006). According to DPKO, there were more than 110,000 personnel serving in over 18 peace support missions on four continents in 2009. This represents a sevenfold increase in United Nations peacekeeping personnel deployed since 1999. Another 12 special political and/or peacebuilding field missions are supported by the United Nations Department of Field Support. The approved peacekeeping budget for the period from 1 July 2007 to 30 June 2008 was approximately \$7.2 billion. See <http://www.un.org/en/peacekeeping/info.shtml>. See, for example, Human Security Report, *The Shrinking Costs of War*. (Vancouver: Human Security Centre, 2009), and *Human Security Brief 2007*. (Vancouver: Human Security Centre, 2007), available at: www.humansecuritybrief.info/. See also N. Sambanis "Short-Term and Long-Term Effects of United Nations Peace Operations." *World Bank Policy Research Working Paper 4207*. (Washington DC: World Bank, 2007).
- ^v Situations of fragility encompass more than one-third of the population of all developing states and experience more than half (58 percent) of the poverty, two-thirds (67 percent) of infant deaths, and a substantial majority (69 percent) of under-five mortality. See World Bank, *MDG Monitor*, (Washington DC: World Bank, 2010).
- ^{vi} For example, a study conducted for the OECD-DAC showed that, "Donors can inadvertently do harm when the resources they deliver or the policy reforms they advocate exacerbate rather than mitigate the conditions for violent conflict, or they weaken rather than strengthen the state as a site of decision making and policy formation over the deployment of public resources. They can do harm when aid is delivered in such a way as to act as a disincentive to states to consolidate their own revenue base. By not understanding the history and power dynamics in a partner country, donor actions can disrupt the political settlement that underpins the state, weakening the incentives for powerful elites to "buy in" to statebuilding processes and increasing their incentives to "opt out." OECD-DAC, *Do No Harm: International Support for Statebuilding*. (Paris: OECD-DAC, 2009), available at: www.oecd.org/dataoecd/8/32/44409926.pdf.



Engaging Governance in Situations of Fragility and Conflict

Concerted engagement with fragile and conflict-affected states is prioritized by the United Nations Security Council and United Nations agencies.

These states are perceived as international and regional threats to peace and security, and potential wellsprings of transnational crime and terrorism.²⁰ Since they are often furthest from achieving the MDGs, they are also the focus of a growing proportion of multilateral and bilateral development assistance budgets. In 2009, for example, at least \$33 billion was invested globally by major bilateral donors in these settings, including for governance-related projects.ⁱ If the costs of the international community's peace support and peacekeeping operations are included, the annual price tag runs higher still.²¹ The international aid effectiveness agenda is being reassessed in terms of its contribution to peacebuilding and statebuilding in fragile and conflict-affected settings. Multilateral and bilateral actors are revising their approaches accordingly — from multidimensional stabilization and peace support operations to whole-of-government approaches to recovery, reconstruction, and development. Moreover, the United Nations is devoting more attention to ensuring early engagement in transitional processes and promoting specialized civilian capacities to deliver in a more targeted manner.ⁱⁱ

The promotion of governance is a central pivot during transitions and plays a critical role in consolidating peacebuilding and statebuilding. This chapter considers UNDP's past engagement with governance promotion in fragile and conflict-affected settings and appraises its current investments. It reflects on the agency's comparative advantages and constraints in taking on this challenging area of practice.

Since the 1990s, UNDP has expanded the scale and scope of its operations in fragile contexts.



Globally, by major bilateral donors in 2009.

2.1 UNDP'S HISTORICAL ENGAGEMENT

It is useful to recall some of UNDP's experiences in fragile and conflict-affected settings as a reminder that the governance agenda is not entirely new (Box 2.2).ⁱⁱⁱ In Namibia, for example, UNDP supported the transformation of the rebel movement — the Southwest African People's Organization — into the government of a newly independent state. In Mozambique, UNDP supported the deployment of the broader United Nations mission and the development of a professionalized police force. It also supported the disarmament and demobilization of RENAMO forces and their subsequent transformation into a political party. In Cambodia, in the wake of the implementation of the 1993 Paris Peace Accords facilitated by the United Nations Transitional Authority, UNDP played a critical role in helping transform the country's public administration and in rebuilding state capacity from the national to the communal levels.^{iv} While seemingly common areas of practice today, these and other activities were groundbreaking at the time. It is this pragmatic and flexible spirit that UNDP continues to apply in the second decade of the 21st century.

UNDP has consistently sought to work with multilateral and bilateral donors in a coordinated manner to consolidate peace and build democratic institutions.²³ In some cases, the agency developed specialized modalities to enhance coherence and coordination among development partners. By the mid-1990s, UNDP was regularly involved in the creation of pooled funding baskets and trust fund mechanisms.

BOX 2.1 UNDP Engagement with Complex Emergencies Since the 1990s

Every era gives rise to its own nomenclature. Many of the armed conflicts during the early and mid-1990s were termed "complex emergencies."

This characterization described unprecedented and interconnected crises that presented intractable dilemmas for humanitarian and development agencies. Due to their complexity, they required integrated and comprehensive responses. As they were emergencies, they demanded diplomatic, defense-related, and developmental engagement.

A 1999 review of UNDP activities in complex emergencies revealed many of the same crucial obstacles confronted by Country Offices in fragile and conflict-affected states today. Although the settings of Cambodia, El Salvador, and Southern Africa all featured specific regional conflict contexts, in each case UNDP sought to consolidate peace agreements, promote stability, and

build the fundamental foundations of statehood. The review highlighted the special importance attached to context-specific governance programming:

While in a few instances the necessary prerequisites appeared to present themselves ... in most cases, a degree of deception was being used by some of the warring parties. This was done in order to profit from the lull created by international involvement, usually to regroup and/or to gain added political advantage in negotiations ... the timing, sequencing and relative emphasis attached to different aspects and activities under the rubric of governance play an important part in determining overall success.

The review's conclusions are also noteworthy in underlining the particular challenges of sustaining good governance in complex environments:

UNDP should clearly embrace the notion that governance and capacity building needs of countries emerging

from conflict are different from those of other programme countries; the usual public administration and civil service reform programmes will not suffice and indeed would not be appropriate ... It is perhaps not surprising that immediately before, during and after complex emergencies, politics, political pressures and imperatives are all-pervasive. Political clout and awareness is therefore crucial to UNDP's effectiveness in all aspects of its work, not least in its governance programmes. Where UN field operations exist, UNDP's activities in the governance sphere should therefore be as closely articulated and integrated with the UN's activities as possible. This should ensure that governance programmes form an integral part of on-going peace-building activities of the UN system. By the same token, UNDP should accept the inherent risks to its long-term programme of being involved in the political arena.²²



2.2 UNDP'S COMPARATIVE ADVANTAGES

With decades of experience and operations in more than 177 countries and territories, UNDP has earned a reputation for staying the course and serving as a focal point to help ensure coordinated engagement before and long after a crisis moves on. Owing to its fundamental respect for state sovereignty, UNDP is widely regarded as a trusted facilitator and convener, even on politically delicate issues, with host governments and civil societies.

Moreover, UNDP's *2008–2013 Strategic Plan* commits the agency to a more proactive investment in governance in crisis contexts. It specifically emphasizes the importance of working in post-conflict environments as part of an overall contribution of United Nations peacebuilding efforts. Likewise, its *Eight-Point Agenda for Women's Empowerment and Gender Equality in Crisis Prevention and Recovery* instructs the organization to adopt a more concerted focus on promoting justice and security for women, expanding women's citizenship, participation, and leadership, and transforming government to deliver for the particular needs of women and girls.^v

Working on the ground in 177 countries and territories, UNDP has decades of experience in promoting democratic governance in lower- and middle-income countries (Box 2.2). But it has yet to systematically set out good practice on restoring and strengthening the functions of fragile public and civil society institutions and capacities. The organization is still learning how to combine early, rapid, and bottom-up support for a wide range of actors together with strategic and upstream investment in central state institutions.

UNDP balances multiple competing priorities in its promotion of governance in fragile and conflict-affected settings. The agency must work with partner governments and a wide network of multilateral and



UNDP has demonstrated a capacity to balance attainment of global principles with assessments of what may be practical and feasible within a given context.

Practical dilemmas in supporting governance in fragile settings are often greater in scale, and different in quality, than those faced in the democratization of governance in relatively stable situations.

bilateral partners and NGOs to ensure that strategies reflect national and international standards and priorities. At the same time, UNDP can only support what is practically feasible in societies reconfigured by protracted warfare and social turbulence. In many cases, UNDP may be working in the context of a peace settlement or in environments characterized by complex elite pacts that do not account for rapidly changing global, national and local priorities.

BOX 2.2 Democratic Governance Promotion and UNDP

UNDP has established a reputation as a leader in promoting democratic governance in partnership with governments and civil society. Though not exhaustive, the list below summarizes some of the key areas of competence.

Civic engagement

More than 100 UNDP Country Offices support engagement with civil society institutions. A key goal is to facilitate citizen participation in political processes to enhance state accountability. UNDP offices channel more than \$100 million each year to NGOs for service delivery and civic engagement across a wide range of issues.

Electoral processes

UNDP is the United Nations' primary agency responsible for providing electoral assistance to national institutions.²⁴ In 2009, it launched its Global Programme on Electoral Cycle Support — a three-year, \$50 million initiative to strengthen Country Office support for host governments. UNDP has also started to explore the relationship between elections and conflict prevention.²⁵

Parliamentary development

UNDP supports one in three parliaments around the world.²⁶ Activities are designed to enhance representative, legislative, and oversight capacity, along with supporting parliamentary action.²⁷

Local governance

For decades, UNDP has invested heavily in promoting governance at the subnational level.²⁸ The agency's approach has advanced along at least three parallel tracks: local governance for improved service delivery and accelerating MDG achievement, enhanced local governance to promote democratic representation, especially with local leadership, and local governance for conflict prevention through dialogue. It has also emphasized the importance of promoting trust across disparate groups of elites and communities.

Public administration reform

UNDP invests in a wide assortment of public administration reforms to enhance governance.²⁹ These include support to reforming institutions so that they are more democratic, investing in pro-poor reforms to enhance the likelihood of achieving MDG targets, and conflict-sensitive civil service management.

Rule of law and access to justice

UNDP supports rule of law and access to justice programmes in over 90 countries. Initiatives include legal empowerment for the poor. UNDP aims to wed institutional reform to bottom-up approaches that build legal awareness and access to legal protection, particularly among vulnerable groups.

2.3 UNDP'S DILEMMAS IN PROMOTING GOVERNANCE

There are many practical dilemmas that arise in supporting governance in fragile settings. These are often greater in scale, and different in quality, to those faced in the democratization of governance in relatively stable situations.

GOVERNANCE DEFICITS ARE BOTH A CAUSE AND CONSEQUENCE OF FRAGILITY.

The exclusion of key segments of society from political processes often lies at the heart of grievances that, when unaddressed, can incite violence and ultimately undermine collective action. Not surprisingly, the fact that weak or exclusionary governance is a cause of fragility presents acute challenges for development agencies. For example, otherwise accepted practices such as 'right-sizing' the public sector may be insufficiently attuned to the difficulties of public administration recruitment and retention in volatile transitional contexts, where meritocracy could unintentionally privilege one group over another. While building institutional capacity can foster pathways for transformation, sustainable transitions from fragility require key parties to re-envisage and renegotiate the 'rules of the game'. Fragility therefore comprises both a political and a capacity challenge.

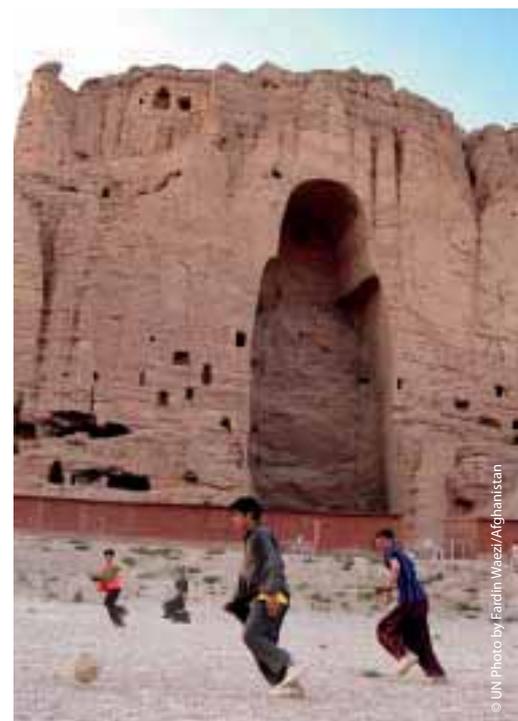
SUCCESSFUL TRANSITIONS ARE INCREMENTAL AND 'STOP-START', BUT REQUIRE

LONG-TERM PLANNING. The 2011 World Development Report notes that the fastest transition to stable institutional arrangements has taken a generation or more. Specific country studies have highlighted how even after decades of post-peace support, countries may still be facing 'acute-chronic' recovery needs (Box 2.3). There is often no short-cut. Managing governance reforms in such environments requires balancing short-term priorities, such as meeting immediate needs, with long-term planning horizons and sustained commitment.

TRANSITIONS FROM FRAGILITY TO PEACE ARE NON-LINEAR AND WILL DEMAND

CONTINUAL LEARNING. Fragility is an erratic phenomenon with recurring and cascading crises that erode national and local capacities to respond effectively. Indeed, during 'successful' transitions, the risks of crisis can often escalate and transitions be marred by episodic cycles of crisis. For these reasons, development agencies must be equipped to anticipate and address immediate priorities of fragility, while remaining prepared to 'shift gear' at a moment's notice.

Governance deficits are both a cause and consequence of fragility.





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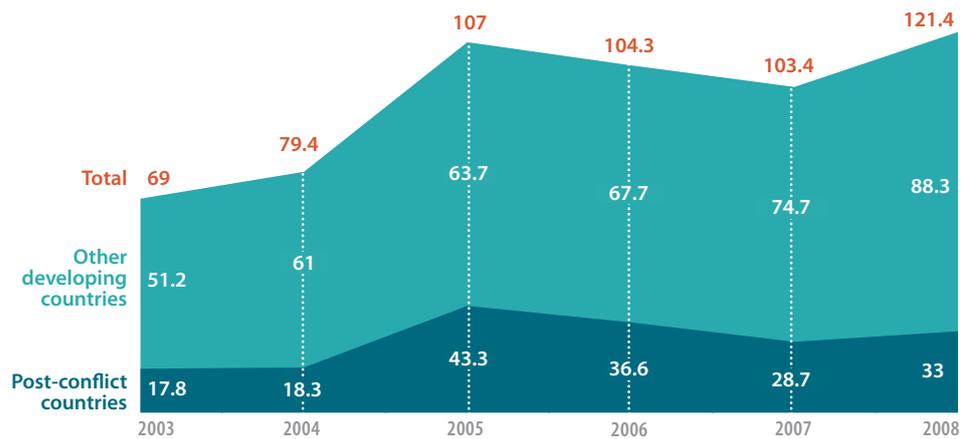
2.4 UNDP'S INVESTMENTS IN GOVERNANCE

Major development agencies are investing in governance in fragile and conflict-affected states.

International support for governance in transitional settings has evolved in parallel with the exigencies of peacemaking, peacebuilding, statebuilding, and indeed development (Figure 2.1). In a surprising reversal of trends from the 1990s, donors are today preoccupied with channeling aid to governance institutions in contexts affected by fragility, rather than strictly to good performers.

Funding for crisis prevention and recovery has increased dramatically.

FIGURE 2.1 Official Development Assistance Flows to Fragile Settings (Billion US\$)



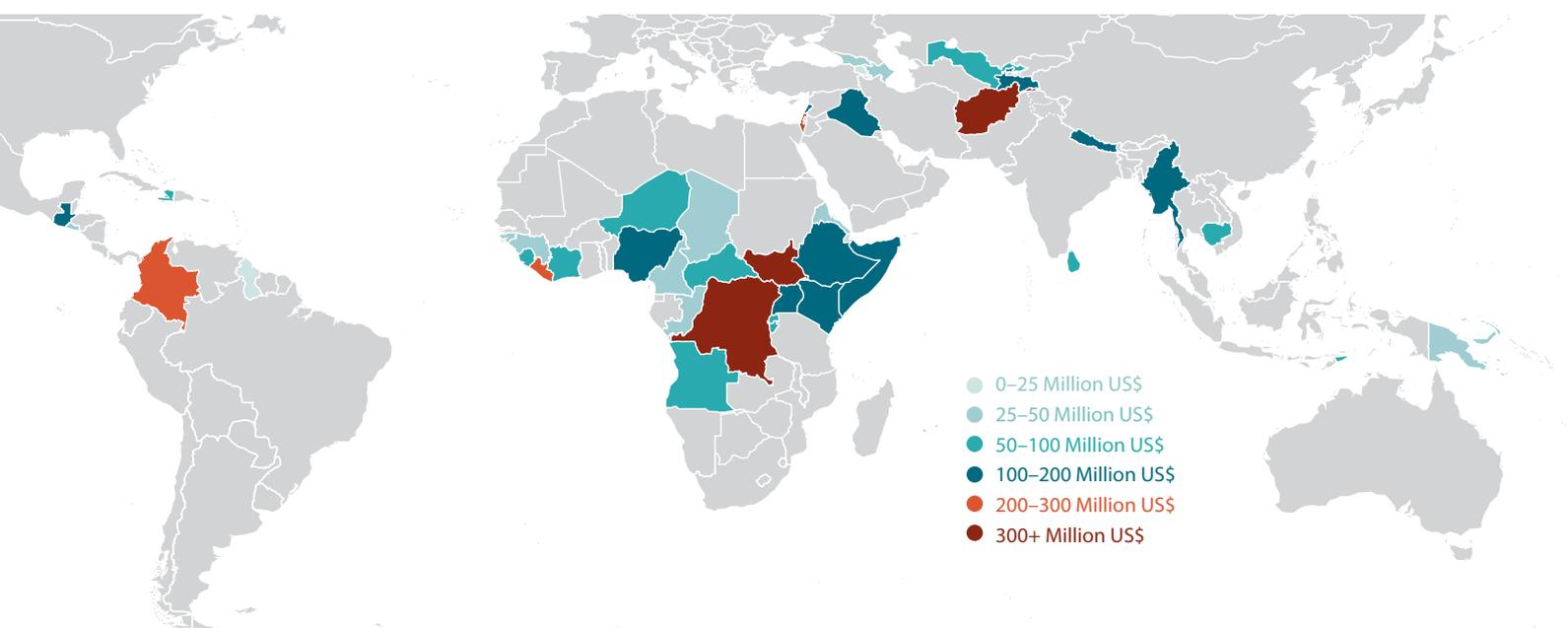
SOURCE: OECD (2010)

Many of these actors are seeking to learn and apply lessons to improve their practice. Indeed, the prior reliance on ‘quick fixes’ or ‘early wins’ — including hasty implementation of peace agreements and democratic elections — is now recognized as insufficient for consolidating peace.³⁰ The once widely applied concept of ‘exit strategies’ is being re-examined and is now more cautiously described as ‘transition’ with the ultimate goal of ‘peace consolidation.’³¹ Almost all development agencies recognize that they need a better understanding of how to measure progress from conflict and fragility toward ‘consolidation.’³²

While UNDP has developed guidance on results-based frameworks in transitional environments, there are still insufficient linkages to wider peacebuilding and statebuilding objectives.³³ Even so, some \$3.5 billion was devoted by the agency to just ten fragile contexts in 2008/9 alone, which comprises nearly one-sixth of all UNDP’s programming resources during that timeframe. From 2008 to 2010, resources devoted to crisis prevention and recovery programming almost doubled, increasing from \$612 million in 2008 to over \$1.15 billion in 2010, which constituted 27 percent of UNDP’s overall programming expenditure that year. Within UNDP’s crisis prevention and recovery portfolio, \$719 million were devoted to conflict prevention and post-conflict governance support, which is 62 percent of UNDP’s crisis prevention and recovery programme, and 17 percent of UNDP’s overall programme expenditures in 2010.^{vi}

Reliance on ‘quick fixes’ or ‘early wins’ is now recognized as insufficient for consolidating peace.

