GUIDANCE NOTE

UNITED NATIONS DEVELOPMENT PROGRAMME

SUPPORTING CIVIL SERVICE RESTORATION AND REFORM IN FRAGILE AND CONFLICT-AFFECTED SETTINGS
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GUIDANCE NOTE

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ACKNOWLEDGEMENTS

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This guidance note was produced in consultation with members of the UN Interagency Platform on Core Government Functions (CGFs) in Countries Impacted by Fragility and Conflict (IP-CGF). The Interagency Platform is co-chaired by the United Nations Development Programme (UNDP) and the United Nations Department of Political Affairs (DPA) and comprises of the UN Secretariat and UN agencies, funds, and programmes mandated to and involved in supporting the strengthening of CGFs in fragile and conflict-affected settings.

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Fragility and conflict will be overcome only when states acquire institutional resilience and the civil service operates efficiently.

In countries affected by fragility and conflict, state institutions (i.e. public administration) co-exist among formal and informal arrangements that mirror ineffective power arrangements. These arrangements are products from protracted power struggles between elites struggling to remain in power and control the distribution of rents and resources. The challenges facing situations of fragility and violent conflict are daunting and multidimensional. The strengthening of weak public institutions to enable them to perform the core functions of government lies at the heart of the process to start restoration or reform. Today, 1.5 billion people, including 43 percent of the world’s poor, live in countries affected by fragility and repeated cycles of violence and conflict (World Bank, 2011). This is expected to grow to 62 percent by 2030 (OECD, 2015).

This guidance note represents a new effort to crystallize UN’s contribution to strengthening the basic functionality of government in fragile and conflict-affected settings. It responds to the 2030 Agenda’s pledge to leave no one behind. In response to the 2016 Quadrennial Comprehensive Policy Review, the UN Chief Executive Board directed the UN system to put at the heart of its support reaching the furthest behind first. These are arguably the world’s poorest people who are also impacted most by circumstances of fragility and conflict. Although there are many different understandings of, and approaches to, restoring the basic functionality of government, recent experience on practice and implementation highlights that fragility and conflict will be overcome only when states acquire institutional resilience and the civil service operates efficiently.1 Indeed, the 2030 Agenda confirms that effective and legitimate institutions are central to provide a secure social, economic and political environment for the broader objectives of poverty reduction, sustaining peace and development.

This guidance note aims to provide practitioners with useful guidance and up to date knowledge as they deliver policy and programme advise to national counterparts; and design and implement evidence-based programming to support countries in conflict-affected settings in restoring and/or reforming the civil service, which is indispensable for restoring or improving basic government functionality. The note aims to distill guidance in implementing UNDP’s signature solution 2 on strengthening effective, inclusive and accountable governance in its Strategic Plan 2018-2021.2 This guidance note is part of a larger series of global policy guidance on supporting the strengthening of core government functions (CGFs) in fragile and conflict-affected settings, covering six key functions, namely: (i) managing the centre of government; (ii) security sector reform; (iii) civil service reform; (iv) public financial management; (v) local governance3; and (vi) aid coordination.

This note is also part of the UN’s response to the United Nations Secretary-General’s Policy Committee decision (2009/27), which commissioned a lessons-learned review of country experiences in post-conflict public administration, to provide recommendations for more predictable, efficient and timely UN support. The first product of the lessons-learned review


2 See UNDP Strategic Plan, 2018-2021, page 13: “Some development contexts may require support for core governance functions, establishing local service provision, rule of law, anti-corruption capacities and access to justice… Others may request innovative support for improved regulatory capacities, enhanced legal frameworks, strengthened institutions and local governance capacities. In other contexts, support may be requested for re-establishing core governance functions, to support long term preventive solutions that address root causes of conflict and disasters. This solution will seek to build inclusive, effective and accountable institutions and mechanisms for the peaceful resolution of conflict and for advancing social cohesion”.

The purpose of this guidance note is to outline a framework for the selection, design and implementation of interventions to support civil service restoration/reform in fragile and conflict-affected settings. - the groundbreaking report Restore or Reform? UN Support to Core Government Functions in the Aftermath of Conflict⁴ - advocates for three high-level shifts in UN's approach. First, to understand that support to public administration is as much political as it is technical. Second, that the UN should focus on maintaining or restoring the basic functionality of CGFs during conflict and as soon as possible after it. And, third, the UN needs to affect a range of internal measures to better support CGFs both during and in the immediate aftermath of conflict. This guidance note also complements the first ever joint UN/World Bank (WB) diagnostic framework, entitled (Re)Building Core Government Functions in Fragile and Conflict-Affected Settings⁵ produced in 2017 in response to the Secretary-General's Policy Committee decision (2013/8) that called on the UN, WB and the International Monetary Fund to engage more systemically and coherently in fragile and conflict-affected settings.

What is innovative about this guidance is the structured combination of various approaches into an integrated analytical and operationally relevant guidance that takes us step by step through strategic and operational options for practitioners, rather than offering a theoretical overview. The note also discusses the political and technical dimensions of longer-term human resource management, including gender equality issues in public administration in such settings.

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EXECUTIVE SUMMARY

Effective, accountable and responsive institutions are fundamental to the achievement of peaceful and inclusive societies envisioned to achieve the Sustainable Development Goals (SDGs). Nowhere is this objective more salient, and more elusive, than in countries that have been deeply affected by fragility and conflict. Fragility and conflict are symptoms of power dynamics and formal and informal arrangements for the distribution of rents and resources that affect the functionality of core government functions. These core functions of government are essential for development, statehood and resilience. They all are dependent upon the capacity of the civil service to function and deliver.

A civil service embodies a large and complex set of issues, procedures and structures within the public administration related to the management of personnel, institutions and relationships. It encompasses both technical and political aspects related to the functioning of the government machinery and the delivery of public services and goods at both the national and local level. Within the spectrum of civil service issues, this note focuses on pay and employment because these are the first areas in which governments often come under overwhelming pressure (either by domestic actors or external partners) to act decisively in the immediate aftermath of conflict. The note also briefly discusses the political and technical dimensions of human resource management and development in public administration in fragile and conflict-affected settings.

LEARNING FROM POLITICAL ECONOMY ANALYSIS

This guidance note is founded upon the realization that civil service restoration and reform is as much a political process as it is a technical one. To promote a politically sensitive approach to civil service restoration and reform, this note draws on a series of precepts drawn from the literature on political economy in fragile and conflict-affected settings, as follows:

- International assistance in fragile and conflict-affected settings should be understood as non-neutral mediations by external actors among domestic elites;
- International assistance in conflict-affected contexts should be approached in ‘temporal’ terms; assistance should be sensitive to the fluctuating opportunities and risks of development support during and after conflict;
- Political settlements should not be understood as stable conclusions that end periods of volatility, but more appropriately as unstable situations that reflect the positions of domestic elites at a particular point in time;
- Political settlements are subject to the potential subversion by “spoilers”, actors either dissatisfied with or excluded from negotiated pacts;
- Analysis of merit-based reforms in a variety of institutional settings suggests that agreements to reduce patronage in human resource practices in civil services occur mostly when the relative power and capacities of less influential parties and stakeholders increases; and
- The idealized goals often held by the international community for public administration may be laudable, but are often unrealistic. Thus, a focus on achieving “good fit” rather than applying international “best practice” should be sought.

CIVIL SERVICE RESTORATION AND REFORM PRIORITY ISSUES

Most civil services in fragile and conflict-affected settings are overwhelmed by numerous operational and other challenges that have serious short-term consequences for restoring
functioning government as well as longer-term impacts on state- and peace-building for future country development. This note explores both the political and technical aspects of ten common priority issues related to the restoration and reform of the civil service in fragile and conflict-affected contexts.

1. Managing Aggregate Wage and Employment: Maintaining effective control over the public sector wage bill is a key ongoing task of governments in fragile and conflict-affected settings. Since the public sector wage bill can make up a significant portion of total public sector spending (see Annex), failing to reduce the wage bill can have a negative impact on the overall macroeconomic health of fragile and war-affected economies. In many countries, pivotal questions often relate to the sustainability of revenues to offset personnel expenditures and the social protection role of the public administration as employer.

In the face of such pressures, donors and governments have sometimes enlisted analytic modeling tools to help frame - and discuss - the policy choices between wage bill reduction, employment containment or growth, and average or selective salary adjustment. Such instruments are mainly technical aides, but they can also offer support to governments in weighing policy options and in developing political strategies in identifying and dealing with the potential winners and losers of macro-pay and employment reforms. Addressing the revenue problem may involve assumptions of stable wage bill expenditures for some period of time by donor countries.

2. Setting Remuneration: Related to the above wage and employment issues are questions about setting individual compensation levels for present (and future) civil servants in fragile settings or following a conflict. In countries where civil service remuneration systems have broken down or where new arrangements need to be established, determining the lowest acceptable pay levels for civil servants may present an opportunity to revise outdated structures and pay regimes, but it is also a moment ripe with policy and political risk. Determining civil service pay on an interim basis in the immediate aftermath of conflict can also have long-lasting, unintended consequences. In several countries, unsustainably high pay choices were made (with scarce information) by international actors, who were under extreme pressure to get basic government functions up and running. But they risked setting governments on unaffordable long-term paths, as correcting pay downwards later proved politically near impossible.

A related issue is that of the establishment of “dual pay scales”, where a special tier of highly skilled civil servants - potentially including returning members of the diaspora - receive salary upgrades to carry out key public administration roles. This can have the effect of supplementing low levels of government capacity in the short to mid-term, but runs the risk of not only creating an unsustainable wage bill, but also creating disillusionment and resentment amongst the rest of the civil service.

3. Administering Payments: The timely and efficient remuneration of civil servants - both those working in the capital but especially those on the front line of service delivery, often at regional or local levels of government - is critical in the immediate aftermath of conflict, and beyond. Effective payment administration through robust payroll systems and payment platforms is thus of paramount importance in restoring a functioning public sector. To the extent that restoring public services to meet population needs is needed, guaranteeing that payments are administered on an adequate and timely basis to civil servants on the frontlines of service delivery is key.

Responding to the challenge of administering payments in the civil service may include the use of innovative technology.
In the aftermath of crisis, when employment needs are pressing, public works programmes can provide temporary work opportunities for youth, ex-combatants, refugees, and other job seekers.

health workers whose role in combating the virus, and in restoring public trust in government, proved critical. The crisis spurred innovative applications for payment platforms, including mobile “apps” that helped overcome constraints to salary disbursement.

4. Counting and Identifying Civil Service Employees: The wage bill and remuneration issues raised above are closely related to a range of concerns about the number and nature of who is employed by the civil service in fragile and conflict-affected settings. Efforts to obtain reasonably accurate information about the location, identity, and profile of government workers are often made through civil service censuses or headcounts. To the extent that these exercises focus on removing “ghost” workers from the payroll, they have relative utility in beginning the process of cleaning up government payrolls.

Counting and identifying civil servants are standardized in the form of civil service censuses. They have also been enlisted to provide data for downsizing efforts that, analysis suggests, face uphill challenges in fragile and conflict-affected settings, but also in other development settings. In addition, census exercises continue to be plagued by capacity and sequencing problems. Even if an accurate snapshot can be obtained, data erode quickly if they cannot be quickly deposited into clean human resource management information systems. However, these are complex and difficult to put in place, even years after conflict. Thus, most countries continue to rely, with varying degrees of effectiveness, on the payroll system itself and on establishment controls dispensed by the Ministry of Finance to keep civil service employment in check.

5. Dealing with Security-Related Personnel: An overwhelming employment issue at the top of the civil service reform agenda concerns the integration of security-related personnel, including official military as well as militia and rebel forces, onto the rolls of the civil service. Decisions of whether to reduce the size of the armed forces, whom to demobilize, and what benefits to offer became part of the peace negotiation in countries where loosely controlled factions were sharing power in government after their respective conflicts. In these cases, there was a very real possibility that one or another of the actors, unhappy over inequitable allocation of positions in the armed forces, would become a “spoiler” and return to conflict. While taking appropriate account of the deeply political nature of such choices, it also makes sense to consider the possible long-term institutional consequences of particular integration strategies.

Various governments in fragile and conflict-affected settings have undertaken separation schemes for military personnel that combine different severance arrangements, depending on seniority levels, including “golden handshakes” with cash payouts as well as small-business credit and re-training programmes. Some analysis suggests that reliance on private sector employment has been disappointing, particularly where economic growth remains limited.

6. Public Works Employment Remedies: In the aftermath of crisis, when employment needs are pressing, public works programmes can provide temporary work opportunities for youth, ex-combatants, refugees, and other job seekers. Countries have introduced public works programmes as a short-term solution to respond to the immediate needs of job creation, infrastructure development and delivery of basic public services.

The range of government employment choices may offer both political as well as developmental benefits, at least over the short term in fragile and conflict-affected settings. Some security experts have recommended designing programmes to integrate ex-combatants in the public workforce, but under different employment regimes. In developing countries more generally, public works programmes are designed to raise incomes of the poor through the mitigation of shocks (both unexpected crises and seasonal downturns) and to pro-
vise a bridge to more permanent employment, possibly with a training or even a small business credit component.

7. Lustration of Former Officials: As states transition from periods of conflict, they inevitably face the question of how to handle officials from the former regime. Questions of which public officials remain in government in the aftermath of conflict can be key to the future stability and functionality of the new regime. Decisions about the role of personnel from the previous regime are not only critical to the institutional capability of nascent governments after upheaval, but also provide important, broader signals about the new government’s approach to the country’s wider political culture. Another political question is the degree to which lustration may be perceived to - or may actually - be misused for partisan political purposes.

Countries have a variety of lustration methodologies to transform - and cleanse - the civil service available to them. These range from a lustration process where certain former high-level officials, particularly those who had served in the secret police, are involuntarily removed from their jobs. On the other hand, a “softer” programme may be adopted that allows for more substantial incorporation of previous officials into the new civil service.

The need for competent continuity is high in fragile and conflict-affected settings, but the need for governments in fragile and conflict-affected environments to signal a decisive break with the past has also been highlighted. This need for a new start has indeed sometimes translated into lustration policies that rout out previous officials at all levels, doing harm to the capacity of institutions. Guidelines may discourage the application of integrity standards that are difficult to verify, however. This depends in large part on the availability of reliable and measurable evidence. Preferred practice may emphasize the targeting of senior personnel or those associated with a particular administrative unit rather than across-the-board vetting.

8. Position Distribution Among Political Stakeholders: Civil service employment questions, in fragile and conflict-affected environments, often reflect larger political questions about power distribution among former antagonists, reinforced by sectarian and ethnic or, perhaps, regional cleavages. These, in turn, overlap with the security forces-related demobilization issues raised above. Many incoming politicians may have a tendency, and may indeed be expected, to distribute government posts among members of their political, ethnic or religious group. Such non-inclusive practices, left unchecked, may not only lead to a widespread loss of credibility for a new government in a fragile or conflict-affected setting, but also violence and a possible descent into conflict.