FIGURE 2.2 UNDP Expenditures in 43 Countries Affected by Crises and Conflict



SOURCE: UNDP data^{vii}

CHAPTER NOTES

- ⁱ For a comprehensive review of aid flows to fragile contexts, refer to OECD paper “Aid flows to fragile states”: www.oecd.org/dataoecd/51/52/46043367.pdf
- ⁱⁱ Key sectors singled out by the United Nations Civilian Capacities Review for attention are legal affairs, economic recovery, restoration of essential services, and constitution building.
- ⁱⁱⁱ UNDP has been active in post-conflict settings since the end of the Cold War. An account of its earlier history in conflicts at that time of global transition, and during the world’s and indeed the United Nations’ evolution into peacebuilding in the post-Cold War period, is found in “Governance in Post-Conflict Countries,” UNDP Management Governance and Development Division (1996), at <http://mirror.undp.org/magnet/Docs/crisis/monograph/Monograph.htm#General>.
- ^{iv} Likewise, UNDP was involved in mine action, public administration, support to the electoral process, and post-elections parliamentary and local-government support.
- ^v As the 2010 Secretary-General’s report on women and peacebuilding notes, “Peacebuilders must address all forms of injustice, including gender inequality and discrimination on the basis of sex. This requires recognition of the pivotal roles that women often assume during conflict — as combatants, economic actors providing for their families, or activists engaged in community reconciliation. In conflict’s aftermath, neither national nor international actors must be complicit in relegating women to roles deemed acceptable by men, but instead must ensure that international human rights standards are upheld.” See UNSG, *Report of the Secretary General “Women’s Participation in Peacebuilding,”* A/65/354 S/2010/466 (2010).
- ^{vi} Executive Board of the United Nations Development Program, Annual session 2010, 21 June to 2 July 2010, Geneva, “Annual report of the Administrator on the Strategic Plan: Performance and results for 2009.”
- ^{vii} This data is specifically for the time period stated 2008 - 2009.

Engaging in Governance Support in Situations of Fragility and Conflict

SUMMARY

Fragile and conflict-affected states are increasingly prioritized by the United Nations and other development agencies. The promotion of governance is seen as a central pivot of transitions from fragility, and in consolidating peacebuilding and statebuilding efforts. While not necessarily a new agenda for UNDP, it has become clear that promoting governance in fragile and conflict-affected setting demands that old assumptions be revisited and expectations adjusted.

Successful transitions from fragility take time

The yardsticks of success should be measured in decades and not years. In this environment, planning for the long-term and managing expectations is essential to ensure that positive impacts can be sustained.

Fragility constitutes a challenge and an opportunity for promoting durable governance reforms in partnership with local authorities

While fraught with risk, peace settlements and transitional periods are also crucial moments of opportunity. UNDP can identify and exploit these moments by creating opportunities for a more equitable participation of women and marginal groups where previously such engagement may have been limited.

UNDP must balance complex priorities and trade-offs when supporting governance in fragile and conflict-affected contexts

UNDP must work with a complex network of stakeholders, including erstwhile armed groups. Many may actively subvert and resist efforts to reconfigure the rules of the game. UNDP may also be required to work with hybrid arrangements and new informal service providers while ensuring a commitment to wider human rights standards.

UNDP and its partners have considerable experience and expertise

For several decades, UNDP has operated in countries affected by, and emerging from, armed conflict. In El Salvador, Mozambique, Nicaragua and, more recently, Afghanistan, Somalia, and Sudan the agency has confronted a range of challenges and dilemmas with innovative programming solutions. These approaches still lack a strategic approach oriented towards the consolidation of the social contract.



A Framework for Governance Promotion in Situations of Fragility and Conflict

This chapter introduces a framework to help UNDP and its partners develop more effective approaches to governance promotion in fragile and conflict-affected contexts. Consistent with existing UNDP principles, the framework calls on Country Offices to plan around outcomes specifically related to enabling states and societies with the capabilities to transition from fragility rather than more narrowly on sector-driven outputs.

The framework draws attention to several factors that shape the outcomes of governance promotion. First, unless accompanied by good evidence and grounded in local engagement, democratic transitions in fragile and conflict-affected settings will fail to achieve the anticipated improvements in authority, legitimacy, and capacity. Second, narrow investments in core state institutions and functions can unintentionally intensify fragility and aggravate identity-based fault lines. Third, agencies such as UNDP would do well to adopt a measure of humility about what is realistic, adjust expectations and metrics of success, and develop the necessary tools and know-how to improve practice.

This framework does not imply the invention of new sectors, rather it recognizes that in fragile environments individual agencies will need to focus on only a handful of transformative programmes that can be implemented at scale. The framework's successful delivery requires an understanding of the key elements, derived from the context, that help

The framework helps UNDP and its partners develop more effective approaches to governance promotion in fragile contexts .

The added value of the framework comes from its formulation from an extensive review of UNDP's experience in fragile and conflict-affected settings, plus lessons and insights from partners.

national partners 'build back better'. Moreover, it means being mindful about how incremental gains in governance can buttress and sustain wider peacebuilding objectives.

The framework draws explicitly from — and reinforces — existing guidance on governance. Its added value comes from an extensive review of UNDP's experience in fragile and conflict-affected settings, plus lessons and insights from partners. In such settings, UNDP's country experience has often outstripped existing policy and programming guidance. For this reason, the cumulative practice is reflected in the framework and is intended to support Country Offices to better design, foster, and strengthen a responsive, inclusive and resilient social contract (Figure 3.1).



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3.1 | A FRAMEWORK FOR ACTION

At the centre of this framework is a commitment to restoring the social contract through the application of effective development support. The social contract itself is manifested not exclusively through the delivery of goods and services, but more actively in the way they are negotiated, how they are accessed and who delivers them. The extent to which the social contract is considered credible can be determined by the way grievances are managed, community relations are renewed, and marginalization diminished. Supporting the social contract provides an overarching objective that brings together governance and peacebuilding priorities to ensure more effective coordination across diverse programmatic areas.

In fragile and conflict-affected settings, the legitimacy of state and societal institutions is eroded and contested. As a result, the allocation of resources — who gets what — can be as much a flashpoint as the physical delivery of goods and services. In such settings institutional weaknesses are often as much a product of competing or misaligned incentives as capacity deficits. The relevance and enforcement of rules and laws may be confined to what elites permit.³⁴ The resulting short-term planning horizons and complex bargains in these settings often require pragmatic and creative solutions from UNDP and its partners. In tense and volatile periods of transition, there is often a requirement for short-term governance interventions that promote stability, but may not necessarily be sustainable in the longer run.

An action-oriented framework must identify key governance priorities and core activities to achieve them. It cannot be relegated to the level of conceptual artifice, but should instead offer structured and practical guidance to help shape thinking and practice. The framework features four foundational objectives intended to guide the fostering of governance in fragile and conflict-affected states (Figure 3.1). It also outlines a selection of core priorities and activities to achieve these objectives.

At the core of the framework is a commitment to restoring the social contract through capacity development support.

FIGURE 3.1 The Four Fundamental Interlinked Elements for Recovery from Conflict and Fragility.



Governance is at the axis of peacebuilding and statebuilding.

- First, the framework proposes a concerted investment in **RESPONSIVE INSTITUTIONS** that practically deliver essential services to the population. A core requirement is that the state and civil society are equipped with the appropriate capacities in critical areas, and that services are delivered in a way that is not captive or partial to specific elite or identity-based interests.
- Second, the framework focuses on fostering **INCLUSIVE POLITICS**. This occurs when states and their societies exhibit mechanisms that allow for the legitimate and peaceful expression of interests in a way that does not reverse development gains.
- Third, the framework calls for public entities to work proactively with non-state actors to improve the **RESILIENCE OF SOCIETY TO CRISIS**, and ensure that society plays a role in monitoring, assessing, mediating, and responding to social conflict and political crises that often accompany the turbulent post-conflict period.
- Finally, the framework emphasizes **PARTNERSHIPS AS A MEANS OF OPERATIONALIZING** responsive institutions, inclusive politics and resilient societies. Partnerships with national and sub-national governments, with United Nations agencies, non-governmental and civil society partners and also informal service providers are often essential.



These four objectives are mutually reinforcing and overlapping. Fostering responsive institutions in fragile settings cannot be achieved without inclusive political settlements. Forging inclusive politics demands a minimum degree of resilient social cohesion and security. An enduring commitment to working in partnership from the international to the local levels is critical to activating the other objectives. The novelty of the framework resides in its comprehensive approach to renewing the social contract and articulation of an integrated package of responses in fragile and conflict-affected settings. Successful programming is therefore measured by the achievements of integrated programmatic interventions across partners rather than a mosaic of interventions or discrete sector-specific achievements.

FIGURE 3.2 The Path Towards Development



3.2 IMPLICATIONS FOR UNDP

The framework has direct implications for how UNDP delivers governance support in fragile and conflict-affected settings. For example, building in responsiveness requires a balanced approach by UNDP to support both central and local authorities, and ensuring that empowerment of civil societies is integrated into support for state institutions. Likewise, support for inclusive political processes may require UNDP to assess carefully how its support will affect the balance of power. Finally, investment in building resilient societies may require UNDP to support hybrid delivery mechanisms that anticipate instability and promote dialogue and mediation. Such efforts can create the conditions for reframing the divisions between governance support and crisis response, and enable a joined-up focus on consolidating the social contract as a basis for reform.

The framework also has implications for the selection, sequencing, and execution of programming streams. On the one hand, it emphasizes the wide range of possible entry points for governance promotion in fragile and conflict-affected settings. On the other, it draws attention to the importance of contextually-derived benchmarks that reflect progress towards meeting basic peacebuilding and statebuilding goals. The framework also reveals the many critical roles for UNDP in ensuring rapid and flexible engagement with governments and local communities. While keeping an eye on the big picture, UNDP must support interventions early, must convene and facilitate dialogue, and seize opportunities to enable local actors themselves to ‘build back better.’

A basic finding is that there is no single template or sequence of governance ‘phases.’ Rather, a unifying principle is that in every setting, approaches must be shaped by context. For UNDP, peace is achieved when the political settlement is accepted broadly within society, and when it is expressed in a stable set of state institutions. In such environments, the incidences of, and the incentives for, violence eventually fade away as a means of achieving political aims.

The framework provides instruction about how to bridge the programming gap that routinely occurs during transitional periods. In most cases, there is an imperative to provide interim support in anticipation of larger-scale efforts to enact national policy reform and mobilize resources. The framework highlights a range of tried and tested options at the disposal of UNDP that could go some way to re-knitting the social contract. Taken as a whole, the framework enables UNDP to prepare itself to solicit and mobilize the necessary expertise and resources to promote governance in fragile and conflict-affected settings. UNDP requires a deep bench of experts that can adapt governance approaches to fragile settings, and it will need to do more to train national staff in these key areas.

Support for inclusive political processes may require UNDP to assess carefully how its support will affect the balance of power.

The framework has implications for the selection, sequencing, and execution of programming streams.

UNDP’s country experience has outstripped existing policy and programming guidance.



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FIGURE 3.3 A framework for governance in fragile and conflict-affected settings



A UNDP Framework in Situations of Fragility and Conflict

SUMMARY

UNDP is introducing a framework that builds on experience and leverages its comparative advantages in supporting states affected by conflict and volatility. The framework consolidates key UNDP guidance while accounting for practical experiences from the field. The framework:

Anticipates the tensions and trade-offs in assisting fragile and conflict-affected states

There are no blueprints for governance promotion in states and societies emerging from protracted conflict or affected by social unrest. UNDP must manage a complex array of demands and pursue, where appropriate, 'best fit' solutions. UNDP may need to adopt a measure of humility in its expectations and outcomes.

Recognizes that while a comprehensive approach is essential, in some cases UNDP will need to pursue smaller interim governance interventions that can sustain peacebuilding.

Large-scale centralized reforms may be necessary for institutionalising and sustaining development, however, in fragile and conflict affected states UNDP will need to prioritize and sequence strategic interventions that promote practical dividends in governance and buttress peacebuilding interventions.

Stresses that transition from fragility is dependent on restoring national capacities and local ownership

National ownership of reform efforts by elites and civil society is essential to ensuring such investments endure. Moreover, no amount of technical support by foreigners can substitute for local capacity.

Recognizes that the transition from fragility requires a system-wide response and that no single actor is sufficient

UNDP will invest in strengthening partnerships with local counterparts, as well as other United Nations entities and development partners on delivering the planned governance agenda.





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Promoting Responsive Institutions

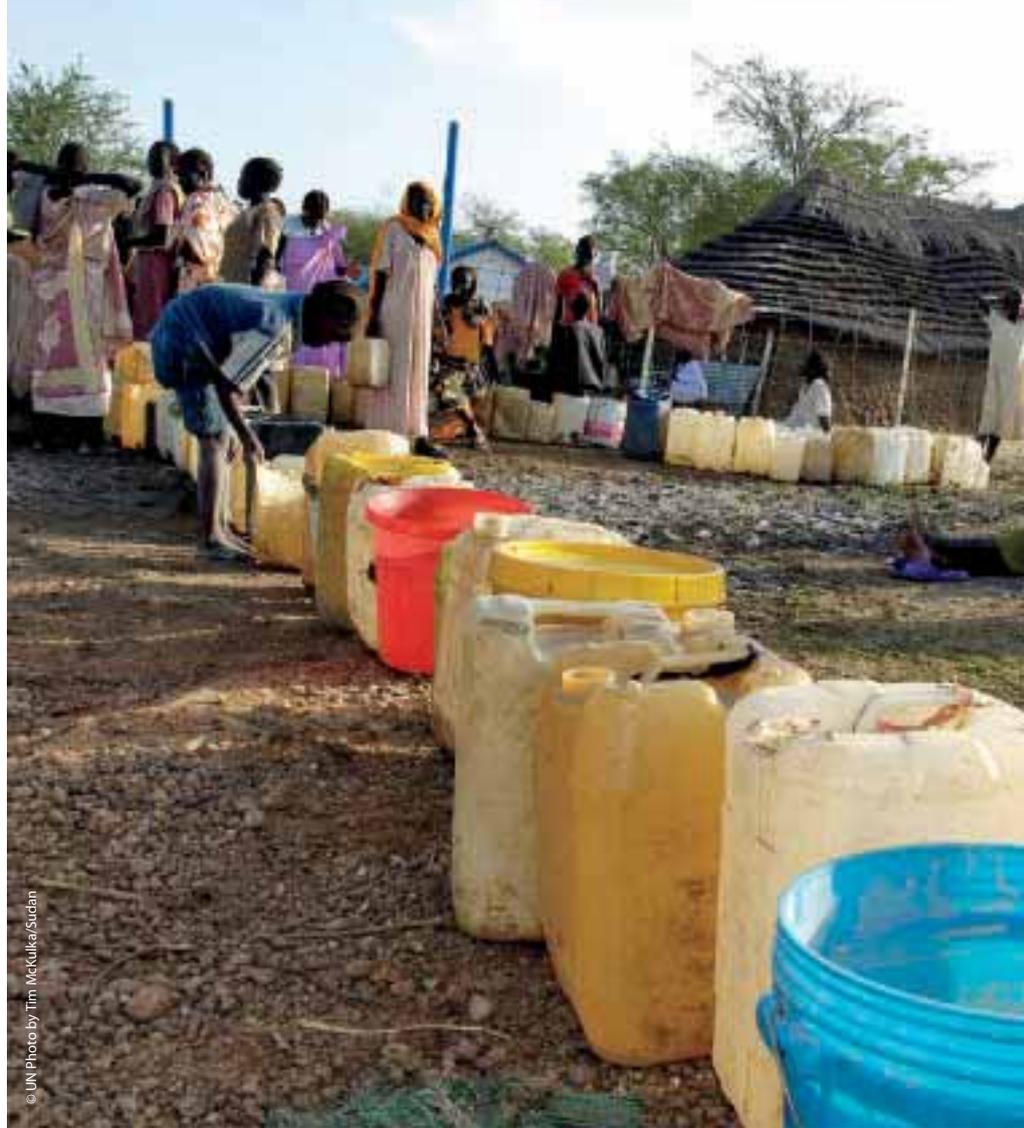
Fragility and conflict undermine the quality, quantity, and consistency of government functions and essential services at precisely the moment when citizens are in urgent need of them.

As a result, fragile and conflict-affected states routinely forfeit a degree of legitimacy and accountability to their citizens, as well as to their external partners and donors. In settings where governments and their proxies are themselves a source of instability, and where corruption and the capture of natural resources are driving local political economies, basic service delivery functions can become still more distorted.

The extent to which a fragile or conflict-affected state is itself genuinely responsive to the interests and needs of citizens is often difficult to discern. Even in instances where public ministries, line agencies and local offices are adequately staffed and appear superficially to be working, their basic functions can remain opaque, inaccessible, politicized, and fragmented. In such contexts, these institutions are particularly predisposed to capture by those elites with access to power and resources. UNDP Country Offices have routinely developed innovative approaches to enhance responsive service delivery in settings where public sector counterparts are unable or unwilling to do so.

Consequently, backing for responsive institutions requires balanced support to both public institutions and beneficiary communities. UNDP's activities should build on institutions and actors that are already present, capable and functioning. Where possible, the agency should avoid creating new

Fragility and conflict undermine the quality, quantity, and consistency of government functions and essential services at precisely the moment when citizens most need them.



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UNDP actions should reinforce rather than supplant local capacity.

institutions that may be devoid of local legitimacy or are unlikely to foster local ownership. This implies working explicitly with traditional authorities and purposefully integrating local stakeholders into a coherent strategy. As UNDP consolidates its approach to promoting more responsive institutions in fragile and conflict-affected settings, several basic programming streams stand out, which seek to:

- Enable the state to perform essential functions;
- Rebuild public administrative capacities;
- Improve service delivery;
- Re-establish local government authority and local governance; and
- Ensure the rule of law, access to justice and protection of human rights.