In fragile and conflict-affected settings a balance is required between civil service appointments made based on merit versus recruitment linked to traditional allegiance. Where this occurs recruitment and civil servant management rules should be established, but a pragmatic compromise must be reached when employing new civil servants. One solution may be the use of temporary quotas for members of ethnic, religious or regional groups. Another may be earmarking a portion of government posts as political appointees, whereby such appointments can be made on a patronage basis. Indeed, moving too fast toward a merit-based system of recruitment might even undermine state credibility by limiting the appointment of members of majority groups. It is also important for members of minority groups - especially those who are potential “spoilers” and are key to maintaining the political settlement - to gain employment in the civil service.

9. Parallel Aid Structures and Engaging the Diaspora: A fundamental dilemma in fragile and conflict-affected settings is how to meet immediate service delivery demands when state capacity is low or non-existent. In the short-term, development partners have often responded by bypassing the civil service, rather than building it. This oc-
Another key human resource management issue is that of gender equality in the civil service. During, and in the immediate aftermath of conflict there is often a shift in societal attitudes towards gender roles, leading to a more traditional place for women in society. This can have an impact upon the recruitment of women into the civil service and their continued performance following the cessation of conflict or in fragile settings.

10. Human Resource Management and Development: Challenges arise when formal rules-based systems of human resource management operate alongside informal systems based on traditional allegiances. Inevitably, in fragile and conflict-affected countries a compromise will have to be struck between merit-based and patronage-based recruitment in the civil service. While such a compromise is inevitable, continuing efforts should be made to establish and strengthen the formal rules-based system, whenever possible. Even with a quota or a positive discrimination system that gives priority to certain groups, the system needs to strive towards fairness and transparency. In instigating these temporary and special measures, there is a need for the transitioning government to maintain a high level of transparency and communicate as frequently as possible to all the civil service personnel the reasoning behind these reforms.

In addition to a focus on human resource management considerations, it is also important to address the capacity development needs of public servants in the mid to long-term. In fragile and conflict-affected settings an abundance of capacity building efforts will be set in motion to support a new government. Yet, many of these initiatives, whilst well intentioned, will often be poorly designed and will fail to satisfactorily build the skills of government officials.

In response, mentoring arrangements should be set up in the short term, under which civil servants can benefit from coaching from international and national advisors. However, to avoid the priority to ‘deliver’ taking precedence over planned training or mentoring activities local staff should be required to demonstrate their newly acquired knowledge and skills when the mentoring arrangement comes to an end. It is also important, in the short term, to (re)build ‘soft skills’ across the civil service in fragile and conflict-affected contexts. Quick training and the provision of incentives to apply such skills across the civil service could be valuable as an opportunity to mainstream and build more consolidated training.

PRINCIPLES TO INFORM THE DESIGN OF CIVIL SERVICE REFORM/RESTORATION EFFORTS

A number of principles are offered to guide the design of civil service reform/restoration efforts in fragile and conflict-affected settings. These include:

- Civil service restoration and reform should be viewed as not only a technical process but also a political one;
- Understanding the impact of the political settlement, and indeed the wider historical context, on restoration and reform efforts is crucial;
- Selectivity is important. Support should be targeted where it can have the greatest impact;
Sequencing is vital. While prioritized actions may be of equal importance, certain activities should necessarily be carried out first; and

Change is long term and non-linear. Modest changes can take extended periods of time. Moreover, progress can be inconsistent, delayed, and may suffer temporary reversals.

PRIORITIES AND ACTIVITY SEQUENCING TO INFORM THE DESIGN OF CIVIL SERVICE RESTORATION EFFORTS

In the immediate aftermath of conflict a number of priorities can also be identified, including:

1. Conduct a rapid provisional count (disaggregated, if possible) of permanent government civilian employees - including the police - accepting that “ghost” workers or double entries may remain for an initial period. Concurrently, establish a robust database with provisions for data security, updating and maintenance, including measures against fraud. Unlike the provisional count, it should be consistent with good practice from the start, even if the requisite information is not yet available;

2. On the above bases, set up an initial payroll of government employees, and put in place a simple and realistic salary payments system; and

3. Obtain information on the current location of government employees relative to the key public services that are to be restored and the location of the intended beneficiaries.

Over the medium term the following actions could be considered:

- Make an initial determination of the government requirements for non-permanent employees, however approximate and subject to change. Clarify the definitions of government employees, contractual personnel, and advisers;

- Conduct a comprehensive civil service census, including biometric verification, following the initial rapid count. This should be done in conjunction with implementation of strong recruitment controls, or the problem of ‘ghost’ workers will quickly reappear;

- Review and revise, as needed, the recruitment criteria, rules and mechanisms, and establish a centralized entity for overseeing all permanent government recruitment;

- Review and revise, as needed, the practices for monitoring and controlling the behaviour of existing and newly-recruited employees, particularly those interfacing with citizens;

- Devise a short-term plan for the provision of external technical assistance and the establishment of “twinning” relationships (between local staff and expatriates) and “soft skills” training to fill skill gaps in core government functions; and

- Develop a human resource strategy designed to reduce dependence on external technical assistance services in the medium to long-term.

In summary, few development tasks are more salient and relevant for the achievement of the 2030 Agenda than the restoration and reform of civil service in countries affected by fragility and conflict. When the civil service functions, public service is delivered.

SDG16 implies the importance of development underpinned by governance considerations of responsiveness, accountability and inclusivity.
1. IMPORTANCE OF CIVIL SERVICE REFORM AND RESTORATION IN FRAGILE AND CONFLICT-AFFECTED SETTINGS

Effective, accountable and responsive institutions are fundamental to the achievement of peaceful and inclusive societies envisioned to achieve the Sustainable Development Goals (SDGs). Nowhere is this objective more salient, and more elusive, than in countries that have been deeply affected by fragility, political instability, and conflict, particularly those with fragile governance structures and overall weak public administration capacity. Fragility and conflict are symptoms of power dynamics and formal and informal arrangements for the distribution of rents and resources that affect the functionality of core government functions.

The 2030 Agenda for Sustainable Development acknowledges the importance of governance-informed development and recognizes it is central in ensuring that societies’ aspirations for better access to and quality of public services will be achieved through core government functions that are effective, accountable and inclusive (see Box 1 for further information on SDG 16). In a nutshell, SDG 16 reinforces the importance of development underpinned by governance to ensure sustainability.

In this regard, advancing SDG 16 helps advance progress on all the other development goals. For instance, effective institutions and responsive decision-making are central to achieving: (i) SDG 3 on health, and SDG 4 on education. From the national to the local levels of government, there must be capacity to deliver services effectively, efficiently, and equitably; (ii) SDG 5 on gender equality, particularly the target to ensure women’s full and effective participation and equal opportunities for leadership; (iii) SDG 10 on significantly reducing inequalities. Eliminating discriminatory laws, policies, and practices requires inclusive public sector institutions; and (iv) SDG 11 on safe, inclusive, resilient, and sustainable cities will require highly capable urban governance.

The public administration and its civil service is the backbone for achievement of failure of these aspirations. These core functions of government are essential for development, statehood and resilience. They all are dependent upon the capacity of the civil service to function and deliver. On the contrary, low accountability and effectiveness of institutions increases the likelihood of countries experiencing violent conflict and, according to much research, hinders poverty reduction.

As SDG 16 implies, support to CGFs is crucial to promote state authority and to deliver development. Furthermore, it is also central to sustaining peace and advance development. The preamble of the 2030 Agenda also reaffirms that without peace there can be no development, and without development there can be no peace.

Adequate investments in strengthening core government functions in general and civil service in particular have multiplier effects. An example may help illustrate this relationship and the added value of supporting CGFs in fragile and conflict-affected settings. The Global Peace Index 2017 finds that Rwanda - since the genocide of 1994 - is “an astonishing example of
post-conflict recovery. The report goes on to link this post-conflict recovery—including an average annual gross domestic product (GDP) growth of nine percent between 1995 and 2015, and a 116 percent improvement in the country’s Human Development Index (HDI) over the same period—with a significant investment in CGFs in Rwanda. Figure 1, below, illustrates the investments in peacebuilding commitments in Rwanda from 1995 to 2014. This correlation between prioritized investments in core government functions and development outcomes, suggests that support to CGFs contributes to successful peacebuilding in fragile and conflict-affected settings.

In fragile and conflict-affected settings, public administrations are usually under-staffed and under-trained. These deficiencies compound the critical operational challenges that have Box 1: Agenda 2030 and Sustainable Development Goal 16

**Vision:** A world in which democracy, good governance and the rule of law are essential for sustainable development (paragraph 9).

**Promote peaceful and inclusive societies for sustainable development, provide access to justice for all build effective, accountable and inclusive institutions at all levels.**

**Develop effective, accountable and transparent institutions at all levels.**

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**Box 1: Agenda 2030 and Sustainable Development Goal 16**

**Vision:** A world in which democracy, good governance and the rule of law are essential for sustainable development (paragraph 9).

**16.6** Develop effective, accountable and transparent institutions at all levels.

**Figure 1: Peacebuilding Commitments by Peacebuilding Domain, Rwanda, 1995-2014**

Source: Adapted from IEP (2017: 72).
serious short-term consequences for restoring functioning government, as well as longer-term impacts on state- and peace-building. It is in this context that the UN seeks to restore core government capacity in a politically sensitive manner, that can contribute to stability (Box 2 outlines the objective for restoring government employment and public administration in conflict-affected and fragile settings).

This note explores both the technical and political aspects of issues related to the employment and pay of civil servants in the aftermath of conflict. The note also briefly discusses the political and technical dimensions of longer-term human resource management, capacity development and gender equality issues in public administration in such settings.

Civil service embodies a large and complex set of issues, procedures and structures within the public administration related to the management of personnel, institutions and relationships. It encompasses both technical and political aspects related to the functioning of the government machinery and the delivery of public services and goods at both the national and local level. Within the spectrum of civil service issues, this note focuses on pay and employment because these are the first areas in which governments often come under overwhelming pressure (either by domestic actors or external partners) to act decisively in the immediate aftermath of conflict. Civil service pay and employment refer broadly to: (i) the need to remunerate government employees to get, or keep, minimal public functions going; and (ii) the need to manage the government “establishment” (i.e. the stock and flow of public servants to be paid out of government revenues) to perform these essential tasks.

Public sector pay and employment policy choices are critical because they can have long-lasting repercussions that successive governments must live with well into and beyond the initial political settlement (see for instance annex 2 on wage bills). Moreover, public sector pay and employment issues are likely to be politically contested, as they involve significant “rents”, such as financial rewards and job patronage for distribution by warring factions to their supporters. Finally, these are issues on which advice and support is most frequently provided from the international development community.

1.1 THE POLITICAL ECONOMY OF RESTORING AND REFORMING THE CIVIL SERVICE

The Restore or Reform report reminds us that the UN should “approach support to CPAF [core public administrative functions] as much as a political as a technical issue in the first instance, conducting both political economy analysis early on”. There are at least six useful precepts developed in the literature on political economy in fragile and conflict-affected settings that may be useful to ground thinking about how to devise politically informed civil service pay and employment restoration programmes.

First, is the understanding - which seems self-evident but isn’t always acknowledged - that international assistance in fragile and conflict-affected settings should be understood as non-neutral mediations by external actors among domestic elites. Thus, the way in which roles may be encouraged or resources assigned by donors has an important impact on the power distribution among local actors; it may well determine the outcomes of power struggles for years to come.

Second, international assistance in conflict-affected contexts should be approached in “temporal” terms. This means the assistance should be sensitive to the fluctuating opportunities and

BOX 2: THE OBJECTIVE OF RESTORING GOVERNMENT EMPLOYMENT AND PUBLIC ADMINISTRATION

The broad objective is to put in place basic governmental capacity to define and administer regulations and provide public services in a manner that accommodates the need to restore order and stability, without jeopardizing the longer-term goal of an accountable, efficient and affordable public service.

Source: UN/WB (2017a: 17).
We now understand that “phases” of fragility and conflict are not linear or consecutive and that transnational dynamics play a significant role. Nonetheless, the current paradigm is still one where development actors decrease or halt engagement altogether when risks escalate, while political actors enter the scene when violence is imminent or already present. The recent UN/WB study *Pathways for Peace* argues, instead of all actors having a role at all times, different actors can be more or less prominent at different times (see Figure 2).

Third, political settlements are often mischaracterized as stable conclusions that end periods of volatility and conclusively establish future political dispensations. However they should more appropriately be understood as unstable situations that reflect the positions of domestic elites at a particular point in time. Also, these change over the longer-term through ongoing elite bargaining to finally produce enduring agreements — much less the attributes of a responsive state. Thus, development practitioners should be careful not to treat settlements as break-through moments, given their shifting political nature. See Box 3 for more on the importance of understanding political settlements.

Fourth, to the extent that political settlements indeed represent continuing elite conflict or “war by other means”, they are subject to the potential subversion by “spoilers”, actors either dissatisfied with or excluded from negotiated pacts. Understanding the potential effects of these ongoing tensions on civil service restoration efforts such as streamlining government employment or remuneration adjustments may

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10 This exhibits three critical phases: (i) the settlement phase, which marks an end to outright violent conflict; (ii) the transitional governance period, over which a transformative peace building intervention is implemented in tandem with domestic elites; and, (iii) the shift from a “post-conflict” to a “normal development” phase. Donors tend to focus on institutional forms associated with the short-term goals of the first peace-and-state-building phases, giving limited attention to the later phase.


14 Steadman (1997).
The key elements of a political settlement are actors, interests, and institutions. In most cases, it is a coalition of powerful elite factions that make up the key actors in a political settlement. The critical element that holds a political settlement together is the alignment of interests within the dominant elite coalition, and the dynamic relationship between elite interests and the broader array of interests in the society. Institutions are viewed as malleable – as the product of on-going conflict, negotiation, and compromise among powerful groups, with the ruling coalition shaping and controlling this process. In most cases, power relations are fluid and dynamic, and political settlements are constantly adapting and subject to renegotiation and contestation. As a result, political settlements should not be interpreted as one-time events, but rather as rolling agreements between powerful actors.

Ensuring that a political settlement is genuinely inclusive is essential to steering a society on a peaceful pathway, as it constitutes an important part of the process of renegotiating access to power amongst different groups. Democratic instruments and the electoral process are often insufficient to bring about the inclusion of excluded groups, especially excluded minority groups, in a sustainable manner. Often, new political settlements are needed as institutions and political frameworks change. A political settlement can rarely be a one-off effort. It requires sustained, long-term attention and periodic renegotiation, even as institutions are undergoing reform and development policies are being adapted, so that the reach of the settlement extends beyond a small elite. Otherwise, the sustainability of the settlement will be uncertain.


BOX 3: THE IMPORTANCE OF THE POLITICAL SETTLEMENT

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be essential to distinguishing between unattainable “first-best” policies and feasible “second-or-third”-best results.