4.1 ENABLING THE STATE TO PERFORM ESSENTIAL FUNCTIONS

Restoring and re-establishing state functions is the first step in the process of regenerating its capacity to mediate citizen-state relations and redress grievances.³⁵ A starting point for UNDP in fragile and conflict-affected settings is informed and timely support to restoring essential government functions in security, service delivery and economic management in a way that reinforces, rather than supplants, local capacity (Box 4.1).

BOX 4.1 Supporting Capacity Development in Conflict and Fragile Contexts

Capacity development in fragile and conflict-affected states is a complex undertaking. It requires balancing short- and long-term interventions in settings characterized by volatile social tensions and insecurity. The more severe the levels of fragility, the more challenging capacity development efforts are likely to be. This is because many formal and informal institutions are themselves affected by corruption and non-accountability, bureaucratic inertia, and a reduced will and ability to deliver services.

Capacity building has long been at the core of UNDP's mandate. UNDP has elaborated extensive guidelines to guide capacity development as part of nationally-led change processes. In fragile and conflict-affected settings, however, UNDP has often felt compelled to revisit and adapt its approaches. As the diagram shows, UNDP has developed a wider understanding and treatment of the complex social and political forces that shape capacity development support.

UNDP and its partners recognize the need to shift towards targeted capacity development support in crisis settings. This requires redoubling investment in enhancing the human capital of local counterparts, strengthening the capabilities of local institutions and investing in leadership, skills development and knowledge transfer. And while 'technical assistance' and 'project implementation units' are frequently deployed to 'get the job done', they can sometimes impede progress precisely because of their overwhelming impulse to deliver functional expertise.

UNDP, partner governments and others are revising their approaches to capacity

development in fragile contexts.³⁶ Key expectations are to:

Undertake Ongoing Contextual Analyses of Fragility

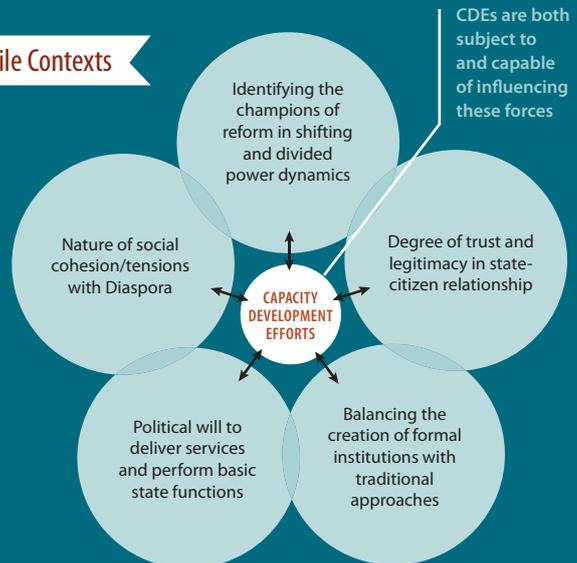
Rapidly changing realities in fragile and conflict-affected settings mean that capacity development must be premised on ongoing institutional context analyses. Capacity assessments must account for the perceived legitimacy of institutions, the dynamics of social division/cohesion, the structure of organizational incentives, and the wider political economy of institutional transformation.

Define More Realistic Priorities and the Sequence of Interventions

Owing to the scale of need, the extent of capacity deficits, the resistance to institutional transformation, and the time required to nurture national ownership, UNDP must make informed and realistic choices on how, when, and to whom to provide capacity development support. UNDP must rapidly define key priorities and ensure minimum consensus with partners. UNDP may also elaborate a transparent strategy that does not inflate expectations and a sequencing process that is also readily able to capitalize on emerging opportunities.

Balance Support to Formal and Informal Processes and Build on What Works

In most fragile and conflict-affected contexts, formal government structures



are often not the most appropriate mechanisms to generate legitimate change that supports peacebuilding and statebuilding aspirations. Rather, informal institutions — from community chiefs, civil society leaders, private service providers to local court systems and means of dispensing customary law — may be viewed more positively. UNDP must learn to understand how local decisions are made, where change agents are located, and in what ways they can be positively mobilized.

Technical Assistance for Knowledge Management, Mentoring and Skills Development

To be effective, capacity development must emphasize knowledge management, coaching and on-the-job skills training. UNDP also understands that South-South Cooperation approaches should be amplified and extended in fragile and conflict-affected settings so that assistance is more meaningful to national counterparts.

SOURCE: Draft report for joint BDP/BCPR workshop on 'Supporting Capacity Development in Conflict and Fragile Settings', 18-29 April 2011, New York

BOX 4.2 Building Core Government Functions in South Sudan

Since 1965, UNDP has invested in developing the capacities of Sudanese institutions, civil society organizations and communities to help them prevent conflict, consolidate peace, and restore livelihoods. In the wake of the 2005 Comprehensive Peace Agreement, UNDP expanded its presence and currently features field offices in most of then-Southern Sudan's 10 states. In 2010, UNDP supported the Government of South Sudan and civil society partners to develop a strategic action plan for rapidly strengthening the capacities of core governance functions. The *Core Functions Priority Plan* is now recognized



as the central framework for addressing short-term statebuilding needs. It focuses on 19 core governance functions across six areas: executive leadership, security, the rule of law and law enforcement, fiduciary management, public administration and management of natural resources.

UNDP often provides immediate support to ensure the delivery of essential state functions.

Effective public administration is essential for peacebuilding and statebuilding.

Notwithstanding urgent calls to support them, there is in fact a long-running debate on the precise definition of the 'essential functions' of the state. UNDP's support for restoring these functions will depend on the priorities and capacities of government and civil society partners. At a minimum, UNDP should seek to ensure state survival by supporting the delivery of security and financial services in the short-term. In some cases, the agency may provide capacity substitution if it is warranted.

UNDP has often provided provisional support to ensure the delivery of essential state functions in fragile and conflict-affected settings. It has co-located senior advisors and mentors into senior decision-making levels of fragile governments, as in Sierra Leone where capacity gaps in mid-ranking professional services risked undermining the coherence of the entire the civil service. It has also supported the delivery of core functions required to address politically sensitive or highly technical areas of international consideration. Enhancing core functions has also meant helping countries develop new national security policies that fundamentally reshape the government's approach to security to meet post-conflict needs, as in Liberia and South Sudan (Box 4.2).

4.2 REBUILDING PUBLIC ADMINISTRATIVE CAPACITIES

Public administration is the way in which the state collects and manages its resources (human, physical and financial) to deliver basic functions. Effective national and subnational public administration is an essential basis for achieving wider peacebuilding and statebuilding goals. States need to be able to establish priorities, raise and manage revenues, procure equipment and services, pay state employees and deliver services if they hope to restore public trust and confidence in the government.

Public administration reform is also about the way in which decisions are made, public resources are allocated (e.g., in an equitable, non-discriminatory manner at national and subnational levels), and citizens are kept informed, given voice and opportunities to participate in decision-making (Box 4.3). The way a state delivers services has direct implications for how its authority, legitimacy and effectiveness are perceived, and how the social contract is eventually moulded and deepened.

In fragile and conflict-affected settings, public administration reform entails more than just fixing technical gaps or enhancing skills. It frequently requires a wholesale review of public sector plans and priorities, including the principles on which the public administration organizes and accounts for the delivery of functions. This can be immensely challenging as, for example, when the key interlocutor for development agencies such as UNDP is an administrative wing of an armed group or a former paramilitary faction. It is also difficult to embark on meaningful public administration reform when there is a pronounced 'missing middle' of qualified and

A 'best fit' approach may trump 'best practice' in fragile and conflict-affected settings.

BOX 4.3 United Nations Support to Public Administration and Local Governance in Fragile Environments

In 2011, UNDP reviewed its approach to public administration reform in fragile and conflict-affected states in partnership with other agencies. The review drew explicitly from OECD and World Bank findings, as well as from the United Nations Secretary-General's Policy Committee.³⁷ Its key findings included:

The reform of public administrations may figure prominently in a political settlement.

Although the form and function of public administrations are products of historical experience, peace processes may offer

important opportunities to reconfigure public administrations for the better.

Public administration reform interventions are multifaceted and generate strategic and programmatic policy dilemmas.

As a result, development agencies must often balance the prospects of efficiency gains and anticipated performance against the prospects for renewing conflict and violence.

Building effective and efficient public administrations requires compromises and trade-offs.

It is critical that a 'best fit' trumps 'best practice' in fragile and conflict-affected settings. In some cases, quota systems and meritocratic mechanisms may need to be delayed despite aspirations of ensuring gender representativeness or the highest quality civil servants. In many cases, legacies of fragility and conflict will demand public administration reform that ensures ethnic balances in new civil services, identifying roles for former commanders, and promoting more representation from otherwise excluded or marginalized groups.

UNDP may need to adjust expectations of what can be realistically achieved in relation to public administration reform.

In fragile and conflict-affected settings, public administration reform entails more than just fixing technical gaps or enhancing skills.

professional middle ranking civil servants. A careful preliminary appraisal of the civil service and public administrative system is therefore a precondition to any effort to engage.

Another challenge in such environments is supporting leadership capacities in the public administration itself. This is especially so where the public civil service may constitute the most important — perhaps the only — employer. In these settings, the public administration's primary function may have been to disburse resources to partisan or ethnic groups rather than to operate as a functional apparatus of governance. As such, the public administration may mimic existing societal patterns of political and social exclusion. Attainment of leadership positions, then, is a function of intense political pressure and patronage networks. Options for reform can thus be extremely difficult, and champions of reform may face real threats to their lives and livelihoods.

UNDP and its partners may need to adjust expectations of what can realistically be achieved in public administration reform in fragile and conflict-affected settings. Initiating limited short-term activities to address immediate concerns, such as the presence of ghost employees on civic service payrolls, may be all that is achievable in the earliest stages. More limited capacity support — including through Diaspora returns — may be all that is politically and practically feasible (Box 4.4). UNDP can use these initial moments as opportunities to invest in assessing the opportunities for public administration, the level of political will, and local agents of change.

Areas where UNDP has excelled include strengthening executive planning capacity, developing public information and statistical capacities, and civil service reform in Cambodia, Kosovo, Mozambique and Timor-Leste. Today, UNDP is directly supporting administrative reforms at the centre of government, providing early support to help states collect, analyse, manage and disseminate information. This improves both state and civil society capacities to undertake monitoring and evaluation in fragile and conflict-affected settings.

BOX 4.4 Employing Diaspora to Build State Capacity

UNDP is often in a position to provide early direct support to government ministries by recruiting highly skilled members of society from the Diaspora. Many conflict-affected countries witness a brain drain of skilled and professional people, including political and public administration leaders. At the conflict's end, the Diaspora can bring the skills needed for government functioning, many of which have been updated or enhanced during their time abroad.

The Diaspora can play important management functions, and they are often seen as credible by the public — although this is a double-edged sword, as they can also be seen as privileged and out of touch.

Around the world, UNDP Country Offices have facilitated mechanisms and opportunities for those outside to liaise with civil society organizations within their own countries. In Somalia,

the Diaspora has played a positive role in peacebuilding through their engagement with traditional leadership and inclusion in local peace processes. Likewise, the Liberia Emergency Capacity Building Support project established a repatriation fund to attract competent Liberian professionals back home to take up leadership positions in the public sector.



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4.3 IMPROVING SERVICE DELIVERY

In most fragile and conflict-affected contexts, the de facto delivery of essential services and organization of recovery is undertaken not by the state, but by non-state actors. Private enterprises and non-governmental agencies, faith-based associations, tribal-, kin-, and clan-based networks and self-help associations are often at the forefront. A critical challenge for UNDP in many countries is to strike a balance between supporting formal public authorities to better organize and regulate such activity, while investing in external and domestic non-state providers. A guiding principle is to include, where possible, national and subnational governments in the planning and decision-making process, rather than bypass or substitute for them.³⁸

UNDP has developed creative approaches to engaging with non-state actors in contexts where national and local governments are especially weak and under-resourced. In certain cases, these actors can provide a modicum of interim stability and address critical needs and shortfalls in a timely manner. UNDP recognizes the risk, however, that an over-reliance on non-state service providers may be unsustainable and can rapidly fade once external support comes to an end.

Even so, UNDP must ensure that the focus of its government partners remains on both medium-term planning for specific sectors and longer-term capacity development of national administrations and local authorities. Failure to maintain a long-term perspective can fatally compromise the establishment of effective public structures capable of consolidating peace or inspiring popular trust in various tiers of government. Decisions on contracting-out should be premised on institutional assessments and the identified needs of each line ministry or

Regular flow of information on public services is essential for reconstructing the social contract.



department. The modalities for contracting out public services should be decided and managed, with care for due diligence, on a case by case basis, since certain sectors offer more favourable opportunities for contracting out to non-state providers than others.

The capacities of central and local governments should be strengthened so that they can eventually plan and administer core services on their own. An up-front exit strategy for non-state providers should be available for a possible return of authority to the government in cases where the latter is best placed to be the direct deliverer of services.³⁹ A transition plan can ensure that early efforts to deliver basic services are linked to the state's resumption of responsibilities at a pace purposely calibrated with local realities.⁴⁰ The experience of the health sector in Timor-Leste offers an example of how such a capacity development process can be managed appropriately.⁴¹

UNDP has been particularly successful at developing programmes in settings where peace agreements and country-level United Nations or donor assessments have already identified the need for greater inclusivity of formerly marginalized groups in the political process, such as in Guatemala or Nepal. Notwithstanding some shortfalls, UNDP has also actively worked to mainstream gender equality and women's rights issues into conflict prevention⁴² and security sector reform activities.

In Nepal, for example, UNDP has developed a special programme to address the reintegration needs of children and adolescents, including many women and girls, who had been formerly associated with the Maoist army during the conflict and were growing-up in cantonment camps.

4
UNDP and its partners
have developed creative
approaches to engaging
with non-state actors.

4.4 PROMOTING PARTICIPATORY RECOVERY

UNDP is committed to ensuring that both national partners and community stakeholders are integrated into the recovery planning and implementation process from the beginning. This is key to reinforcing the social contract. UNDP supports governments' participatory mechanisms to maximize representation and responsiveness. The agency also invests in strengthening the skills of officials and civil society leaders in planning, conflict resolution, and community relations.⁴³ UNDP routinely experiments with collaborative platforms to promote local participation in recovery efforts in partnership with partner agencies.

Local participation in governance efforts can enhance local perceptions of government legitimacy and capacity. In Kosovo, UNDP helped the new government to establish local mechanisms to enhance planning, monitoring, and assessment of service delivery. In this way, it involved communities directly in prioritizing and ultimately governing recovery efforts. UNDP also invested in increasing private enterprise and trade between antagonistic communities, and launched neighbourhood and inter-community projects to enhance local networks of reciprocity.⁴⁴

UNDP uses conflict analysis to enhance understanding of the context and engage actors in defining priorities and responses on the path to recovery. Conflict analysis in the recovery context supports transitional processes and consists of developing knowledge and sharing information. Responding jointly is critical to gaining consensus.



BOX 4.5 Supporting Recovery and Local Governance in Somalia

Somalia is one of the world's most challenging programming environments. After decades of civil unrest and factional violence, governance is highly decentralized and dispersed among formal and informal nodes of authority. For years, humanitarian and development agencies have been manipulated by clan authorities and local warlords.⁴⁵ Aware of these and other dynamics, UNDP has worked with local authorities on early recovery and local development.

Capacity development for local authorities is provided through the United Nations Joint Programme on Local Governance and Decentralized

Service Delivery. The initiative gives communities access to basic services through local government, and aims to make them more transparent and accountable.

The programme components represent an innovative approach involving: extensive training of local councils, within the government structure; radio for remote training in budget management, planning, community participation and service delivery; and, workshops in districts to bring together regional governments, civil society, local traditional leaders and elders in all-day sessions that lead to development planning recommendations.

Addressing local governance requires a careful reading of the historical grievances between regions and communities and the political economies driving them.

Bridging divisions between previously excluded or alienated groups can be twinned with local recovery support.

4.5 REBUILDING LOCAL GOVERNANCE

Local governance is defined here as the systems, institutions and processes through which local authorities interact with, and provide services to, citizens and other forms of association. It is also the mechanism by which citizens themselves meaningfully articulate their interests and needs, mediate their differences, and exercise their rights and duties. As such, local governance is a two-way process of interaction, mediation and action. As this is also the most visible form of engagement between fractured states and societies, it also tends to be the most incendiary.

Consideration of the role of local governance in fragile and conflict-affected settings demands acknowledgment of multiple, overlapping and highly localized cleavages and political economies. Far from being parochial or trivial, these tensions routinely underlay and nourish national-level contestation and conflict. Many people will contest basic political and economic decisions of local governments if they are seen to exclude or include particular ethnic, religious or social groups. Regional and local governments are often the loci of these disputes and are often held accountable for simmering grievances to begin with. While ‘national’ political bargains are essential in creating the space for peace, the actual implementation of agreements and consolidation of peace depends fundamentally on responsive local governance.

UNDP must manage support for local governments and local governance in a sensitive and nuanced fashion (Box 4.5). The agency is often required to balance investments in local governance structures so that they can deliver basic services while ensuring that such services enhance the legitimacy and authority of the state at higher echelons of authority. UNDP has found that designing interventions that allow for community members to participate

in decision-making and engaging local leaders in local government support can potentially enhance both objectives.

In Sierra Leone, UNDP worked with the central government to prepare and monitor the National Recovery Strategy, together with establishing District Recovery Committees at the local level to help guide the recovery and transition process. In Cambodia, meanwhile, local government bodies themselves emerged from representative institutions initially supported by UNDP to manage

BOX 4.6 The Challenge of Decentralization in Post-conflict Societies

Decentralization — particularly political and fiscal devolution — is a highly politicized process that can trigger conflict. If pursued without careful checks and balances, decentralization can replicate and reinforce social patterns of exclusion and inequity, can empower local groups mobilized or defined along identity lines, and can make governments vulnerable to capture by protagonists in conflict or local-level corruption.

Decentralization is not a panacea for governance in fragile settings. Local governments cannot be effective if they lack adequate mandates, autonomous resources, or revenue-raising capacities. A key challenge for UNDP in fragile contexts is engaging support for decentralization to achieve rapid dividends, while recognizing that such processes take time to mature.

BOX 4.7 Conflict Mediation Through Local Government in Nepal

Nepal was affected by a decade-long civil conflict from 1996 to 2006, which ended with the signing of a Comprehensive Peace Agreement. Since then, UNDP has invested heavily in local governance. Inputs have been devoted to supporting inclusive multi-stakeholder District Development Committee and Village Development Committee processes. A key objective is the encouragement

of local entities to be particularly accountable to marginalized groups. UNDP has also sought to encourage more responsive governance processes through better mapping and assessment of citizen needs and access to services.

post-conflict recovery programmes. It is, of course, critical that UNDP also ensures that these measures are coordinated in the longer term and balanced against the eventual resumption of state authority.

UNDP practitioners often recognize the importance of facilitating and intensifying the local government's 'peacebuilding' and 'mediating' role in recovery and essential service delivery from the earliest possible opportunity. A number of activities can help to strengthen local governance from below including the promotion of local capacities to resolve disputes peacefully. Others include interventions to promote the representation of women and groups with diverse social backgrounds in decision-making and oversight functions, and developing the skills of local authorities to broker consensus-building and participatory policy-making processes.

UNDP also considers local recovery support instrumental for bridging divisions from previously excluded or alienated groups. In Iraq, UNDP supported initiatives to restore the marshlands in the south and promote alternative livelihoods for minority groups whose traditional farming practices were disabled during conflicts under the Ba'athist regime. In Kosovo, UNDP helped the new government to establish local mechanisms to enhance planning, monitoring and assessment of service delivery.

In situations where local government capacity is weak or where subnational governance structures are eroded, UNDP has provided direct support to communities and informal and hybrid planning and service delivery arrangements. In Sierra Leone, for example, UNDP invested heavily in civil society consultative forums. In Afghanistan, in the absence of government representatives in rural areas, the national authorities launched the National Solidarity Programme. This initiative actively supported community management of infrastructure and services in previously inaccessible areas.

Informal and hybrid planning and service delivery is an option where local government capacity is weak.

Promoting justice in fragile settings means working with formal and informal service providers.

A functioning law and justice system is essential for protecting civilians and maintaining the social order.

4.6 PROMOTING RULE OF LAW, ACCESS TO JUSTICE, AND HUMAN RIGHTS

The quality and distribution of a country's rule of law and access to justice speaks volumes about how a society processes and resolves conflict, armed or otherwise. Despite experiencing different levels of fragility, a functioning law and justice system is essential for protecting civilians, maintaining social order, establishing predictable norms and rules, protecting private property, and ensuring clear proscription and sanctions. In crisis situations, however, the responsiveness of a country's law enforcement and justice institutions often come under intense strain, particularly with respect to the rights and needs of women. At the same time, justice is critical in addressing war crimes and responding to the needs of victims of conflict. In many fragile settings, citizens are often isolated — because of geography or identity — from the formal court processes.

Promoting access to justice in these settings means working directly with formal and informal service providers.ⁱ In many cases, informal justice providers provide widely available services owing to the absence of the state.ⁱⁱ UNDP has increasingly sought to strengthen local and informal law and justice institutions in fragile and conflict-affected settings, while seeking to bolster the authority, capacity and abilities of the police, courts and penal systems to perform basic functions, including prosecuting capital crimes.

Access to law enforcement and justice in fragile and conflict-affected settings first requires a robust and locally-informed understanding of the impediments to security, justice and redress. It is only on the basis of informed and context-specific assessments that UNDP can begin identifying

BOX 4.8 Assessing Haiti's Security and Justice Needs After the Quake

An earthquake of unprecedented magnitude devastated Haiti's capital, Port-au-Prince, and a host of outlying towns and villages in January 2010. Early estimates suggested that more than 150,000 people were killed and more than 1.3 million people affected.⁴⁶ A critical challenge confronting those leading the rebuilding and

reconstruction effort, including UNDP, was getting to grips with how Haitian citizens coped under duress and with the types of local governance arrangements that existed on the ground.



© UN Photo by Martine Perret/Burundi

solutions with local partners, whether identifying security and justice needs in Haiti, or promoting local level customary mediation to avoid low-level offences, from clogging up weak and recovering legal systems, as in Sudan (Box 4.8 and 4.9). With formal justice systems often in disarray, ensuring access to justice — including transitional justice and local unofficial mediation — is especially important, because it offers avenues for people to manage grievances that might otherwise escalate.

Developing awareness of the real and perceived priorities and capabilities of Haitians is a central feature of building back better — even if this is often ignored.⁴⁷ To bridge that awareness gap, UNDP supported a multi-disciplinary research team made up of Haitians and others to assess security and justice needs in the months immediately following the crisis. The team fielded a major randomized post-disaster household survey in Port-au-Prince in late February and early March 2010 which fed directly into the Post-Disaster Needs Assessment. The assessment provided a detailed view of the real and perceived levels of victimization, attitudes toward legally authorized and non-authorized service providers and the effectiveness of relief, recovery and reconstruction efforts.

UNDP has also diversified its partnerships to better support access to more effective justice services amongst vulnerable groups. For example, UNDP worked with humanitarian actors to support the needs of internally displaced persons, as part of its Darfur Rule of Law Programme. The agency has deliberately pursued rule of law programming that addresses justice issues in contexts where the absence of political settlements prevents more extensive work on state capacity development — as, for instance, in Somalia.

UNDP has diversified its partnerships to provide more effective justice services for vulnerable groups.

BOX 4.9 Defusing Disputes Over Grazing Rights in Sudan

Sudan has been affected by overlapping conflict systems for decades. Outbreaks of collective violence are exacerbated by (and a consequence of) recurrent drought, increasing demographic pressures, and contestation over resources.

These and other pressures have led to an escalation in the number and severity of ethnic disputes between agricultural smallholders and pastoralists competing over access to water and pasture land. Mechanized farming in other areas has generated new strains on local resource management, including through the lowering of food and wage prices and resulting in clashes over diminishing water points. Owing to the frailty of existing mechanisms to manage common property resources, seasonal outbursts of armed violence are ever more common.

To help governments and communities to better manage violent competition over natural resources, UNDP introduced the 'Reduction of Resource Based Conflicts' project in key drought-prone areas. A wide range of project interventions addressed the diversification and security of livelihoods, improving legal certainty through law reform and policy mainstreaming, capacity development for participatory resource management and conflict-resolution, and advocacy and knowledge-management capacity development for local NGOs.⁴⁸



The process of governance — how it is exercised, by whom, and in what ways — may be just as important as the outcomes.

In these environments, UNDP has found it critical to identify key actors and institutions, such as associations of lawyers, to better work with local civil society institutions that empower citizens to seek access to justice.

In certain instances, the drive to promote improved access to justice through informal institutions and customary laws has not been consistent with existing international human rights norms — for example, on the role and rights of women — and the formal legal structures of the state. To address these challenges, some UNDP Country Offices have established new codes of conduct for governments and local actors, human rights training, and means to standardize (informal) procedures and decisions, although UNDP stops short of codifying customary law.⁴⁹ Before providing support to informal justice institutions, however, the existing legal framework of the country needs to be carefully assessed to understand the legal position, mandate, and role of justice providers.

4.7 CONCLUSION

The promotion of responsive governance in fragile and conflict-affected settings is a balancing act. It requires investments with formal and informal institutions and actors. UNDP has learned that the process of governance — how it exercised, by whom, and in what ways — may be just as important as the outcomes. Supply-side investments in public institutions must be complemented by support to affected communities to articulate and manage their own needs. In tense post-conflict settings, this re-engagement — through representative and participatory forums — can bolster the social contract.

UNDP has found that post-conflict governance activities should ideally address multiple levels of government rather than focusing exclusively on national or local counterparts.⁵⁰ In the end, however, fragile environments may require pragmatic engagement with critical priorities and ‘best fit’ solutions. With a presence on the ground, during, before and after crisis, UNDP has a critical role in determining the degree to which governance structures represent, work for and work with local communities, and invest in capacity support to that end.



CHAPTER NOTES

- ⁱ For example, in Aceh (Indonesia), Rwanda, Liberia, Sierra Leone, Somalia. There has been an increase in UNDP programmes working with informal justice providers globally. See E. Wojkowska, *Doing Justice: How Informal Justice Systems can contribute*, (New York: UNDP, 2006).
- ⁱⁱ The informal justice systems of Burundi and Somalia estimate that up to 80 percent of Burundians take their cases to the *Bashingantahe* institution. See K. Thorne, *Rule of Law Through Imperfect Bodies? The Informal Justice Systems of Burundi and Somalia*, (Geneva: Centre for Humanitarian Dialogue, 2005).

Promoting Responsive Institutions

SUMMARY

In many fragile and conflict affected contexts, the state's capacity to provide essential services is severely compromised and delivery of recovery activities is frequently undertaken by non-state actors. Governance structures are often shaped by multiple and highly localized cleavages and tensions, and are used by different groups to negotiate and realize their interests. To promote more responsive institutions UNDP should ensure:

Rapid support to strengthen core government capabilities

UNDP's governance support in fragile countries has been overly focused on developing and implementing a medium- and long-term reform and capacity development agenda. There is an opportunity for UNDP to play a more proactive role in transferring skills and experience to support core government capabilities at the earliest possible stage.

Flexible and innovative approaches to ensure service delivery

The process of service delivery is often as important as its end results. UNDP's approach has traditionally emphasized support to central public institutions at the expense of more flexible and localized arrangements. More flexible approaches are required, including working with hybrid and informal arrangements and providers.

Realistically sequenced and highly prioritized institutional support approaches

UNDP's current approach to capacity development focuses on macro-capacity assessments and sectoral gap analyses. In fragile and conflict-affected settings, such approaches can overwhelm national institutions and inhibit prioritization. More realistic strategies linked to interim recovery and development priorities are necessary.

Integrated and timely support for local governance

Local governance structures are on the frontline and provide space for citizens to articulate their interests and needs, mediate their differences and exercise their rights and duties. On the ground before, during and after a crisis, UNDP has the ability to prioritize support to local governance that can deliver in the short-term, but remain attentive to possible unintended impacts on long term decentralization planning.

Focus on context analysis and identification of agents of change

Weak governance is often engendered by competing and contradictory elite incentives rather than institutional and capacity deficits. Change will depend largely on political will and elite bargains rather than large-scale and complex institutional reform. UNDP needs to balance technical approaches to support with an awareness of the political economy of institutional change and the management of diverse interests and expectations.

Build on existing local expertise and capacity

There are many tensions between externally-led capacity support activities and nationally owned statebuilding processes. Rather than importing best practices and blueprints from outside, it is important to identify the capacities on the ground and develop targeted strategies and actions adapted to the local context and existing capacities. Where appropriate, UNDP should also encourage South-South sharing of experience and expertise.





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Supporting Inclusive Politics

Opportunities to revisit and reform the social contract can begin in the context of peace processes, negotiated by elites and former combatants. Such processes may in turn lead to a political settlement — a set of formal and informal institutions to manage political and economic relations — also frequently mediated by elites.

The extent to which peace processes and political settlements are seen to be fair and equitable is critical to the legitimacy of the enterprise.⁵¹ But they can also become a source of intense contestation, precisely because they will result in the inclusion of certain actors at the expense of others. If inclusive processes are ignored, there is a genuine risk of building back exclusion and marginalization that may have contributed to fragility and armed conflict to begin with.⁵²

UNDP has an important role in encouraging inclusive peace processes and political settlements in fragile and conflict-affected settings. This implies expanding the opportunities available in a given society for negotiation, consensus building and joint action on establishing the rules of the game. Furthermore, during transitional processes when the state is being redesigned and renegotiated, gender equality and women's rights should be addressed as matters of equality and justice. The evidence that women's empowerment benefits the wider society, including children's well-being and access to education, is overwhelming.

If inclusive processes are ignored, there is a risk of building back exclusion.

Unlike many other development partners, UNDP has the capacity and position to encourage political participation, including former armed groups, and institutionalize the political settlement. Specifically, UNDP has developed expertise in relation to:

- Political reintegration of armed groups;
- Redesigning the rules of politics;
- Broadening participation amongst vulnerable groups;
- Supporting electoral processes;
- Parliamentary support and strengthening; and
- Promoting cross-cutting civil society participation.

Gender equality and women's rights must be promoted at the earliest opportunity.



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5.1 POLITICAL REINTEGRATION

The rapid and effective disarmament, demobilization, and reintegration of erstwhile warring parties and ex-combatants are major priorities in fragile and post-conflict settings.⁵³ If former soldiers, paramilitaries, militia and guerrilla fighters are not adequately integrated into the political, social and economic mainstream, they may ‘spoil’ the peace.ⁱ UNDP’s current focus on jump-starting livelihoods and supporting formal employment opportunities is a critical component of reintegration strategies. But identifying ways of ensuring meaningful political engagement in government and with civil society remains a formidable challenge (Box 5.1).

Working with national partners to enable the political participation of erstwhile armed actors — from commanding officers to the rank and file — is essential to laying the foundations for a participatory political system. But while political parties are a cornerstone of parliamentary processes, soon after a conflict they can also cultivate a negative and divisive role. Political parties can serve the narrow interests of competing elite groups rather than wider policy or ideological platforms. Whilst there may be a proliferation of parties, they may have limited organizational and outreach capacity and shallow public support. UNDP can constructively support the establishment of networks and capacities to structure and maintain a stable dialogue

Identifying ways of ensuring meaningful political engagement in government and with civil society remains a formidable challenge.

BOX 5.1

Disarmament, Demobilization and Reintegration and Political Integration in Former Sudan

Sudan’s 2005 CPA set out provisions for the disarmament, demobilization and reintegration of 180,000 former combatants — 90,000 in the north and 90,000 in the south. While slow to get off the ground, the United Nations’ support for disarmament, demobilization, and reintegration in South Sudan has involved targeted assistance to former Sudan People’s Liberation Army (SPLA) fighters to engage in various aspects of governance at the local, subnational and national level.

Notwithstanding the adoption of an integrated approach with UNDP and DPKO playing an active role, investment in political reintegration in Southern Sudan has faced many challenges. A major issue hindering progress before and after the 2011 referendum on independence has been the adaptation of the SPLA from a fighting force to a political actor. The challenge is compounded by continued intervention by the Northern government, chronic violence in the South, and by ongoing

forcible disarmament campaigns in contested transitional states.

UNDP recognizes that political reintegration will require trade-offs and must be balanced against the risk of contributing to short-term local insecurities.



Well-funded political parties may emerge from former armed groups.

BOX 5.2 Re-integrating Former Commanders in Afghanistan

A wide range of disarmament, demobilization and reintegration activities have been undertaken in Afghanistan. In most cases, senior commanders were reluctant to relinquish their power bases and refused to hand over the lists of officers and soldiers under their command to the Ministry of Defence.

Consequently, in May 2004 the Afghan New Beginnings Programme started working with the Afghan government and international community to prepare a commander-specific reintegration scheme. UNDP supported a Commander Incentive Programme that acknowledged and supported high-ranking commanders who had fully complied with the disarmament, demobilization and reintegration process.



A particular focus of the Commander Incentive Programme was identifying options for political reintegration. For example, the intervention nominated key senior commanders for government appointments, redundancy payments, monetary and non-monetary packages. These ex-commanders were then presented to a Government Appointment Panel, which decided whether or not to grant the package.

between political parties, paired with leadership support for party leaders and cadres. Such targeted assistance will not only assist parties engage in the political system, but will manage constituents' expectations of the possible returns from the peace agreement.

The transformation of former armed groups into active partners in democratic politics is a long term endeavour. In many cases, armed groups may elect to disarm and demobilize only after they are confident that a political process has adequately progressed (including such processes as amnesties, an election, or recognition of independence).⁵⁴ For some voters, these new parties may represent powerful protectors capable of defending the voter from rival military forces (e.g., Liberia and Sudan) or major adversaries (e.g., Afghanistan and Nepal).⁵⁵ In such an electoral climate, candidates that lack an affiliation with armed factions are unlikely to be considered serious contenders.⁵⁶



UNDP practitioners have sought to ensure that political reintegration is more closely aligned with transitional processes. For example, some Country Offices have found that the democratization of public institutions requires the rapid reinforcement of public sector capacities. What is more, UNDP-supported programmes have installed vetting systems, fast-tracked training opportunities, and targeted education and retraining schemes for former combatants and their dependents so that senior and mid-level commanders and officers can participate more directly in both military and civilian public sector posts (Box 5.2)

BOX 5.3 Veterans Associations: A Promising Entry-point?

In some instances, veterans' associations or other analogous organizations formed during disarmament, demobilization and reintegration processes can be effective advocates for progressive change. They also allow for a structured, incremental and organized aggregation of ex-combatant interests in the political arena.

The mobilization of veterans groups is not always straightforward.⁵⁷ For example, there are instances in which

veterans' associations were conduits for illegal activities and organized violence. This has been either criminal, as in South Africa, or political, as in Timor-Leste, or more economically predatory, as with Zimbabwe's unlawful land seizures. However, there are many entry points for supporting veterans' groups to bolster wider governance efforts.

Recent experiences of UNDP Country Offices highlight how effective strategies at the local level may encourage human

rights education that draws from 'street law'. Put another way, investment in teaching the practical applications of human rights, such as freedom of expression, the right to dissent, and the right to vote in secrecy in electoral processes that are credibly free of coercion or intimidation, are often appreciated by former fighters.

5.2 REDESIGNING THE RULES OF POLITICS

Transitions from fragility to stability entail the redesign of the basic rules of politics.

Transitions from fragility to stability entail the redesign of the basic rules of politics. Constitution drafting is a critical opportunity to institutionalize political settlements and to create the mechanisms through which future social differences can be managed via electoral, legislative, and judicial processes. When broadly accepted by society, new constitutions can generate a powerful symbolic dividend and contribute to locking in the commitment of participating political actors to the rules of the game through their visible and public nature.⁵⁸

Constitution-making processes can set out minimum checks and balances on the Executive, Judiciary and Legislature, and clarify citizens' rights and obligations. Since many armed conflicts involve claims of self-determination, or for territorial decentralization and autonomy, constitution-making

BOX 5.4 Constitution-making in Somalia, Iraq and Nepal

Following the resumption of United Nations-backed political negotiations in Somalia (2006-2007), UNDP supported a nascent constitution-making process. The intervention sought to backstop official talks with capacity development work and the formation of constitutional commissions. In practical terms, support assumed the form of information-sharing and training.

An early focus was on providing models of federalism and training of legal professionals in constitution-making processes, including the drafting of a new charter. Study tours were organized so that constitutional commissions could visit and learn from other contexts and engage in 'learning by doing' with counterparts in similar situations.

In Iraq, UNDP's work to enable a more credible constitution-making process saw an evolution of objectives over time as the transition unfolded. Early in its work with the Iraqi Transitional Government, UNDP assisted the constitution-making process. Its efforts were pursued with "high expediency and urgency",



because of the centrality of the talks for addressing the escalating conflict in 2005. UNDP helped the constitutional negotiators update their knowledge on the constitution-making process.

In Nepal, UNDP is deeply engaged in support to the constitution-making process. The Support to Participatory Constitution Building in the Nepal project began in April 2008 to assist the development of an inclusive process for building Nepal's new democratic constitution. The aim is to facilitate a greater connection between assembly members and their constituents. The project launched the Centre for Constitutional Dialogue in January 2009 to assist the process.

BOX 5.5 Supporting Democratic Transition in Tunisia

Since the departure of former President Ben Ali in January 2011, Tunisia has witnessed a phase of dramatic transition to democracy involving a complete overhaul of its political system. In the weeks and months following the ousting of the President, UNDP immediately refocused its work in Tunisia to support key institutions, processes and stakeholders, and help local authorities ensure a steady transition to democracy.

Through its Global Programme for Parliamentary Strengthening, UNDP provided support to more than



50 political parties between April and July 2011. That support focused on strengthening the capacities, knowledge and skills of politicians and technocrats. It provided them with an opportunity to work together and agree on the best way to ensure a peaceful, democratic and more inclusive and consensus-based transition process.

processes — as in Somalia, Iraq, or Nepal — often feature debates over the extent of federalism, group rights, and the terms of specific autonomy arrangements (Box 5.4).