Fifth, political economy analysis of merit-based reforms in a variety of institutional settings suggests that agreements to reduce patronage in human resource practices in civil services occur mostly when the relative power and capacities of less influential parties and stakeholders increases. That is, when capacities become available to perform responsive and inclusive public sector functions. While this research finding has not yet been specifically applied to political settlements in conflict-affected settings, it stands to reason that a close examination of the relative distribution of power and resources among rival actors after conflict or political struggles, will be an important factor in determining the feasibility for rationalizing reforms or the introduction of merit-based recruitment procedures. Such examination becomes fundamental to support an increase in the provision of public services as opposed to a hindrance to the functionality of public administration.

Sixth, the idealized goals often held by the international community for public administration may be laudable, but are often unrealistic. Many observe that the “expected” state in fragile and conflict-affected settings is “neo-patrimonial” rather than “modern” or democratic. Others have warned that the best-intentioned efforts to introduce institutional reforms associated with advanced country practice will lead, at best, to mimicry that follows form but not function. Thus a focus on achieving ‘good fit’ rather than applying international “best practice” is sought. This means that the international community should take time to understand the country context and its political peculiarities. Once a functioning “good fit” system is in place, it can evolve into good practice over a period of time. However, failure to base a system on local practices, incentives and structures risks failure.

This learning from political economy analysis provides a useful backdrop to the kind of civil service pay and employment restoration discussed in the next chapter. These are often among the most politically contentious measures, creating winners and losers in the contest for rewards, jobs and patronage. Contestation over these types of spoils may be particularly acute in fragile and conflict-affected environments, so donor interventions need to take these dynamics into account as integral to the political settlement more broadly.

A valuable example of the problems that can occur when ignoring political economy analysis in civil service reform initiatives can be seen in the following case. An international organization recently received a request from a country office to support the design of a biometric pay roll system for the public sector.

16 Barma (2016).
17 Pitchett and Woolcock (2002).
The country office in question had been approached by a donor with sizeable funds seeking to streamlining public sector pay mechanisms and remove “ghost” workers, as they are seen as a symptom of corruption. The international organization recommended against the project as a number of early warnings signs indicated a possible descent into conflict in the target country. However, at the country office’s insistence a consultant was identified and travelled to undertake the initial scoping assessment. Within two days of the consultant’s arrival in the target country a coup d’état was underway. Although the initial assessment was completed, it was not possible to commence the desired project due to widespread instability and the real possibility that identifying and excluding “ghost” workers from the payroll may further destabilize the political settlement. This example highlights the need to not only be aware of the political dynamics at play in a given context, but also the need to understand the potential political impact of any proposed project. That is, until the deeper dysfunctionality of the public sector is addressed, with a viable settlement. The issue of “ghost” workers is largely irrelevant, as it is mainly a symptom of dysfunction, not a cause.18

1.2 STRUCTURE OF THE GUIDANCE NOTE

The following chapters of this note build on the points introduced above. Chapter 2 discusses ten challenges commonly encountered in civil service restoration/reform efforts in fragile and conflict-affected settings. Nine mostly refer to common pay and employment issues that have a direct effect on the core functions of government operations, and the tenth to the longer-term challenge of human resource management and development. In addition to the inclusion of a series of case studies, the nature of these challenges is discussed to provide the reader with guidance to consider when designing civil service restoration/reform efforts.

Chapter 3 includes practical guidance in the form of principles, suggested priorities, sequencing, and diagnostic questions, which will aid in the design of interventions to support civil service restoration and reform. This chapter also revisits the ten challenges raised in Chapter 2 to explore learning and potential solutions.

Three annexes are included. Annex 1 is added with the diagnostic questions from the UN/WB framework on assessing CGFs. The questions focus on government employment and public administration and are meant to serve as guidance on both the political and technical aspects of civil service restoration and reform.

Data on civil service is scarce and more so in low income and fragile and conflict-affected contexts where statistical capacities are at the lowest levels. In an attempt to break new ground in understanding the nature of the challenges of civil service reform and restoration, Annex 2 includes an attempt to breach that gap and includes data on a subset of countries classified as fragile. The data is taken from UNDP’s Human Development Reports and the recent World Bank’s Worldwide Bureaucracy Indicators. The annex aims to provide evidence to support arguments with facts and debunk myths about civil service in fragile and conflict-affected settings.

Annex 3 includes information for UNDP programmes on the 2018-2021 Strategic Plan and its relevance to supporting civil service reform and restoration efforts in fragile and conflict-affected settings. While recognizing that support to civil service restoration and reform is context-dependent, UNDP’s Strategic Plan makes provision for member states to request support. The annex includes excerpts that may help UNDP programmes plan support interventions.

18 It is important to consider what happens to those removed. Can the economy absorb them? Will the government be trading “ghost” workers for an increased burden on social protection schemes? Will this action lead to protracted, political and costly legal maneuvers by the “ghost” workers? Planners need to be aware that costs will not automatically go down simply by removing “ghost” names, at least not immediately.
2. TEN CIVIL SERVICE RESTORATION AND REFORM CHALLENGES

Most civil services in fragile and conflict-affected settings are overwhelmed by numerous operational and other challenges that have serious short-term consequences for restoring functioning government as well as longer-term impacts on state- and peace-building for future country development (see annex 1 with key questions on challenges). This chapter explores both the political and technical aspects of nine common priority issues related to the employment and pay of civil servants in the aftermath of conflict, plus a tenth priority issue of human resource management and development. These include the following:

1. Managing aggregate wage and employment
2. Setting individual remuneration
3. Administering payments
4. Counting and identifying civil service employees
5. Dealing with security-related personnel
6. Public works employment remedies
7. Lustration of former officials
8. Position distribution among political stakeholders
9. Parallel aid structures and engaging the diaspora
10. Human resource management and development

2.1 MANAGING AGGREGATE WAGE AND EMPLOYMENT

How well a government manages its aggregate wage personnel expenditures and contains (or reduces) employment is among the biggest civil service challenges countries face as they emerge from the immediate aftermath of conflict. Critical to establishing the fiscal foundation for future growth, it is one of the thorniest subjects at the heart of discussions with donors, particularly the multi-lateral financial institutions, in the context of immediate and pledged support for reconstruction.

Maintaining effective control over the public sector wage bill is a key ongoing task of governments in fragile and conflict-affected settings. Since the public sector wage bill can make up a significant portion of total public sector spending (see Annex 2), failing to reduce the wage bill can have a negative impact on the overall macroeconomic health of fragile and war-affected economies. In many countries, the pivotal questions often relate to the sustainability of revenues to offset personnel expenditures and the social protection role of the public administration as employer.

19 For example, in 2005, South Sudan’s Joint Assessment Mission (JAM) declared a “lean, efficient, decentralized and transparent Government of South Sudan” as a “foremost objective” (Blum, Ferreiro-Rodriguez and Srivastava, forthcoming). It projected that the country’s civil service, counting about 62,000 in 2005, would not grow beyond one percent of the population or the one hundred thousand mark. But the civil service nearly tripled its size between 2005 and 2012. In 2012, South Sudan’s payroll financed 160,000 civil servants, representing 1.5 percent of the population. Further fueled by wage increases, the wage bill grew to 14 percent of GDP, far beyond what is financially sensible or sustainable. Vast numbers of “ghost” workers (i.e. individuals who may be assuming identities of previous civil servants) on the payroll indicate how little control the central government had over who it paid (Nunberg, 2015).
Expenditures must be covered to ensure that clerks can notarize certificates, teachers have teaching resources and nurses have medical supplies, if government is to maintain - or resume - a minimal level of service delivery.