In most cases, constitution drafting cannot be isolated from societies' wider existential preoccupations. UNDP recognizes that participatory constitution making, which can be a protracted and conflicted process, provides a unique opportunity “to enable reconciliation, consensus building, and the creation of a national vision for the future of the country”.⁵⁹ Processes must anticipate and plan for deadlock-breaking and crisis management procedures and training in negotiation, mediation, consensus-building and dispute resolution.



Delicate balances of power add complexity to constitution-making.

Participatory constitution making can provide a unique opportunity to enable reconciliation, consensus and the creation of a national vision.



Youth can often play key leadership roles.

5.3 BROADENING PARTICIPATION

Even before a political settlement is reached, it is important to enhance the engagement of vulnerable and marginalized groups, such as women, youth and displaced persons in fragile and conflict-affected settings.

This is because they frequently experience a disproportionate share of the negative externalities of instability. Support is often required to expand their voices, choices and opportunities to be involved in the emerging political dispensation. UNDP can identify creative ways to ensure that such groups are better empowered to participate actively in wider development processes, but this requires UNDP to provide space for people's voices to be heard, while also enabling societies and communities to build the appropriate support measures to resist continued vulnerability.

ADVANCING GENDER EQUALITY

UNDP has a solid record of working directly with emerging political parties to advance greater gender sensitivity and awareness. The formation, reformation and registration of political parties, and the adoption of an electoral system and election procedures (including targets or quotas) in fragile and conflict-affected settings can facilitate greater political participation of women. Gender-related concerns are an essential input to nascent electoral reform processes. The adoption of a gender quota system by political parties can determine which candidates are selected in the first place, and support for political party adoption of such quotas has been seen in various communication and awareness-raising campaigns in electoral processes (Box 5.6).ⁱⁱ

BOX 5.6 Promoting Gender-equality in Southern Sudan

In Sudan, the United Nations 2005 Joint Assessment Mission developed a methodology for understanding ways to increase women's participation in governance, and examined how women have served as supporters of war and as peacemakers. The Mission's gender analysis assessment began at the household level and considered how men and women participate differently at the household economy level and in local society. The assessment's findings led to improvements in women's involvement in grassroots peace initiatives and provided a positive

example of how women can affect social change. In the Wunlit peace process, for example, the evolution of women's participation at the local level contributed to methods of grassroots peacebuilding between the Dinka and Nuer tribal communities.





© UN Photo by Tim McKelvey/Sudan

Involving internally displaced persons in governance reform can be critical for successful political settlements and transitions from recovery to development.

National and locally-based women's organizations play a critical role in governance during transitional processes, particularly in agenda setting and mobilizing advocacy and action on specific women's rights. Direct support to enabling women's organizations is a critical entry point for UNDP, and capacity development approaches for such organizations should be focused ultimately on ensuring their local ownership and sustainability. In Timor-Leste, UNDP supported a wide-ranging programme that enhanced rural women's leadership and participation in nation-building processes. That included training potential electoral candidates, participation in constitutional negotiations and the election of women leaders.

ENGAGING YOUTH

The developments throughout 2011 in North African and Arab states demonstrate that the involvement of youth is central to inclusive political settlements. It is youth that frequently feel most disenfranchised and disillusioned with the instability generated by fragility and conflict and resent unfulfilled employment and entitlements. Prominent youth leaders, including those who may have been former guerrilla and gang members, also periodically play key leadership roles as agents for change.

UNDP has played a critical role in the creation of safe spaces for interaction of youth across identity-based cleavages. UNDP has also invested heavily in helping youth leaders get involved in international and national development forums and political planning processes. What is more, the agency has supported youth employment and cash-for-work schemes, although it does recognize their limits. Such efforts are essential in

BOX 5.7 Supporting Internally Displaced Persons to Prevent Conflict in Kenya

In the wake of Kenya's 2007 post-election crisis, UNDP helped local provincial administrative authorities to deal with the high numbers of internally displaced persons and 'neighbour-turning-against-neighbour' conflict dynamics.

UNDP targeted approximately 400 district officers, especially those in areas hardest hit by violence. Selected officials were trained in conflict management and peacebuilding skills aimed at ameliorating the concerns of displaced people by giving them a voice and

role at the local level. Those initiatives, combined with the use of local peace committees, served as a forum through which community members could engage with the government through local structures.

countries experiencing large youth populations with comparatively limited opportunities for employment. For example, in Sierra Leone, where almost half the population is under 14 years old,⁶⁰ UNDP worked to strengthen the capacity of the Ministry of Youth and Sports to encourage youth engagement in development processes.⁶¹

FACILITATING PARTICIPATION OF DISPLACED PERSONS

Support for the involvement of internally displaced persons in governance reform efforts can be critical for the eventual success of political settlements and the transition from recovery to development (Box 5.7). UNDP's engagements with displaced populations in post-conflict Kosovo, for example, included individual and family-focused assistance in reconstruction and the safe reintegration of internally displaced persons and refugees. The SPARK initiativeⁱⁱⁱ applied a community-based and multi-sector approach to promoting tolerance and dialogue among minority displaced households in various areas of Kosovo, as well as in neighbouring Serbia and Montenegro.

5.4 SUPPORTING ELECTORAL PROCESSES

In certain fragile and conflict-affected contexts, investment in the electoral process can facilitate inclusive dialogue and reconciliation. However, in some fragile and post-conflict situations, elections can also be deeply contentious and prone to violence. In such environments, spoilers and entrenched identity-based groups frequently resist elections for fear of a reduction in their influence. In many cases, capacity gaps undermine the efficacy and fairness of the process and lead to protracted disputes over the legitimacy of results.

UNDP practitioners are aware of the importance of adopting strategies that anticipate and mitigate tensions across all the elements of an electoral cycle.^v UNDP has also learned that it is often not the first, but subsequent elections that may reveal whether (non-violent) democratic practices are genuinely taking root.^{vi} A critical issue for UNDP is support to institution-building of election management bodies between electoral periods to create a basis for more credible future elections (Box 5.8).

Since elections are often flashpoints for unrest, UNDP and its donor partners closely monitor how elections may affect a post-conflict political settlement. They are often required to determine rapidly whether elections will worsen the situation, yield benign effects, or make the settlement more inclusive.⁶² These flashpoints can be anticipated, if not prevented (Box 5.9). This can be achieved by assessing conflict vulnerabilities, engaging regional organizations to leverage regional involvement and peer networks,

It is often not the first, but subsequent elections that may reveal whether (non-violent) democratic practices are genuinely taking root.

UNDP is working increasingly with partners to ensure that violence prevention programming is built into regular electoral cycle development.

BOX 5.8 Supporting Electoral Reform in Lebanon and Iraq

In Lebanon, UNDP has worked alongside several partners to support the Lebanese Electoral Reform Commission. UNDP has assisted parties in developing capacities to evaluate alternative electoral systems and electoral administration procedures. With UNDP support, the Commission prepared a comprehensive proposal for reforming the electoral law and findings were disseminated through district-level workshops and dialogues.^{iv}

In Iraq, UNDP supported the transition through successive electoral processes in 2005 and 2009 and provided substantial

assistance to the Independent High Electoral Commission. The UNDP programme has contributed to institutional capacities for the permanent electoral commission established under the constitution. UNDP's contribution focused on improving the Independent High Electoral Commission's management skills, enhancing awareness of good practice for elections, and improving the commission's ability to liaise with internal and external stakeholders, including the press.



BOX 5.9 Anticipating Flashpoints in Timor-Leste's Elections

Timor-Leste has held six United Nations-supported national elections since its independence in 1999. Throughout this period, the incidence and severity of electoral violence has varied considerably (Figure 5.1).⁶³



Rather than focusing exclusively on single election 'events', UNDP's Country Office in Timor-Leste has adopted a longer-term approach to electoral support. The Support to the Timorese Electoral Cycle project works in tandem

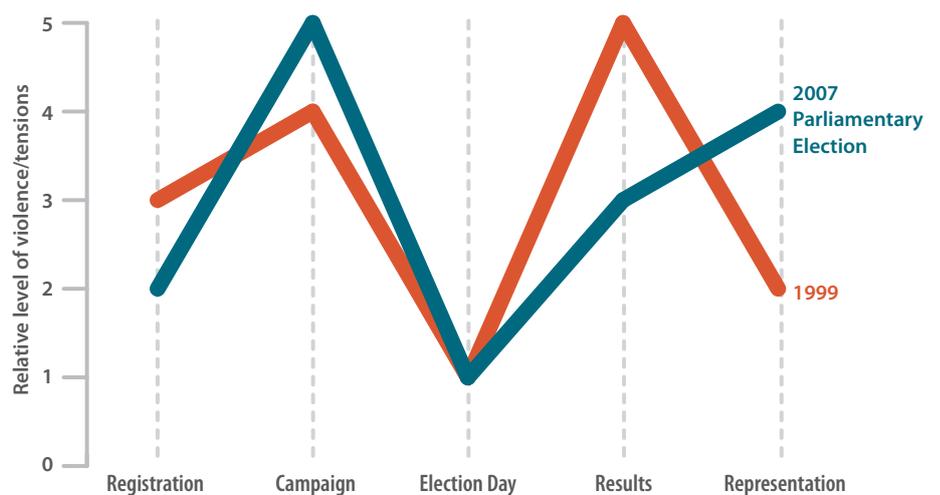
with the United Nations country mission and is aimed at successive electoral cycles and a shift from initial material support to elections (as was the case in the 2007 elections) to institutional and human capacity development.

UNDP supports one in three of the world's parliaments.

promoting transparency in public consultations when establishing independent election management bodies, and supporting media outreach and working with the media on conflict-sensitive reporting.

Elections in countries emerging from fragility and conflict can open up spaces for the inclusion of previously marginalized and vulnerable people. Similarly, the elaboration of accountability mechanisms and appropriate checks and balances can dampen actual and potential conflict dynamics. In Afghanistan, Liberia, Rwanda and South Africa⁶⁴ post-conflict elections heralded remarkable gains in the inclusion of women in the political process. In different settings, though, other vulnerable groups may have been left out.

FIGURE 5.1 Patterns of Election Violence in Timor-Leste (1999 & 2007)



SOURCE: TLAVA (2009)



© UN Photo by Martine Perres/Timor-Leste

5.5 PARLIAMENTARY SUPPORT AND STRENGTHENING

UNDP is increasingly devoting support to strengthening parliaments in fragile and conflict-affected settings. The agency has assisted former protagonists and those previously excluded from political life, as they turn towards the difficult tasks of defining national priorities. In such environments, trust is often absent or eroded, and underlying capacities and mechanisms for legal research and drafting legislation, analysing and implementing laws, and engaging in constituency relations is weak. UNDP support often involves the formation of, or support for, civil society organizations that can monitor parliamentary performance and enhance the oversight functions of state agencies. UNDP Country Offices also provide direct equipment and human-resource support to national parliaments and to subnational assemblies.^{vii}

UNDP's experience of supporting newly emerging parliaments through institution building, knowledge transfer and sensitization is important for promoting peace and stability. Initiatives that help build linkages between parliamentarians and civil society and interest groups are being increasingly linked to broader peacebuilding objectives through specific efforts to target conflict affected communities. Support to female parliamentarians to engage with women's groups is one such example. And in Burundi, in addition to supporting legislatures, UNDP supported a local community of practice for women in parliament, government and civil society to positive effect (Box 5.10).

Parliamentarians need knowledge of conflict analysis and resolution, and to find ways of becoming bridge-builders.



Several important lessons have arisen from strengthening parliaments in fragile and conflict-affected settings. For example, UNDP encourages elected bodies to be especially responsive to constituent needs and to undertake proactive communication and outreach activities. Parliamentarians may also need knowledge of conflict analysis and resolution, and to find ways of becoming (better) bridge-builders. A strategic approach for UNDP is to focus both on the institution of parliament itself (structures, policy analysis skills, budget professionals) as a priority, and also on ways in which new members' capacities can be rapidly improved in fragile and early post-election environments.

BOX 5.10 Supporting Legislatures in Burundi

The 2005 election in Burundi yielded a legislature lacking organizational and human resource capacities in the country's House and Senate. UNDP worked to help parliament clarify its role, determine key functions in terms of national budgeting, and a host of other critical issues such as the Children's Act, an initiative supported by UNICEF. In 2006, UNDP conducted

a needs assessment for the legislature at its request and recommended a framework for reform and institutional strengthening. UNDP sought to improve the capacities of the legislature through direct support to the Joint Legislative Modernization Committee and the Legislative Donor Coordination Committee, and in the adoption of a five-year strategic plan to enhance capacities.





5.6 PROMOTING CROSS-CUTTING SUPPORT FOR CIVIL SOCIETY PARTICIPATION

Civil society organizations can transcend lines of conflict.

Civil society organizations and community-based organizations can and do frequently transcend lines of fragility and conflict. They are often also the only legitimate moderate voices during periods of intense instability. Their legitimacy lies in complex patterns of power, responsibility, and reciprocity that enable social groups to coexist and build alliances.⁶⁵

UNDP and its partners need to work with and build on customary institutions and structures on the ground. But this is also challenging, precisely because civil society can just as often mirror lines of contestation and social division, be they led by those who are close to donors but not necessarily to communities, or because the space for civil society organizations has been closed by violent conflict and repression. Early assessment of key stakeholders — their origins, interests, and capabilities — is a key feature of governance promotion in fragile and conflict-affected environments.

For UNDP, operational mechanisms for partnering with civil society are often focused instrumentally on service delivery — with civil society organizations as implementing partners. UNDP is often less able to identify or work with partners that offer capacities for political dialogue — a critical factor in conflict and post-conflict environments. UNDP's capacity to develop advocating partnerships and coalitions as inclusive platforms for societal dialogue is frustratingly low in many country contexts, especially where security conditions require UNDP to operate mostly from capitals or, in the most serious contexts, by 'remote control'.

Early assessment of key stakeholders — their origins, interests, and capabilities — is a critical feature of governance promotion in fragile and conflict-affected environments.



© UN Photo by Mark Garten/United Nations



5.7 CONCLUSION

UNDP must work progressively to integrate political inclusivity into peace processes and political settlements. At a minimum, it requires that UNDP take stock of the opportunity costs to elites of different types of reform, and that it anticipates ways of containing spoilers and enlarging the space for otherwise marginalized groups to engage. UNDP must also be attuned to ways to introduce early in transitions mechanisms for direct citizen involvement and for new methods of social accountability.

Through decades of experience, UNDP has found that dialogue processes are at the heart of inclusive governance. Where UNDP has supported public authorities and community leaders to develop crisis-management and conflict management mechanisms, resilient state-society relations were rapidly consolidated. UNDP has also identified avenues to engage a range of former combatants, vulnerable groups and displaced populations to ensure that support for governance after crisis and conflict anticipates key opportunities and pitfalls, especially in relation to political reintegration and in the overall political transformation and integration of armed groups.

UNDP's approach has often been adaptive, flexible, and built on intensive partnerships with 'connector' organizations.

CHAPTER NOTES

- ⁱ Reintegration is defined by UNDP (2008: 21) as a “process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process with an open time frame, primarily taking place in communities at the local level. It is part of the general development of a country and a national responsibility and often necessitates long-term external assistance”.
- ⁱⁱ The use of quotas in political party leadership positions is also key, but is hard to introduce and where strongly resisted can become ceilings rather than corridors. UNRISD, *Gender Equality: Striving for Justice in an Unequal World*, (Geneva: UNRISD, 2005: 159).
- ⁱⁱⁱ SPARK involved housing assistance, socio-economic aid (including education), community mobilization and development assistance. SPARK is described in the project document, available at www.kosovo.undp.org/repository/docs/SPARKprodocFinal_26july_05%20finalized%20OK.pdf
- ^{iv} In December 2009, the UNDP Resident Representative, Marta Ruedas, and the Lebanese Minister of the Interior, Ziad Baroud, unveiled a new project to help support a culture of democracy through free and transparent electoral processes, with specific measures such as helping with voter identification procedures, a media centre, and a coordination mechanism for civil society.
- ^v UNDP works with the Electoral Assistance Division of the Department of Political Affairs and, in some cases, with the Department for Peacekeeping Operations. In practical terms, UNDP assistance involves specific technical support, often with multi-donor financing through UNDP Country Offices; however in certain instances (such as Iraq, Lebanon, and the Occupied Palestinian Territories), UNDP has also been involved in supporting processes of electoral system reform.
- ^{vi} Elections are, in principle, to be repeated at regular intervals at different levels (national/subnational) and for different purposes (parliamentary/presidential), and capacities as well as public information can continue to be strengthened in the ‘quiet intervals’.
- ^{vii} Setting-up or reviving parliaments includes buildings and office equipment, furniture, audio systems, possibly electronic voting, libraries and legal reference facilities, and meeting rooms. Making parliaments function can include advice on, and drafting of, formal rules and procedures on electing officers and for parliamentary business, legislative drafting, committee and subcommittee structures, procedures for interacting with and oversight of the executive branch (including, especially, with respect to budgets), and the respective responsibilities of bicameral systems.

Supporting Inclusive Politics

SUMMARY

Fragile and conflict-affected settings are characterized by underlying patterns of inequality, exclusion, and marginalization of some of the population and territory. Political settlements in the aftermath of conflict are a reflection of the understanding forged between elites on how power is organized and exercised. While processes of elite bargaining and mediation are necessary to contain fragility in the short-term, the inclusiveness of a settlement and public perception of its fairness over time are critical to state legitimacy and sustainability.

To support the creation of inclusive political processes, UNDP needs to start targeted and prioritized interventions as early in the political process as possible. It is important to move away from comprehensive support strategies that seek to do too much to a more sequenced and targeted approach. Key considerations for governance interventions should include:

Promote an inclusive political settlement

Fragile settings are characterized by ethnic outbidding, corruption, opportunism, and elite bargains. To manage the negative externalities of such strategies, it is crucial that UNDP and its partners understand the opportunity costs of different types of reform and to move beyond comprehensive approaches to inclusion towards targeted interventions.

Foster dialogue among political leaders

UNDP needs to promote dialogue between political leaders with a view to ensuring a peaceful, more inclusive, and participatory transition process. Special attention needs to be given to the political reintegration of former armed groups to complement social and economic reintegration of combatants.

Broaden participation of marginalized and vulnerable groups

Once a political settlement has been reached, it is important to gradually engage vulnerable and marginalized groups, such as women, internally displaced persons, and youth in fragile settings. This is particularly important, because they experience a disproportionate share of the negative externalities of fragility.

Provide flexible support to both state and non-state institutions

UNDP should facilitate inclusive partnerships with civil society organizations instead of focusing narrowly on partnerships for service delivery. Civil society organizations and community based organizations can play an important bridging function between state and society.





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Fostering a Resilient Society

Public institutions and civil societies that are unable to effectively anticipate, cope with and recover from political, economic and environmental shocks are fragile. Their fragility is often compounded by perverse elite behaviour, fractured social relations and weak institutional capacities.⁶⁶ Building resilience of societies, particularly by strengthening their capacity to adapt and cope, can potentially reverse the incidence and effects of fragility.

In fragile and conflict-affected environments particularly, highly localized and customary structures are often regarded as more effective and legitimate than their public sector counterparts. This is because they are frequently the only structures capable of delivering goods and services, but also as they often play a central role in setting societal norms and standards, regulating behaviour and mediating conflict. Indeed, central, provincial, and even municipal governments are often on the sidelines.

A resilient society requires a state with the capacity to predict, manage and respond to crisis in an equitable manner. But it also entails a society that can persevere and rebound from stresses with a modicum of self-sufficiency. It is in this way that equilibrium between governments and their citizens can be restored and renewed. Fostering resilient interactions is both a process and an outcome.¹

KEY AREAS OF ENGAGEMENT INCLUDE:

- Strengthening community security and social cohesion;
- Enhancing security sector governance;
- Supporting peace architectures and assessment capabilities;
- Developing capacities for dialogue and mediation; and
- Cultivating leaders and leadership

Fostering resilient interactions is both a process and an outcome.



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6.1 PROMOTING COMMUNITY SECURITY AND SOCIAL COHESION

At their most basic, community security and social cohesion interventions give communities a voice and adequate space to define their local security priorities, often in concert with public authorities. That is also an outcome intended to promote safer communities, foster networks of reciprocity and bridging capital, and promote non-violent mediation and the management of disputes. In practice, community security activities bring together service delivery actors and state and civil society representatives to identify the wide-ranging causes of security, and to articulate pathways to creating safer communities (Box 6.1).ⁱⁱ

UNDP and its partners have developed creative approaches to engaging with non-state actors.

The Community Security and Social Cohesion approach is typically pursued simultaneously at three or more levels: (i) at the national level, there is often attention devoted to creating enabling legislation and supporting government institutions with a mandate to convene agencies; (ii) at the provincial or state level, technical support to relevant authorities to lead a process of developing and implementing local security plans is critical; and (iii) at the community level, resources are routinely devoted to participatory assessments and the formation of needs-driven community security plans.



BOX 6.1 Promoting Community Security and Social Cohesion in Jamaica

Jamaica has one of the highest rates of homicidal violence in the world. The explosion of gang and state-led violence in Kingston was a reminder of the country's relative fragility. UNDP has undertaken a range of Community Security and Social Cohesion programmes in collaboration with the Jamaican government. A UNDP-supported assessment considered the outcomes of these initiatives in terms

of user satisfaction. It found that users and community residents were generally satisfied with the services (more than 85 percent).

The interventions also appeared to contribute to improved security and social capital. For example, between 2006 and 2008, there was a reduction in the overall number of reported serious crimes in 10 sampled

communities. The number of reported shootings also dropped in eight of the sampled neighbourhoods. Key social interventions likely to generate a 'big impact' on criminal violence included employment and skills training, education programmes, parenting classes, sports and recreation, dispute resolution, and music and theatre. Perhaps surprisingly, 'improved service delivery' ranked comparatively low.

Conflict analysis is about understanding the context and engaging actors in defining priorities and responses.

BOX 6.2 Conflict Risk and Mapping Assessment in Sudan

The Conflict Risk and Mapping Assessment is a knowledge management system that issues geo-referenced evidence for United Nations and partner programming. It includes a relational database and simple software to generate maps and outputs to enable planning. It operates in a range of Sudanese states (East, 3 Protocol States, Darfur, and throughout Southern Sudan).

The Assessment has a wide variety of applications in shaping UNDP governance and capacity support strategies. At a minimum, these include support for:

- Government development planning by facilitating state-level diagnostics and strategic reviews;
- Coordination and multi-sector planning, demonstrating how programmes are connected to needs and infrastructure;
- Conflict sensitive programming by identifying 'hotspots' and 'hot issues'; and
- Emergency response planning by identifying key needs on the ground — from ground water availability, soil fertility, and flood zones, to government services.



Joint assessments can help shape opinions and forge consensus particularly between public sector authorities and civil society actors who may otherwise mistrust one another.

UNDP is working with partners to invest in observatories and surveillance systems to track trends and patterns of associated risks. These types of monitoring systems can gather a wide array of data. They can spatially map information for multiple audiences, and support joint prioritization and decision-making. There are many examples of efforts to pool data and monitor trends in trust and confidence in government institutions, and perceptions of wellbeing, especially in Latin America and the Caribbean.

Multi-stakeholder conflict analysis and security assessments improve the effectiveness of recovery. The very act of consulting communities, authorities, and/or other actors, of developing knowledge, of sharing information, and of responding jointly is often as critical as the findings of the assessment themselves. Specifically, joint assessments can help shape opinions, forge consensus, and track progress over time, particularly among public sector authorities and civil society actors who may otherwise mistrust one another. They can also allow for domestic benchmarking exercises and the development of indicators that are locally owned.

6.2 ENHANCING SECURITY SECTOR GOVERNANCE

Ensuring populations' security is a prerequisite for recovery and development during the transition from armed conflict to sustainable peace.⁶⁷ The collection and destruction of weapons, mine action, along with the disarmament, demobilization, and reintegration of former combatants, and careful reforms of the formal security system often flow from decisions agreed during peace processes. Improvements in accountability and transparency in the governance of the security sector — from the armed forces and police to the corrections personnel, intelligence, customs, and border authorities — is paramount for enhancing local resilience.⁶⁸

The development of professional, impartial, and capable security forces is critical for sustaining peace in the long-term. Law enforcement officers are the most visible security sector institution and UNDP often works to consolidate the police as primary points of contact between the formal apparatus of the state and citizens. Alongside security sector reform, UNDP has supported community policing approaches to instill professional and accountable practices that work with, rather than against, communities. A community policing approach can help extend police presence to those areas facing significant security challenges and offers opportunities for communities to directly influence the ways and means by which such security is ultimately provided.



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UNDP is also aware of the challenges of aligning state and informal providers in serving individuals' and communities' security needs.

BOX 6.3 Evolving Approaches to Community Security Promotion in Kosovo

Soon after the end of armed conflict in Kosovo in 2000, UNDP began supporting security promotion through practical disarmament. While a novel approach at the time, practitioners soon recognized that on their own, small arms and light weapons collection activities were not going to adequately promote community-level security. A more comprehensive approach was warranted.

The success of UNDP's Kosovo Justice and Security Programme (2009–2011) was measured not by the number of arms collected, but by reductions in gender-based violence, positive changes in perceptions of security, improved access to justice, strengthened capacity of justice institutions, and the development of a more accountable security sector.



Gender-sensitive police reform is a vital component of responsive security provision.

In some fragile post-war South-Eastern European countries, for example, UNDP has encouraged communities to become directly involved in defining policing priorities and eventually hold police accountable for managing them (Box 6.3).⁶⁹ In Basra, Iraq, UNDP invested heavily in confidence-building initiatives between local communities and the Internal Police Service. The goals were to promote trust after years of repression, to underline the Internal Police Service's commitments to protect human rights, and to increase the transparency of de facto police service delivery.⁷⁰

UNDP has recognized a gender gap in the promotion of security services in several fragile and conflict-affected settings. It has started to advocate more consistently for a gender sensitive approach that addresses gender-specific forms of insecurity. For example, it has encouraged police services to more effectively respond to the specific security needs of women and men, boys and girls, including through telephone hotlines, proactive outreach campaigns, and targeted curricula reform. Lessons learned from UNDP programmes in Kosovo, Liberia, and Sierra Leone highlight how gender-sensitive police reform can and should be a vital component of responsive security provision (Box 6.3).⁷²

BOX 6.4 Supporting Liberia's National Police

Support from UNDP and the United Nations Mission in Liberia to the Liberian National Police was instrumental in rebuilding a security sector ruined by two decades of civil war. A key emphasis was given to rebuilding a police force that would serve the Liberian people. Reform of the Liberian National Police entailed a wholesale redesign of its structures, processes, and operations to make them more responsive to the needs and expectations of citizens. Evidence of the positive relationships established with communities is illustrated by the

donation of community land in Pipewell, Caldwell, and Central Monrovia in 2008 to the Liberian National Police. The land was used for building new police stations right in the heart of the communities that they served.⁷¹



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6.3 SUPPORTING PEACE ARCHITECTURES

Peace architectures are intended to link grassroots and local-level peace councils and committees to regional and national governance structures. UNDP has invested in enhancing local peacebuilding capacities and encouraging more proactive collaboration between communities and state counterparts.ⁱⁱⁱ UNDP has found that the durability of cooperation requires strategies to be locally owned and managed, and that disputes are satisfactorily addressed. Reconciliation processes can potentially be enabled through the introduction of platforms for competitors and allies to interact and negotiate. It also requires that international actors patiently provide space for this dialogue and accompany those efforts.

UNDP is playing an increasing role, particularly through the work of the United Nations Department of Political Affairs and UNDP's Peace and Development Advisors, in nurturing and helping design and implement 'peace architectures'. Peace and Development Advisors have increasingly supported Country Offices to enhance the quality and effectiveness of their governance portfolios through better conflict analysis and improved conflict sensitivity skills. To date, the United Nations Department of Political Affairs and UNDP have posted more than 40 advisers to over 24 countries. Ghana is regularly cited as an example of how assistance from Peace and Development Advisors has helped stimulate a new law-making process that integrates local peace councils into decentralized governance structures (Box 6.5). In Timor-Leste, UNDP supported the Ministry of Social Solidarity in pursuing innovative strategies to resolve local land conflicts precipitated by returning displaced persons. Early results are promising and joint-efforts led by the Ministry of Social Solidarity with direct technical support from UNDP including US\$ 1.5 million funds from the Bureau for Crisis Prevention and Recovery supported the establishment of the Department of Peace-Building and Social Cohesion on 10 December 2010. The Department of Peace and Social Cohesion has the mandate to strengthen conflict prevention, peace-building and social cohesion capacities in Timor-Leste, both at the national and community levels in order to address potential risks and to promote greater women's participation in the peace-building process.

Reconciliation processes can potentially be enabled by introducing platforms for competitors and allies to interact and negotiate the terms of stability.



BOX 6.5**Ghana's Peace Architecture**

Although successfully side-stepping major armed conflict, Ghana faces a range of community level disputes with the potential to escalate. The Ghanaian government has shifted from a top-down law enforcement response to an approach seeking more durable solutions from below. Beginning with pilot projects associated with electoral violence in 2003, UNDP and the Department of Political Affairs worked with Ghanaian authorities to establish a peace architecture.

The approach to building the peace architecture is threefold. First, there is a National Peace Council that unites respected Ghanaians. This is designed to serve an independent and non-partisan function and constitutes a national platform for consensus building. Second are the regional peace advisory councils that also feature Ghanaian leaders who mediate inter-district and community-level conflicts. They also feature peace promotion officers in 10 regions. And



third are the district peace advisory councils, which include members of district assemblies and elders.

Building locally-owned peace architectures requires working from the top-down and from the bottom-up.

In Ghana, the peace architecture is believed to underpin the government's own efforts to promote stability. The Ministry of the Interior has further established a peace building support unit to coordinate action between government bodies. UNDP has supported the Ghana Journalists' Association to strengthen balanced and ethical reporting, as well as tertiary education, in peace-related subjects to ensure that future generations support the project.

The consolidation of a resilient society cannot be forged on the basis of a laundry list of projects. UNDP elaborated the concept of peace architectures precisely to signal the need for a comprehensive approach to nurturing coping and adaptation.⁷³ The basis of peace architecture is founded on solid diagnostics together with the creation of self-sustaining institutional mechanisms at the local and national levels to manage future instability.^{iv} Ultimately, any investment in peace architectures must be undertaken on the basis of careful research and in concert with local partners.

Support must be attentive to the risk that such peace structures may be strategically captured and manipulated by parties to the conflict, instead of serving broader interests. Identifying and cultivating synergies across sectors is therefore critical, as is an ethos of collaboration and cooperation.⁷⁴ Building peace architectures that are genuinely locally owned requires working from the top-down and from the bottom-up. Where communities lack structures to mediate and bargain, UNDP has invested in supporting the establishment of local peace committees and peace councils. There is growing evidence that such mechanisms — when they genuinely represent the interests of key stakeholders — can potentially enhance mediation between public authorities and different interest groups.⁷⁵

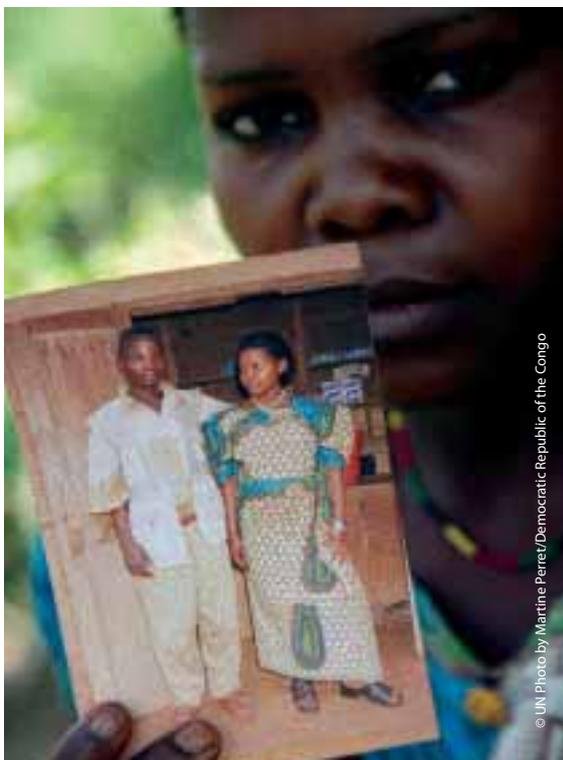
6.4 DEVELOPING CAPACITIES FOR DIALOGUE AND MEDIATION

Harnessing and strengthening formal and informal mechanisms to mediate and negotiate grievances is central to ensuring resilient social relations. In cases where existing mechanisms are frayed or perceived as illegitimate, there may be a role for third party mediation and support. Assessments are key to selecting the right incentives to foster effective dialogue. These assessments should focus both on the political economy of fragility, but also on the different and emergent roles assumed by men and women in fragile contexts.

UNDP has sought to inform and shape dialogue and mediation efforts with joint assessments and baseline studies. For example, despite escalating violence amongst pastoral communities in north-eastern Kenya, UNDP observed the pressures applied by mothers on their sons to assume greater roles in cattle raiding. After a comprehensive assessment, UNDP worked with local groups to re-engineer prevailing attitudes by urging mothers to assume roles as ‘ambassadors for peace’. Women’s Peace Committees were also formed to support reductions of conflict between neighbouring tribal groups.⁷⁶ Through the provision of modest grants, the initiative sanctioned their role as commercial actors and helped precipitate a transformation in their local status.

In all fragile and conflict-affected contexts, sustained dialogue is impossible unless it is linked explicitly to locally prevailing norms and customs. For example, in Papua New Guinea, UNDP is supporting numerous civic education initiatives in the capital, Port Moresby, and in the Southern Highlands, to encourage dialogue on the causes of violent conflict and ways to avoid it. Rather than introducing new techniques and tools, UNDP is supporting traditional Melanesian conflict resolution approaches to bring together militants and former combatants in ‘peace fairs’ and ‘sing-sings’.⁷⁷

In all fragile and conflict-affected contexts, sustained dialogue is impossible unless it is linked explicitly to locally prevailing norms and customs.



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Basic questions of inclusion and exclusion can taint a platform from the outset, and this is true of institutions and processes that may be labelled as advancing peace.

Where simmering tensions can span generations and lead to entrenched poverty, the goal is to promote a shared communal identity across different identity groups and enhance their ability to collectively negotiate with government authorities.

UNDP also routinely serves as a broker to promote national reconciliation, or to push for progressive development policy and programming. In some cases, UNDP has been able to do this only after proving itself an effective partner on the ground. For example, it was only after UNDP launched its programme on weapons-free municipalities in El Salvador — reducing the incidence of violence by some 40 percent in key communities — that it was able to promote a national dialogue process on a citizen security policy.⁷⁸ And in Lebanon, UNDP has played an important role in supporting national and local dialogue, but only after being credited as a legitimate partner by government and non-state counterparts.⁷⁹

As signalled above, another means of promoting dialogue and mediation is through the construction of third party-mediated mechanisms for interaction, or ‘platforms for peace’. These platforms vary from country to country and tend to involve a diverse array of state and community action groups. Immediately after the tsunami in Aceh, for instance, UNDP played a central role in facilitating communication between the state and citizens by initiating assemblies, gatherings, and consultative meetings with civil society, public officials, non-governmental agencies, donors and others.⁸⁰

One of the most important lessons learned in peacebuilding in fragile and conflict-affected settings is the need for dialogue and negotiation opportunities both vertically (between national leaders and at the local level) and horizontally (across social divisions of identity, class, or status). If poorly managed, these platforms can also provide a forum for more volatile exchanges. There is a risk of such platforms becoming politicized and being captured by unaccountable actors. There are considerable difficulties in creating legitimate and inclusive processes against a backdrop of radical and militant politics.

‘Platforms for peace’ can promote dialogue and mediation.



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6.5 CULTIVATING LEADERS AND LEADERSHIP

National and local leaders can positively promote effective state-society relations by mobilizing and engaging their constituencies to achieve desired outcomes. Transformative leaders are most effective when their visions are aligned to their constituent’s needs, and where civic action is promoted to positive effect.⁸¹ In some cases, existing institutions can be encouraged to take progressive approaches to leadership.

Yet fragile and conflict-affected states and societies frequently experience a deficit of leaders and leadership.⁸² Due to persecution, migration, and displacement, there may be few credible leaders with which to engage. But legitimate leaders are vital for creating the opportunities for enhanced mediation and negotiation. UNDP therefore focuses capacity development interventions on strengthening individual skills and opportunities for exposure and dialogue. It should be stressed that leadership is often not expressed benignly — in countries emerging from conflict, leaders may be distrustful, manipulative, and unwilling to participate in transitional institutions and related governance processes.

Fragile and conflict-affected countries often have a shortage of incentives to encourage the emergence of new leaders and few clear opportunities to participate in national or subnational governance processes. In some cases, when leaders are consolidated in power, they may also seek to prevent entry of pretenders to the throne. As one UNDP practitioner notes, “we build a staircase for leaders to climb, but when they get to the top, they break it down”. Cultivating leadership committed to democratic principles, then, is of the utmost importance in restoring equilibrium to state-society relations.⁸³

It is essential to cultivate leadership that is committed to democratic principles.



UNDP has identified leadership as one of four key capacity development priorities in both fragile and non-fragile settings.⁸⁴ The agency has an important role to play in developing the capacity of leaders to access the requisite knowledge, skills, and systems to promote resilience in post-conflict countries. Developing cohesion among top leaders has emerged as a critical entry point for peacebuilding. It is also important in transitional processes that require former enemies to cooperate closely — for example, in power sharing arrangements — in often very unpredictable and uncertain political climates. Consequently, developing capacity is very much about building relationships between critical leaders in transitional processes.