The international financial institutions’ efforts to impose conditionality on governments, in fragile and conflict-affected settings, to reduce aggregate wage expenditures created their own set of political frictions. Long after Cambodia’s devastating genocide had ended, government wage bills were high, but average pay was low, due in part to the incorporation of ex-combatants into the civil service as part of an implicit political pact. Analysis undertaken at the time showed that the government’s wage bill could have been financed by donors by diverting funds away from their own earmarked development projects, which hired staff - and even seconded civil servants - through “top-ups” and salary supplementation mechanisms. While a pooled salary fund was proposed in the context of broader budget support, most development partners declined, preferring to maintain their individual project interventions, rather than co-financing the salary costs of a government whose performance many had serious reservations. In addition, the scheme also had to be discontinued due to intra-governmental political dynamics.

2.2 SETTING INDIVIDUAL REMUNERATION

Related to the above wage and employment issues are questions about setting individual compensation levels for present (and future)
The timely and efficient remuneration of civil servants - both those working in the capital but especially those on the front line of service delivery, often at regional or local levels of government - is critical in the immediate aftermath of conflict, and beyond.

Civil servants in fragile settings or following a conflict. In countries where civil service remuneration systems have broken down or where new arrangements need to be established, determining the lowest acceptable pay levels for civil servants may present an opportunity to revise outdated structures and pay regimes, but it is also a moment ripe with policy and political risk. While fairness and equity need to be taken into consideration, potentially contentious decisions about which actors (e.g., independent pay committees, interim donor administrations) and/or mechanisms (e.g., rapid analytics on local labor markets or more extended pay comparator surveys) should determine salaries must also be made. All too often, unfortunately, these are taken with only minimal participation of all relevant stakeholders.

Choices about whether traditional (frequently distorted and inefficient) pay and allowance systems are retained after conflict or replaced by simpler, monetized arrangements can produce tensions. Likewise, the degree of pay uniformity to be applied across different functions, localities and cadres (e.g., security or health and education workers) create political winners and losers. For example, providing good pay conditions across different employee groups may buy support from key constituencies in short-term peace settlements, but these very arrangements may spiral into an unaffordable wage bill years down the road.

A related issue is that of the establishment of “dual pay scales”, where a special tier of highly skilled civil servants - potentially including returning members of diaspora - receive salary upgrades to carry out key public administration roles. This can have the effect of supplementing low levels of government capacity in the short to mid-term, but runs the risk of not only creating an unsustainable wage bill, but also creating disillusionment and resentment amongst the rest of the civil service. This ultimately affects the motivation and performance of the civil service and subsequently the quality of services it provides. It may also have the effect of encouraging the development of parallel structures, which is discussed in more detail below.

2.3 ADMINISTERING PAYMENTS

The timely and efficient remuneration of civil servants - both those working in the capital but especially those on the front line of service delivery, often at regional or local levels of government - is critical in the immediate aftermath of conflict, and beyond. Effective payment administration through robust payroll systems and payment platforms is thus of paramount importance in restoring a functioning public sector. To the extent that restoring public services to meet population needs is needed, guaranteeing that payments are administered on an adequate and timely basis to civil servants on the frontlines of service delivery is key.24

Many governments in fragile and conflict-affected settings fall behind when paying salaries, sometimes lagging in civil service payments for as much as a year. While this may be caused by poor government payroll services, it may also be the case that the financial infrastructure - which the government relies upon to administer payments - is weak or absent. Delayed salary payments - clearly a huge de-motivating factor for staff struggling to provide frontline services - push many public servants to take on additional side activities to make ends meet. This, in turn, fuels a vicious circle of absenteeism and sometimes creates pressure on citizens to supply service providers with side-payments. Where public sector workers are mobilized, organized and desperate, they may be inclined to mount strikes for back pay, in some instances raising the likelihood of resumed violence.

This is a difficult challenge in many fragile and conflict-affected environments, where treasuries are over-stretched by competing demands and where physical, institutional as well as financial infrastructures are in disarray. In the Democratic Republic of Congo, teachers endured months without being paid. This was due to a range of chronic problems associated with record management and payroll administration failures, plus a broad retreat of the state from service provision during conflict. Absenteeism, moonlighting and “motivational fees” charged to students have been the result.25

2.4 COUNTING AND IDENTIFYING CIVIL SERVICE EMPLOYEES

The wage bill and remuneration issues raised above are closely related to a range of concerns about the number and nature of who is employed by the civil service in fragile and conflict-affected settings. Public employment patterns, driven by a range of socio-political and economic determinants, appear invariably to increase to pre-conflict levels following the cessation of violence.\(^{26}\)

Efforts to obtain reasonably accurate information about the location, identity, and profile of government workers are often made through civil service censuses or headcounts. To the extent that these exercises focus on removing “ghost” workers from the payroll, they have relative utility in beginning the process of cleaning up government payrolls. And, to the extent that they can “piggyback” on newer identification technologies, they offer greater accuracy than previous headcounts.

Longstanding analysis of civil service pay and employment reforms in developing countries more broadly have pointed to efforts to remove “ghost” workers as a preferable initial step in civil service restoration, in relation to programmes that sought more tangible cuts in ‘real’ government employment.\(^{27}\) That does not mean that “ghost” workers may not have a sense of entitlement and capability in resisting curtailment of their access to government payments, especially in fragile and conflict-affected settings.\(^{28}\)

2.5 DEALING WITH SECURITY-RELATED PERSONNEL

An overwhelming employment issue at the top of the civil service reform agenda concerns the integration of security-related personnel, including official military as well as militia and rebel forces, onto the rolls of the civil service. How to distinguish security-related staff from bona fide civil servants is a vital technical, but also political, question. To the extent that public employment is largely comprised of military personnel, staff trained for and assigned to developmental and service delivery tasks will be under-represented. In South Sudan, for example, nearly 80 percent of public employment was military-related during the conflict, with merely three percent of government staff assigned to health sector activities.\(^{29}\)

In Myanmar, the transfer of military personnel into the civil service has been common practice during the decades-long military rule, and is still ongoing. The civil service is perceived as heavily porous to military infiltration, despite recent government efforts to curtail and reduce this practice. While there are no accurate estimates of the numbers of military personnel having joined the civil service, it is generally acknowledged that those former military personnel - notwithstanding, in some cases, their good technical skills and performance - have induced a general perception of patronage and nepotism across the civil service system.\(^{30}\)

Having military personnel in the civil service and in the administration is a reality that the civilian government deals with to date. The situation gains in complexity as the General Administration Directorate (GAD), the backbone of the administrative machinery and service delivery in Myanmar, is under the purview of the Ministry of Home Affairs, one of the Ministries under the control of the military, as per the Constitution. Myanmar is exerting efforts to introduce more merit-based human resources management practices in its civil service rules, but the full integration of military personnel remains a complex and challenging undertaking.

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26 Blum, Ferrero-Rodriguez and Srivastava, forthcoming.
27 Nunberg and Nellis (1994).
28 Brandt (2014).
29 In South Sudan the ballooning wage bill thus comes not from average remuneration increases but from employment growth. Between 2005 and 2015 there was a 666 percent rise in government staffing between and it appears that this staffing increase is largely due to security-related employment, through recruitment of armed groups into the armed forces (SPLA) and organized forces, which have remained at 50 percent or more of public sector employment. Moreover, 62 percent of salary spending is allocated to the armed and organized forces, with only six percent of staff allocated to the education sector and three percent to health (see details at https://www.theigc.org/wp-content/uploads/2015/09/Nunberg-2015-Working-paper.pdf).
30 Perception Survey on Ethics, Meritocracy and Equal Opportunities in Myanmar’s Civil Service, Union Civil Service Board (UCSB), UNDP (2016).
For fragile and conflict-affected settings facing huge reconstruction challenges after years of conflict, public works programmes have been used both to rebuild infrastructure damaged by war but also provide immediate short-term employment opportunities to poor households as well as to ex-combatants.