In most fragile settings, deep splits can divide groups and discourage moderate voices. As a result, leadership styles and processes may be oriented towards conflict rather than consensus. Cohesive leaders with a common view of a national vision of recovery and reconciliation are essential for the management of disparate expectations in complex societies. The ability to influence, inspire, and motivate individuals, organizations, and societies to achieve and extend beyond their goals is a critical and even pivotal arena of intervention.⁸⁵

Leadership can emerge in formal and informal institutions and at different levels — from the local to the international. While most commonly associated with political figures, leadership also resides in corporate entities, traditional structures (e.g., councils of elders, religious leaders) and social movements. In some cases, exposure of prospective leaders to new opportunities and international experience can multiply their abilities and networks. A recurring challenge, however, is how to retain effective leadership. Indeed, top-up support and seed funding to leaders and related structures is not usual practice for many donors.



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In Basra (Iraq), UNDP supported senior police officers and provided study tours for generals to meet with others of the same or similar rank in the region. By exposing senior leaders to alternate ways of operating, they expanded understanding, awareness and capability.⁸⁶ In Nepal, UNDP assisted mid- and senior-level leaders from the country's major parties and civil society. There they forged a national steering committee to build skills and capacities for collaborative leadership. This process served as a confidence-building measure in an environment characterized by tension and mistrust.

UNDP's emergency support to countries facing the loss of a cadre of leaders — as in the case of the Solomon Islands' Parliamentary Secretariat after the resignation of eight ministers in 2007 — is another example.⁸⁷ There is also the case of UNDP's support to leaders of the Government of South Sudan, where a quota of 25 percent representation for women in executive and legislative organs was drafted into the interim constitution. A Ministry of Women's Affairs was also created and, since 2005, the Government of South Sudan has appointed women to senior positions. While not yet transformative, these acts of leadership have enhanced the government's legitimacy.⁸⁸

Finally, practitioners in fragile settings have learned the intrinsic and instrumental benefits of using specialists from other developing countries to provide technical assistance in fragile-state contexts. UNDP also has extensive experience and capacity in supporting leadership training and South-South cooperation in post-conflict settings. In Afghanistan, for instance, UNDP provides technical advice and coaching to executive institutions through UNDP's Capacity for Afghan Public Service programme, with Indian and Sri Lankan civil servants providing on-site support for leadership training.⁸⁹



6.6 CONCLUSION

Localized and customary structures are often seen as more effective than state institutions.

Key proponents of resilient governance in fragile and conflict-affected settings include informal institutions and actors. Indeed, localized customary structures are often perceived as more effective and legitimate than state institutions. In the early aftermath of armed conflict, these local processes are perhaps the most important institutions that international donors can help (re)build.⁹⁰

Informal mechanisms often play a crucial role in resolving tensions that could otherwise exacerbate violence, often in the absence of capable state institutions. In supporting governance in fragile contexts, both state and informal service providers should be encouraged to integrate and coordinate approaches and uphold international rules and norms. New research is pointing to ways in which local processes self-organize and become resilient in high-conflict contexts.⁹¹ Identifying how conflict is regulated, organized, and executed (for example, how local youths are recruited and mobilized for self-protection in conflict) offers distinct pathways for understanding how, when, and to what end support to these informal nodes of authority may contribute to peacebuilding at conflict's end.

CHAPTER NOTES

- ⁱ OECD's *Principles for Good International Engagement in Fragile States and Situations* (OECD-DAC, 2007) set the ambitious goal of assisting in the building of "effective, legitimate and resilient states". Call and Cousens (2007) further describe how "together, capacity and resources, institutions, legitimacy and an effective political process combine to produce resilience."
- ⁱⁱ According to UNDP (2010: 14), cohesion refers to the reduction of disparities, inequalities, and social exclusion together with the strengthening of social relations, interactions, and ties.
- ⁱⁱⁱ UNDP (2009d: 11) describes them as "institutions, structures and processes through which a society mediates its own conflicts, by tapping into its own resources, social codes of conduct, cultural frameworks and ethical references, with the engagement of a broad range of actors".
- ^{iv} Scholar-practitioners such as Reychler, Lederach and Salim A. Salim have described the importance of a 'blueprint' to guide the establishment of a peace architecture. See UNDP (2009d).

Fostering a Resilient Society

SUMMARY

Robust state-society relations are critical to building effective, legitimate states, a durable, positive peace, and a society resilient to crisis. In fragile and conflict-affected countries, highly localized and customary structures are often perceived as more effective and legitimate than state institutions, and may play an important role in setting standards, regulating behaviour and services. Key areas of focus for UNDP include:

Fostering linkages between state and non-state service delivery

In states with weak capacities, customary and non-state institutions can be important and trusted partners for the delivery of key goods and services. UNDP has a critical role to play in fostering intermediary spaces and linkages between formal and non-state institutions, and in encouraging alignment between state and informal providers in serving local needs.

Promoting resilience through participatory planning

UNDP supports communities and national partners so that recovery planning and implementation processes are more participatory. This engagement can help to ensure that recovery processes do not antagonize social divisions and that they do address locally identified priorities.

Enhancing community security and social cohesion

Ensuring populations' security is a prerequisite for enabling recovery and restoring community trust in the state. While the development of professional, impartial, and capable security forces is critical in the long-term, UNDP has come to appreciate the central place of informal institutions and community-oriented approaches to providing local-level security for communities and vulnerable populations.

Supporting locally owned peace architecture

UNDP can and does invest in building civilian state capacities to assess, analyse, and respond to the causes of violence. Harnessing and strengthening formal and informal mechanisms to mediate and negotiate grievances is central to ensuring resilient state-society relations and to preventing future conflict.

Cultivating leaders and leadership

Leaders can promote effective state-society relations by mobilizing and engaging their constituencies to achieve the desired recovery and reconciliation outcomes. However, fragile societies frequently confront a deficit of leaders and leadership committed to establishing civilian institutions and to identifying peaceful resolutions to potential causes of conflict. UNDP has an important role to play in promoting leaders' capacities to access the requisite knowledge, skills, and systems to lead transitional institutions and governance processes.



Strengthening Partnerships

While UNDP has registered some impressive successes, it also recognizes that it needs to carefully review its approaches and priorities to governance. At a minimum, a system-wide response encompassing donors, United Nations agencies, host country partners, and civil society — one that is coherent in approach and coordinated in vision and action — is crucial for achieving responsive institutions, inclusive politics and resilient societies.

In developing partnerships, UNDP should advocate that governance support for fragile and conflict-affected countries be elevated to the highest priority. Partnerships are critical to ensuring the coherence and coordination of this framework — particularly the complex challenges facing host governments, civil societies, and international actors at the country level. Where properly established and aligned, partnerships can promote shared understandings and engagement, enhance wider public awareness, strengthen accountability mechanisms, stimulate domestic demand, promote local ownership, and multiply efforts and impact. Within the United Nations system, UNDP Country Offices invariably stand alongside peacekeeping and political missions at the centre of global responses to fragility (Box 7.1).

UNDP's mandate and presence at the country level creates a unique role for the organization in promoting governance in transitional settings. Since UNDP partners on every programme and project with recognized state authorities, it encounters both opportunities and risks. Many new governments may have aspirations and activities that are inconsistent with the broad body of international norms on key issues, such as the rights of women, or in their tolerance of religion or belief. UNDP must find ways of navigating these challenging environments, while ensuring a consistent and enduring focus on promoting human development in the long-term.

As the principal United Nations agency for administering development aid, UNDP occupies a unique position in promoting the governance agenda in fragile and conflict-affected settings. UNDP is situated at the very centre of the aid coordination and harmonization agenda. The agency's convening power can serve as an important tool in the United Nations' overall strategy, precisely because its ultimate goal — whether conflict prevention, peacekeeping, peacebuilding, or statebuilding — is to renew and strengthen national and local capacities for sustaining responsive, inclusive, and resilient governance.

In post-crisis contexts, UNDP is the cluster lead for early recovery, and also leads on developing early recovery plans as part of cluster coordination

during humanitarian emergencies. When executing effectively, UNDP can fill a critical gap between relief and long-term reconstruction, while remaining attentive to fostering national self-reliance and resilience. When engaged in fragile and conflict-affected settings, early recovery teams have their eyes on the future — assessing damages to infrastructure, property, livelihoods, and societies. During and after crisis, UNDP remains a critical partner of the United Nations peacebuilding, peacekeeping, and peacemaking architecture. This means that UNDP routinely engages in strategic partnerships and country-level collaboration with United Nations entities such as the Department of Political Affairs, the Department of Peacekeeping Operations, the

Peacebuilding Commission and the Peacebuilding Fund, the Department of Economic and Social Affairs, and a myriad of specialized agencies.

UNDP's strategic partnerships extend well beyond the United Nations system. Indeed, it has formal agreements with international financial institutions such as the World Bank, the African Development Bank, the Asian Development Bank, and the Inter-American Development Bank. As a key actor in guiding multilateral responses and source of development funding, UNDP does and will continue to engage with these institutions in fragile countries. Likewise, UNDP also regularly collaborates with multilateral and bilateral development agencies, such as the OECD-DAC and others.

A coherent, system-wide approach is critical to promoting governance.

UNDP's mandate and presence at the country level creates a unique role for the organization in promoting governance in transitional settings.

Partnerships between UNDP and national governments are often highly complex.

Direct partnerships between UNDP and national governments in fragile and conflict-affected environments must often negotiate complex political disagreements and the real possibility of inadvertently fuelling tension. For example, peace agreements and political settlements may result in the allocation of ministries to various parties in an armed conflict, some of them intensely hostile to good governance and equitable human development. Support from UNDP to a particular ministry can, intentionally or not, reinforce a particular party or faction, and result in tensions across the public and private sectors and within civil society. UNDP is increasingly aware of the way that external assistance can potentially undermine the building of state capacity through distorted incentives, inducing aid dependency, and generating moral hazards.

This chapter considers the opportunities and risks of UNDP partnerships with four categories of partners: (i) national and municipal governments, including both fragile and conflict-affected states and donors; (ii) United Nations agencies and missions; (iii) international financial institutions; (iv) multilateral and bilateral agencies; and (v) transnational civil society organizations, including the private sector, and international NGOs.



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7.1 NATIONAL PARTNERS

National ownership of the development and governance agenda is a bedrock principle of UNDP and many of its partners. Notwithstanding the crucial role of external donors and agencies, UNDP recognizes that the transition from fragility to durable peace and stability is primarily an internal process. In a fashion, the international community can only provide incentives and deterrents for the realization of peace — it is up to states and societies to move the process forward. It is only by enabling existing capacities, sensitively filling gaps, and helping to foster a national vision for development that the social contract can be reconstituted. Partnerships that bolster, strengthen, and enhance fragile and conflict-affected governments and populations — and not substitute for them — are the basis for effective peacebuilding and statebuilding.

Genuine national ownership of transition processes is critical. Yet in the rush to deliver rapidly on governance rehabilitation and reform during the transition, there is a risk that aid agencies focus too narrowly on government actors to the exclusion of others. In particular, women may be unintentionally marginalized and side-lined in the interests of speedily enabling a functioning state and demonstrating a peace dividend. Instead of creating authoritative and capable states, the end result is often over-sized government bodies with budgets that exceed revenue and are dependent on external aid, public institutions that are profoundly disconnected from daily social realities, and formal service providers that are unable to meet basic needs.

It's only by enabling existing capacities, sensitively filling gaps, and helping to foster a national vision for development that the social contract can be reconstituted.

Partnerships that bolster, strengthen, and enhance while not substituting for the beneficiaries are the basis of effective peacebuilding and statebuilding.

Genuine national ownership of transition processes is critical.

For aid to be more effective in promoting governance, a more nuanced form of engagement is urgently required. UNDP thus has a key role in supporting states suffering from fragility as partners in forging policy, setting standards, and oversight even when autonomous capacities are weak. Beyond operational considerations, however, national ownership is a practical demonstration of what partnership in agenda-setting means, and how governments operating in contexts of fragility are increasingly a voice in policy formulation and at the forefront of innovative approaches. Notwithstanding UNDP's principled commitment to national ownership, in fragile situations where politics and institutions can be highly fragmented UNDP needs to engage in broad national partnerships that extend beyond governance institutions.

BOX 7.2 Convening Post-conflict Planning Processes

UNDP has expertise in facilitating development planning aligned to the stages of recovery and reconstruction. From rapid post-conflict assessments to the preparation of Human Development Reports, UNDP aims to work with government and civil society authorities on thorny matters of power-sharing and reform. It does this by taking on a convening role and shaping dialogue and opportunities for participation. By investing in national capacities to document and update priorities and gaps, these plans can encourage partners to 'own' transitional governance reforms.

For example, in Somalia, despite the absence of a unified national government or statistics system, UNDP worked with the United Nations Country Team, the Somali Aid Coordination Body, and the Kenyan Bureau of Statistics to compile a *Human Development Report* in 2001. The harvesting of data involved establishing reading circles with Somalis in four regions, engaging the Diaspora, and consulting a wide range of agencies and experts. The *Human Development Report* informed a wider debate about the central importance of data, and even led to the launch of a massive survey covering 90 percent of the country, the first in decades.

UNDP has learned that such plans — whether early assessments or *Human Development Reports* — should focus on key priorities and setting achievable benchmarks within clearly defined timeframes. Likewise, such activities should, where possible, support local data gathering capacities and capacity building to anticipate future planning cycles. In some cases, UNDP has invested in planning capacities that extend far beyond immediate crisis response. UNDP has discovered that such plans can encourage local dialogue and a critical reflection on peace.

In Kosovo, the 2002 *Human Development Report* emphasized multi-ethnic tolerance and was prepared by expert teams of both Kosovar-Albanian and Serb experts. By tapping into local expertise, the *Human Development Report* offers a common-interest approach to advocating and institutionalizing core transitional governance priorities. In Lebanon, the 2009 *Human Development Report* presented in-depth research on the economic and social costs of the confessional system and presented avenues for moving beyond the confessional system as a necessary ingredient for achieving lasting peace.

7.2 UNITED NATIONS SYSTEM PARTNERSHIPS

UNDP features a diverse and overlapping range of partnerships within the United Nations system from the headquarters level to field offices in fragile and conflict-affected settings. At the United Nations Secretariat level, there is growing recognition of the importance of securing government capacity as a critical element of United Nations peacebuilding efforts. UNDP is increasingly working in partnership with the Department of Political Affairs, the Department of Economic and Social Affairs, and the Department for Peacekeeping Operations on priority areas, including elections, constitution making, and the promotion of the rule of law, justice and security sector reform.¹ However, in other areas, such as support to government extension, conflict mitigation, and public administration, collaboration remains coordinated locally by the Country Team leadership. In many cases partnerships depend on the areas and circumstances of engagement and are largely ad hoc. UNDP's entry points in these areas differ and greater attention and investment in identifying and aligning comparative advantages is necessary.

A recent and potentially critical United Nations partnership for governance promotion is UNDP's cooperation with the Peacebuilding Commission, the Peacebuilding Support Office, and the Peacebuilding Fund. To date, this partnership has focused on enhancing coordination on key peacebuilding priorities at headquarters, although more emphasis is being placed on strengthening the capacities of national authorities at the country level. Moreover, considerable energy has been devoted to enhancing governance capacities in selected fragile and conflict-affected countries, including Burundi, the Central African Republic, Guinea, Guinea Bissau, Liberia, and Sierra Leone. Despite efforts to promote intra-agency cooperation at headquarter level, plus calls for more integrated approaches, concerns remain that these headquarter-driven policy activities do not always trickle down to a truly joint vision and action at the country level.

Across the board, the relationships between UNDP and the Department of Political Affairs are uniformly critical to harmonizing United Nations diplomatic action with its principal development and delivery entity. Another particularly innovative partnership within the United Nations to support transitional governance is the UNDP-Department of Political Affairs Joint Programme on Building National Capacity for Conflict Prevention, launched in 2004. The programme is administered by the Bureau for Crisis Prevention and Recovery (BCPR) on behalf of both the Department of Political Affairs and UNDP, and is linked to the Inter-Agency Framework for Coordination of Preventative Action — an informal mechanism that brings together 22 United Nations' departments and agencies on conflict prevention activities on the ground.⁹²



Routine conflict analyses and assessments are important.

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UN DEPARTMENTS & AGENCIES ACT UNDER A COMMON FRAMEWORK FOR COORDINATING CONFLICT PREVENTION ACTIVITIES ON THE GROUND

BOX 7.3 Establishing Subnational Offices in Fragile Settings

In challenging fragile and conflict-affected settings, such as Sudan, Iraq, and Afghanistan, UNDP has recently attempted to expand the reach of its investment by decentralizing its own capacity on the ground. One practical way of doing this has been the creation of subnational offices staffed by international and national personnel. Subnational offices create a wider level of engagement at the local

level to complement Country Offices based in the capitals. They reflect a purposive effort to engage with complex subnational (formal and informal) governance structures and facilitate engagement with provincial, district, and municipal authorities. UNDP formalized a policy on subnational offices in 2009, which has quickly become a key modality for governance promotion.

Partnerships with key international financial institutions enhance coordination in complex fragile settings.

It is at the country level that UNDP manages a system-wide coordination mechanism of United Nations specialized agencies, sometimes in innovative and decentralized ways (Box 7.3). While many countries affected by fragility and conflict have a Special Representative of the Secretary-General, UNDP's country level coordination role is performed in immediate and practical ways through its central role in the resident coordinator system. Through the resident coordinator and UNDP country directors, UNDP frequently seeks to operationalize partnerships on governance promotion at the country level. Such partnerships are often most effective at setting out support around electoral processes and other national projects. And with the exception of rule of law and elections programming, partnerships between the UNDP and others are still uneven.

In Iraq, UNDP explicitly supported the application of such a strategic peacebuilding and statebuilding approach to governance reform developed on the basis of both emerging international standards and grounded realities. The result was a set of agreed common outcomes for Iraq focused on improved governance and the protection of human rights, with actions that addressed many aspects aimed at strengthening the social contract. What is more, the United Nations Mission in Iraq and the United Nations Country Team also actively supported a common approach for planning mission integration.

7.3 INTERNATIONAL FINANCIAL INSTITUTIONS

Another set of critical partnerships established by UNDP within the United Nations family and among sister agencies include those with international financial institutions. Specifically, UNDP has established strong partnerships with the World Bank,ⁱⁱ the African Development Bank,ⁱⁱⁱ the Asian Development Bank,^{iv} and the Inter-American Development Bank^v on a wide range of governance programming priorities. Many of these partnerships are critical to enhancing overall coordination in complex fragile settings.

In 2008, the United Nations and the World Bank concluded a new partnership framework to affirm their commitment to work more effectively in crisis- and conflict-affected countries. The framework provides common guiding principles for working with national authorities, and it calls for strengthened joint planning, collaboration on funding mechanisms, and joint training, research, and evaluation. In their effort to close the gap between relief, recovery, and reconstruction,⁹³ practical cooperation focuses on the formation of common assessments with host governments (such as Post-Conflict Needs Assessments, Transitional Results Matrices, and Poverty Reduction Strategy Papers), and investment in both upstream and downstream governance priorities.⁹⁴ There are positive signs of enhanced partnership between UNDP and the World Bank in fragile settings.

There is a need to share lessons and bridge gaps between development partners.



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UNDP works with national and international civil society to foster policy dialogue and broaden national consultations on developmental priorities, both at national and local level.


\$4+
BILLION

OF MULTI-DONOR TRUST FUNDS WERE MANAGED OR COORDINATED BY UNDP SINCE 2004

7.4 MULTILATERAL AND BILATERAL PARTNERSHIPS

UNDP has worked extensively with donors to support an enabling environment to address the challenges of fragility. UNDP has worked closely with the 34 OECD-DAC member states to set out concrete modalities for supporting effective and efficient governance reform.⁹⁵ UNDP also engages with regional organizations and individual United Nations member states on a vast range of governance activities.⁹⁶

UNDP has considerable leverage in shaping the direction and content of its bilateral partnerships through the management of resources. This collective management of support is critical to coordination in resource-poor environments and where aid flows are most difficult to monitor and evaluate. UNDP routinely administers complex funding modalities, including multi-donor trust funds. For example, UNDP has either managed or co-ordinated more than 32 multi-donor trust funds totalling more than \$4.2 billion since 2004. In 2009 alone, some \$756 million was channelled through UNDP to 29 separate United Nations agencies, of which 19 work in fragile contexts.⁹⁷

There are several practical examples of partnerships that draw on pooled resources to harmonize transitional governance efforts. For example, in Nepal, UNDP serves as the administrative agent of the combined United Nations Peace Fund, which is administered by the United Nations Mission in Nepal.⁹⁸ The Peace Fund leverages resources among partners to coherently deliver assistance. And in the Democratic Republic of Congo, UNDP has administered a Stabilization Recovery Trust Fund since 2009 to coordinate donor support.^{vii}

7.5 | TRANSNATIONAL CIVIL SOCIETY PARTNERSHIPS

As part of its commitment to enhancing state-society relations in fragile and conflict-affected settings, UNDP seeks to promote partnerships with international (or transnational) as well as national civil society (Box 7.5). Partners are diverse and include social movements, volunteer organizations, indigenous peoples' organizations, women's groups, and mass-based membership associations.⁹⁹ UNDP works with civil society to foster policy dialogue and broaden national consultations on developmental priorities, both at national and local level.¹⁰⁰ In crisis settings, that engagement has widened to include partnerships with international and national NGOs to open spaces for dialogue and enable a greater capacity to deliver services at the subnational level.

For example, since 2009, UNDP, the Carter Center and the Arab Thought Forum have advanced a project designed to build consensus on electoral issues in the West Bank and Gaza.¹⁰¹ Agreements were subsequently made with the Palestinian Electoral Commission to reduce differences between Hamas and Fatah. UNDP has also worked with Inter-Peace in Israel and the Occupied Palestinian Territories. The partnership led to the establishment of 15 community associations to defuse tensions between factions in the Territories, including with settlers, the religious right, and Israeli army officers.¹⁰²

BOX 7.5 Working With National Civil Society in Colombia

Since 2004, UNDP's Country Office in Colombia has worked with a network of local partners in six regions of the country. Its aims have been to strengthen the role of local communities to engage with regional and national counterparts. In just six years, the programme has generated several remarkable successes.

Specifically, the ART-REDES programme has strengthened technical and financial capabilities of 78 networks that serve as a platform for more than 796 civil society organizations constituting victims of

the conflict (including ethnic minorities, displaced populations, women and peasant farmer associations). The initiative has developed platforms for otherwise excluded groups to design and implement political and development agendas and foster leadership skills.

What is more, ART-REDES has successfully contributed to the formulation of public policies and legislation, including a law relating to the restitution of land to victims of conflict (Law 1448 of 2011). And it has

contributed to the formation of public policy on gender, rural development and the elaboration of subnational departmental development plans. By ensuring the participation of more than 83 women's organizations, it has given voice to groups traditionally excluded from key policy fora.



The demands of fragile settings make coherence and good coordination critical.



7.6 CONCLUSION

A review of past partnerships highlights their considerable diversity and heterogeneity. These arrangements are ‘force multipliers’ for UNDP. These partnerships operate at the policy and programming levels, from headquarters to the field. Yet UNDP still has trouble translating good practice and innovation into policy guidance in the complex settings of countries emerging from conflict.

UNDP is often not only at the centre of United Nations system partnerships, but leads them in many countries. Much depends on the local environment and on relationships among the leadership of UNDP in country and other United Nations agency representatives, particularly when there is direct involvement of the Secretariat in the country as part of political or peacekeeping missions, or through Peacebuilding Commission activities. It is essential for the UNDP leadership in Country Offices to recognize that, in fragile and conflict-affected countries particularly, supporting governance in transitional settings and the security objectives of peace consolidation are two sides of the same coin.

There are many operational obstacles to building effective and reliable partnerships due to the highly insecure environments of many fragile contexts. For example, in Iraq and Somalia, UNDP operates by ‘remote



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control’ from adjacent states (Jordan and Kenya, respectively). Even with these constraints, however, UNDP Country Offices have developed effective mechanisms for working with government and local civil society partners, using technology to stay better and more regularly connected. UNDP must also recognize how local partners — from university faculties to local associations and citizen groups — are also political actors in their own right, and due diligence in evaluating the context of civil society work is essential.

The sheer breadth of demands and requirements in fragile settings makes coherence and coordination critical. A minimum requirement is for UNDP to present a united front in forging partnerships, and that every effort is made to ensure shared understandings and robust collaboration (based on comparative advantages) among United Nations Country Team partners. Although partnerships with governments and United Nations agencies are strong, UNDP could review its approach to partnership arrangements with civil society actors. A special focus must be placed on developing flexible and open arrangements, building local capacities, and factoring in due diligence.

CHAPTER NOTES

- ⁱ UNDP co-chairs an inter-agency task force on SSR with DPKO. It also houses a secretariat on disarmament, demobilization, and reintegration as part of an inter-agency working group.
- ⁱⁱ In May 2005, UNDP and World Bank issued a joint note clarifying the links between the PRSP and the MDGs. A Memorandum of Understanding on Financial Management regarding Grant Agreements was signed in 2004, and is intended to facilitate the implementation of activities in countries with low capacity, where the World Bank provides grants to UNDP. See www.undp.org/partners/ifi/worldbank.shtml.
- ⁱⁱⁱ UNDP and AfDB signed a Memorandum of Understanding in February 2001, which includes agreement to cooperation on governance issues, among other things. See www.undp.org/partners/ifi/afdb.shtml.
- ^{iv} UNDP and ADB have established co-financing agreements since 2004 to allow for joined-up programming on issues related to governance. See www.undp.org/partners/ifi/adb.shtml.
- ^v UNDP and IADB signed a cooperation agreement in November 1990, which addresses issues such as public sector reform and institutional strengthening. See www.undp.org/partners/ifi/iadb.shtml.
- ^{vi} This was formalized as the "Operational Guidelines for the Implementation of Electoral Assistance Programme and Projects" in 2008.
- ^{vii} UNDP programme is designed to support the wider International Security and Support Stabilization Strategy. The Strategy addresses five sectors: security, political dialogue, restoration of state authority, return of IDPs and refugees and community security, and prevention of sexual violence. See <http://mdtf.undp.org/factsheet/fund/CRF00>.
- ^{viii} The Carter Center's International Election Observation Mission works to monitor and assess the electoral and transitional process in Nepal in order to support the consolidation of peace and democracy in the country. Because the Center is not providing direct technical assistance to any of the stakeholders, it is well positioned to carry out impartial monitoring and assessment activity in Nepal. See, for example, www.un.org.np/agencyprofile/profile.php?AgencyID=216.

Strengthening Partnerships

SUMMARY

Effective governance support requires a system-wide response; no single actor can go it alone. UNDP has unique expertise to contribute to strengthening partnerships with other United Nations entities and development partners around governance support. Essential messages for UNDP include:

Coordinated governance support is essential for peacebuilding objectives to be attained

The United Nations system has strong inter-agency frameworks in place to coordinate governance support. However, not all aspects of governance are addressed and coordination is fragmented by sector. Partnership frameworks dedicated to the consolidation of governance support in fragile and conflict-affected contexts should be strengthened.

The International Dialogue and the G7+ gathering of states affected by fragility are strategic opportunities to align international support with the objectives prioritized by fragile and crisis-affected countries themselves

UNDP has been a consistent supporter of the G7+, and is uniquely placed to engage with the United Nations system and help to reflect these objectives in the broader international system. With its uninterrupted presence in most fragile contexts, UNDP can play a unique role in supporting the operationalization of these principles and facilitate United Nations engagement and commitment.

UNDP needs to invest in enhancing its capacities to promote, develop, and work in partnerships in contexts of fragility

UNDP must continuously develop an active role as a partner with other United Nations entities, international financial institutions, and non-governmental actors. Where possible, this should be structured through consistent support to existing mechanisms, such as the Integrated Mission Planning Process, and related processes at the country level.

Partnering with states transitioning from fragility presents both risks and opportunities

To capitalize on opportunities and to mitigate potential challenges, UNDP requires a deeper and more nuanced understanding of who to work with and how to support change agents. Partnerships to improve UNDP's analytic capacities are critical, both to improve effectiveness and to foster common perspectives and coordinated approaches.

A United Nations system-wide partnership to take forward commitments to national capacity development in fragile settings should be strengthened to ensure a more systematic and coordinated approach

UNDP has invested substantial resources in capturing and learning lessons on innovative approaches to capacity development in fragile countries. Building on existing common approaches to capacity development agreed by the United Nations Development Group, UNDP needs to work with other parts of the system to develop and mainstream principles and guidance for a common United Nations capacity development approach specifically adapted to fragile states.



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CONCLUSIONS

The promotion of governance and the restoration of the social contract between states and societies in fragile and conflict-affected settings is a balancing act. There are no simple recipes for success and this is equally true of the framework presented in this report. Formulaic, template-driven, and technical approaches can unintentionally trigger instability and renewed violence. Approaches will inevitably be tailored to local and national needs. When it comes to supporting reforms in contexts of fragility, the process of governance — how it is exercised, by whom, and in what ways — may be just as important as the outcomes.

As the opening chapters of this report demonstrate, the international community features an impressive record of supporting public administration reform, democratic elections, constitution drafting, and decentralization in war ravaged countries dating back 60 years or more. The United Nations, in particular, has developed a remarkable capacity and preparedness to deploy early assistance to secure development, including with frontline workers such as peacekeepers, police, and civilian experts. The United

Nations and its partners have also been prepared to issue longer-term recovery and reconstruction support to consolidate peace long after the shooting stops. Due to the many and complex dynamics of war-peace transitions, it is not surprising that gaps and uneven outcomes in governance support remain.

UNDP is taking up the challenge of rethinking and revising its approach to governance promotion in fragile and conflict-affected states. This is as much a practical

imperative as an ethical one. A growing proportion of the agency's portfolio is now devoted to assistance in settings affected by chronic instability. If UNDP is to demonstrate positive returns and value for money, new approaches will need to be tested and applied. With its presence in more than 177 countries and territories and its mandate, UNDP can demonstrate a comparative advantage as an interface between states and their societies. The agency also recognizes that while it often must play a gap-filling role, it cannot

serve uniquely as a supplier of services to either governments or civil societies. To be effective in the world's hotspots, UNDP must accept a higher threshold of risk, while supporting approaches that are coherent and coordinated with the United Nations family and international and national partners.

UNDP is beginning to revisit certain traditional assumptions and approaches in its efforts to deliver enhanced governance support to fragile and conflict-affected settings. As this report shows, UNDP Country Offices have already taken concrete steps to develop more comprehensive and integrated responses. Together with architectures for peace, peace and conflict advisors are just one of innumerable examples of innovative and creative practice that is moving the goal posts of governance promotion. In most if not all cases, practical efforts on the ground have progressed far ahead of policy guidance issued from headquarters.

This report represents an important new attempt to consolidate recent lessons, insights, and emerging practice into a framework to help UNDP as it expands its governance

UNDP is taking up the challenge of rethinking and revising its approach to governance promotion in fragile and conflict-affected states.

support to fragile and conflict-affected settings. It is not a set of remedies or prescriptions. Rather, the framework sets out four foundational objectives that should guide assistance, together with a menu of priorities and activities under each.

First, it calls for a concerted investment in responsive institutions that deliver essential services to the population. A core requirement is that the state and civil society are equipped with the appropriate capacities in critical areas, and that services are delivered without being captured by elite or identity-based interests. Next, the framework focuses on fostering inclusive politics. This requires the state and society to exhibit mechanisms that allow for the legitimate and peaceful expression of interests in a way that does not reverse development gains. Third, it calls for support to state initiatives to foster resilient societies. This implies that state institutions and civil society actors can play a role in monitoring, assessing, mediating, and responding to conflict between groups. Finally, it underlines the critical place of partnerships to operationalize the agenda. These objectives overlap. A central point of the framework is to ensure balance between different approaches, and deliver interventions that can reinforce the different objectives simultaneously.

UNDP recognizes the need to manage expectations and adopt a measure of humility, even as it revisits benchmarks of

If governance is to be effective, it must build capacities and will need to be grounded in national and community legitimacy.

effectiveness, appropriate means and methods of engagement, and ways of improving its practice and partnerships. If governance is to be effective, it must build capacities and will need to be grounded in national and community legitimacy. UNDP understands that any credible effort to promote governance must come as part of wider peacebuilding and statebuilding efforts. It is essential that UNDP takes forward an approach to governance support that is explicitly embedded in partnerships. The framework outlined in this report emphasizes that UNDP must strengthen and, in some cases, renew its partnerships at the international, national, and subnational levels to ensure its response is targeted as part of wider integrated United Nations strategies. In developing partnerships, UNDP should advocate that governance support for fragile and conflict-affected countries be elevated to the highest priority. Partnerships are critical to the coherence and coordination of this framework — particularly the complex challenges facing host governments, civil societies, and international actors at the country level.



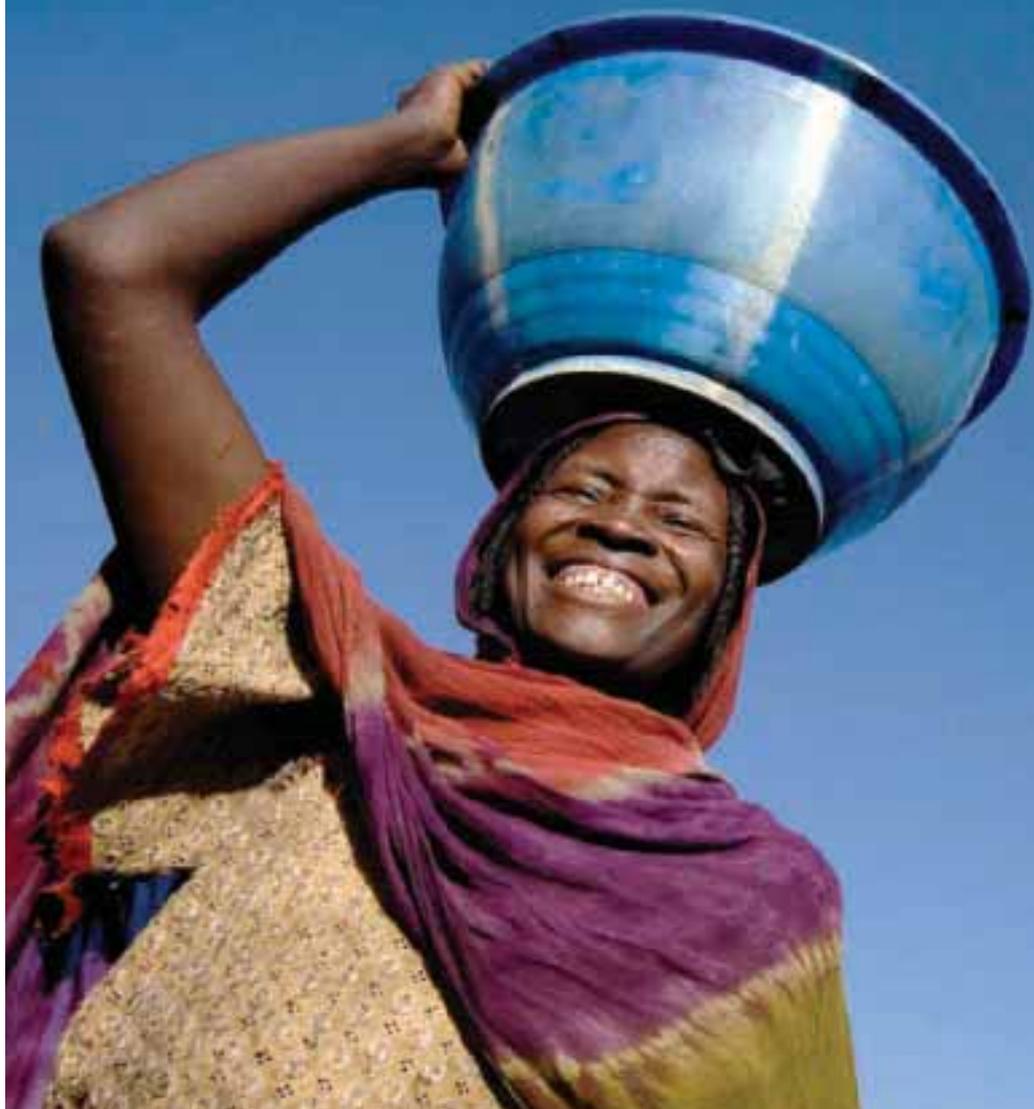
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ENDNOTES

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Based upon an extensive stocktaking of UNDP's experience in crisis affected contexts, *Governance for Peace: Securing the Social Contract* provides insights on new approaches to governance promotion, analysis and programming adapted to the 21st century challenges of fragility. Relying on interviews with policy makers, partners and programme staff this publication draws attention to innovative and promising practices in governance and highlights the importance of ensuring approaches based upon rebuilding social contracts and consolidating peacebuilding gains.

This paper highlights four core objectives that should influence and shape governance support strategies in the coming years:

- Construct **responsive institutions** that build on available capacities to deliver essential functions and enable minimum standards of service delivery.
- Promote **inclusive political processes** and facilitate state-society dialogue through institutions of political governance.
- Foster a **resilient society** by mobilising local capacities to adapt and cope with stress and crisis.
- **Strengthen partnerships** with national and sub-national government counterparts, representative civil society organizations, international financial institutions and the wider system of UN agencies in order to deliver in more coordinated, coherent and complimentary ways.

On their own, each of the four aforementioned objectives is hardly new. This publication, however, identifies that these objectives are fundamentally interconnected. Without focusing on responsiveness, inclusiveness and resilience, there is little place for partnerships. Without a renewed emphasis on reshaping UNDP's strategic partnerships, there is little possibility of achieving the goal of more responsive, inclusive and resilient states and effective development dividends.

This report concludes that durable investments in achieving governance gains in fragile contexts require approaches that take account of strategic outcomes rather than sector-specific outputs, and provides ideas on how to approach a governance agenda in a rapidly changing world.



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Resilient nations.*

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