A substantial literature has documented recent experience in tackling the disarmament, demobilization and reintegration of security related personnel, suggesting a range of challenges, including: (i) the morphing of militia into criminal gangs; (ii) the need to focus downsizing and professionalization efforts on the military institutions themselves; (iii) the conflation between different security functions, including police, in sorting out staffing requirements; and (iv) the dim prospects for successful demobilization where security concerns and conflict persists.31

Analysis has stressed the need to approach military integration into public sector roles from a political as much as a technical perspective. Indeed, demobilization and social reintegration programme outcomes are largely determined by political context. Decisions of whether to reduce the size of the armed forces, whom to demobilize, and what benefits to offer, became part of the peace negotiation in countries where loosely controlled factions were sharing power in government after their respective conflicts, such as in Angola, Nicaragua, and Zimbabwe. In these cases, there was a very real possibility that one or another of the actors, unhappy over inequitable allocation of positions in the armed forces, would become a “spoiler” and return to conflict. The more ambiguous the termination of the conflict, the more susceptible the demobilization and reintegration programme becomes to factional disputes and resumption of violence.32 This pattern appears to have occurred in East Timor, where attempts to demobilize armed militia were foiled, in the context of high youth unemployment rates, by failure of government policies to offer these opposition groups access to career opportunities in the post-independence military structure.

While taking appropriate account of the deeply political nature of such choices, it also makes sense to consider the possible long-term institutional consequences of particular integration strategies. This is clearly the case for measures to integrate former combatants into the civil service itself, which may have lasting institutional effects.

2.6 PUBLIC WORKS EMPLOYMENT REMEDIES

In addition to the above, in the aftermath of crisis, when employment needs are pressing, public works programmes can provide temporary work opportunities for youth, ex-combatants, refugees, and other job seekers. Countries have introduced public works programmes as a short-term solution to respond to the immediate needs of job creation and delivery of basic public services.

For fragile and conflict-affected settings facing huge reconstruction challenges after years of conflict, public works programmes have been used both to rebuild infrastructure damaged by war but also provide immediate short-term employment opportunities to poor households as well as to ex-combatants. After the conflict ended, public works programmes have been quickly launched and scaled up in Liberia, Sierra Leone, Sudan, Guinea and Guinea Bissau.

2.7 LUSTRATION OF FORMER OFFICIALS

As states transition from periods of conflict, they inevitably face the question of how to handle officials from the former regime. Questions of which public officials remain in government in the aftermath of conflict can be key to the future stability and functionality of the new regime. Decisions about the role of personnel from the previous regime are not only critical to the institutional capability of nascent governments after upheaval, but also provide important, broader signals about the new government’s approach to the country’s wider political culture. This includes the government’s dealings with both supportive and opposition coalitions, which has serious implications for future prospects of inclusive pluralism and political stability.

Much of the thinking about these questions has arisen from the post-communist regime changes in Central and Eastern Europe, where the term “lustration” was coined to refer to the ideological cleansing of former bureaucrats from post-revolutionary government service. Choices about whom to keep and whom to jet-

A salient question involves the timing and sequencing of employment distribution decisions. The desired distribution of political stakeholders in the public administration has serious implications for developing realistic approaches to the role of merit criteria and/or political responsiveness as a basis for allocating positions.

2.8 POSITION DISTRIBUTION AMONG POLITICAL STAKEHOLDERS

Civil service employment questions, in fragile and conflict-affected environments, often reflect larger political questions about power distribution among former antagonists, reinforced by sectarian and ethnic or, perhaps, regional cleavages. These, in turn, overlap with the security forces-related demobilization issues raised above. Here again, real-time decisions about short-term employment distribution, political patronage and peace preservation intersect with “technical” considerations about civil service reconstruction and capacity development.

Many incoming politicians may have a tendency, and may indeed be expected, to distribute government posts among members of their political, ethnic or religious group. Such non-inclusive practices, left unchecked, may not only lead to a widespread loss of credibility for a new government in a fragile or conflict-affected setting, but also violence and a possible descent into conflict.

A salient question may, therefore, involve the timing and sequencing of employment distribution decisions. The desired distribution of political stakeholders in the public administration has serious implications for developing realistic approaches to the role of merit criteria and/or political responsiveness as a basis for allocating positions (especially higher appointments) across the civil service in the aftermath of conflict. It is important to take into consideration the legitimate concern for administrators and policy makers to surround themselves with trusted and loyal advisors in the immediate aftermath of a conflict.

2.9 PARALLEL AID STRUCTURES AND ENGAGING THE DIASPORA

As has been frequently pointed out, the development of parallel aid structures means that, contrary to their goals to support core government functions, development interventions supported by donor organizations can actively undermine the building of public administration capacity. This occurs in two main ways: (i) recruiting qualified staff away from the government, especially at senior levels; and (ii) establishing parallel systems of various kinds, sometimes called a “dual bureaucracy” or “second civil service”.

Parallel aid structures and the perverse incentives they instill across government institutions have been well explored in aid-dependent settings. These may have particularly problematic effects in the aftermath of conflict. A fundamental dilemma in fragile and conflict-affected settings is how to meet immediate service delivery demands when state capacity is low or non-existant.

33 Rosenberg (1995).
istent. In the short-term, development partners have often responded by bypassing the civil service, rather than building it.

Government functions have been frequently performed by project implementation units - staffed with skilled temporary workers paid from donor projects - operating in parallel with and to the civil service. Such "parallel structures" can be effective in getting essential government functions up and running quickly, but they bear major long-term sustainability risks. In addition, they often undermine the government’s own legitimacy and capacity by poaching the most competent civil servants at salaries that the government cannot offer.38

One type of intervention that attempts to respond to deficient levels of skills in many low-capacity fragile and conflict-affected settings, whilst also avoiding the creation of parallel structures are “Return of Qualified Expatriate” programmes.39 These programmes have been utilized to repatriate skilled members of diaspora to return to work for governments in their country of origin. The UNDP’s Transfer of Knowledge through Expatriate Nationals programme (TOKTEN) is perhaps the longest-lived, having mobilized returning diaspora professionals to undertake short-term consultancies around the developing world over the past several decades. The programme has tapped into the enthusiasm of successful emigrants wishing to apply their skills in their home nations, resulting in thousands of technical assistance missions in over 30 countries.

While TOKTEN benefits from a global skills database, individual country programmes are home-grown, working closely with national civil service and other local institutions to define needs and match skills to requirements. Wages for repatriated personnel offer a premium over local rates, though most remain well under standard international consulting scales. In Liberia, for example, similarly advertised positions remunerated TOKTEN participants at a 30 percent higher rate than that paid to local staff.40 Unfortunately, wage discrepancies lead to many not remaining in the country after their contracts end, at times leading back to capacity gaps that remain difficult to replace.

Such programmes can provide a substantial contribution. Yet, both technical and political issues arise in their implementation. One issue is the inevitable resentment of local staff towards diaspora professionals, who are remunerated at privileged rates – often this may lead to acts of corruption where government officials demand a proportion of the diaspora professional’s salary. While such differential compensation may be justified to attract professionals with global-quality credentials and to compensate for the life disruptions repatriates may experience, national staff who remained in-country during the conflict period may take a dim view of a dual incentive framework and may question the role played more broadly by returning diaspora in carrying out government functions. Both in the Palestinian Territories and in Tunisia, interviewees reported a favorable view of TOKTEN in helping reverse a perceived brain drain, but some complained that this has unintentionally contributed to the downgrading of local experts.41

Analysis also suggests that development partners should take care to understand the complex dynamics of returning diaspora in the political period just after conflict. In promoting the role of particular returning groups through their development interventions, for example, donors may unwittingly be tilting coalition building in a partisan direction. In East Timor, for example, the outsized role of returning Lusophone leaders in embryonic administrative and political structures was blessed by UNTAET and other development partners, resulting in a range of policies (particularly regarding education and language) that under-estimated views of the majority Tetun-speaking population. Similarly, in post-conflict Cambodia, UNTAC supported diaspora-led NGOs demonstrating higher capacity levels at the expense of locally-driven organizations with lower capacity, but deeper connections to grassroots civil society.42

39 There are also often challenges in recruiting and providing sufficient incentives (to overcome absenteeism) for civil servants at sub-national levels in fragile and conflict-affected settings.
40 UNDP (2011).
41 Hanafi and Arvantis (2016).
42 Hughes (2011).
In non-fragile and non-conflict-affected settings women typically hold less than 30 percent of decision-making positions in public administration. In settings affected by fragility or conflict this figure drops to 18 percent.44

To contribute to reversing this shift in gender roles, efforts to address gender inequality in the civil service in fragile and post-conflict settings should commence from the initial stages of civil service restoration. Indeed, one of the recommendations to emerge from the recent *Global Study on the Implementation of Resolution 1325* was for the UN to provide technical assistance to public administration reform with a view to helping governments achieve gender parity in the civil service.

In addition to a focus on human resource management considerations, it is also important to address the capacity development needs of public servants in the mid to long-term. While decisions about such issues may not always be viewed as priorities, policy decisions that are made without bearing in mind questions of human resource management and training can have adverse effects on the ability of an effective, efficient and inclusive civil service to develop. In fragile and conflict-affected settings an abundance of capacity building efforts will be set in motion to support a new government. Yet, many of these initiatives whilst well-intentioned will often be poorly designed and will fail to satisfactorily build the skills of government officials. This is typically the result of: (i) a lack of assessments to identify needs and existing capacities; (ii) a lack of capacity building plans to address individual or organizational gaps; (iii) ad hoc training that does not systematically address skills gaps; (iv) the absence of strategies to ensure a transfer of knowledge between Project Management Unit (PMU) staff, including expatriates, and national government employees; and (v) a lack of proper coordination between various development partners.45

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43 UNDP (2016).
44 UNDP (2014b).
45 UN/WB (2017a).
3. DESIGNING SUPPORT TO CIVIL SERVICE RESTORATION AND REFORM

The preceding chapters presented and discussed both the pay and employment and human resource management and development challenges encountered in civil service restoration and reform in fragile and conflict-affected environments. In this chapter, practical guidance will be outlined. This includes, on the one hand, principles, priorities, and diagnostic questions to help practitioners in the design of civil service restoration and reform initiatives. This learning is, in part, adapted from the UN/WB diagnostic framework. The chapter also includes discussion of solutions that can be taken to address the ten civil service restoration and reform challenges previously discussed. A series of case studies are also drawn upon to help illustrate potential actions and related points of learning.

Context should drive the formulation of civil service restoration projects. It is preferable to develop ‘good fit’ solutions for civil service restoration, as opposed to ‘best practices’ developed to suit alternative contexts. In many cases, best practices extracted from relatively stable country contexts are wholly inappropriate for fragile or conflict-affected settings, not only in form but also as a result of limited capacity and contextual factors. The suggestions provided in this chapter - and indeed this entire guidance note - should not be taken as prescriptive, but as guidance to help the design of assistance programmes drawing on lessons learned in a bid to implement an optimal ‘best fit’ initiative for the particular civil service challenges faced.

SELECTED CASE STUDIES

BOSNIA AND HERZEGOVINA
CENSUS AND IDENTIFICATION PROGRAM

IRAQ
DE-BA’ATHIFICATION POLICY

AFGHANISTAN
LAW AND ORDER TRUST FUND FOR AFGHANISTAN (LOTFA)

WEST AFRICA
PAYMENT PLATFORMS FOR EBOLA RESPONSE WORKERS

LEBANON
SUPPORT TO CIVIL SERVICE REFORM AND MANAGEMENT CAPACITY FOR PUBLIC ADMINISTRATION

LIBERIA
TRANSFER OF KNOWLEDGE THROUGH EXPATRIATE NATIONALS PROJECT

CENTRAL AFRICAN REPUBLIC
EMERGENCY PUBLIC SERVICE RESPONSE PROJECT

SOUTH SUDAN
CIVIL SERVICE COACHING AND MENTORING PROGRAMME

46 UN/WB (2017a).
3.1 PRINCIPLES TO INFORM THE DESIGN OF CIVIL SERVICE RESTORATION EFFORTS

As mentioned in the opening chapter, successful civil service restoration and reform policy options need to work both politically and technically. The importance of viewing civil service restoration and reform as not only a technical process but also a political one, is at the core of this guidance note. This is first among a number of general principles upon which this note is based. This should be borne in mind when developing analysis and interventions to support civil service restoration and reform. Listed below are three implications of this principle for institutional restoration in fragile and conflict-affected settings:

1. Civil service restoration should be focused on the urgent resumption - or initiation - of essential services provided by the public administration;

2. Necessary short-term remedies and/or compromises should be designed to do no future harm, both with regard to the longer-term objectives of building efficient, effective, fair and inclusive administrations, as well as with respect to the aim of bolstering national structures that minimize aid-dependence; and

3. Solutions should be appropriate to the country’s institutional and technical capacity, though the rapidity of technological change and innovative approaches can produce surprising outcomes, even in low-capacity environments. Likewise, solutions should recognize preexisting capacities and build incrementally on the institutional legacy of the civil service.

Understanding the impact of the political settlement - and indeed the wider historical context - on restoration and reform efforts is crucial and is the second guiding principle. It is imperative that civil service restoration and reform works to support the political settlement and enhance rather than undermine future stability. This may require working to devise pay and employment or human resource management and development policy options that can help stabilize the political situation and strengthen an inclusive political settlement. See Box 3 for further details on the importance of political settlements.

The third general principle adopted in this guidance note is selectivity: given the high number of priorities and the initial limited capacity in fragile and conflict-affected settings, it is important to target support where it can have the greatest impact.

For example, emphasis should likely be placed on establishing pay and employment mechanisms in the areas that are most directly and intimately connected to the delivery of key public services.

Fourth, is the principle of sequencing. While prioritized actions may be of equal importance, certain activities must be carried out first, to lay the groundwork for subsequent activities. It may be necessary, for example, to set remuneration scales for civil servants before being able to initiate the large-scale recruitment of a new civil service.

Finally, the fifth common principle is that of the long-term and non-linear nature of change. In the case of restoration of the civil service, even modest changes like establishing new pay scales, can take extended periods of time. All too often there are unrealistic expectations about how much can be accomplished in fragile and conflict-affected environments. Nor is change monotonic. Rather, progress can be inconsistent, can experience regular delays, and may even suffer temporary reversals. Sometimes, this means ‘falling backwards’, which requires the need to embrace failure, flexibility, learning and focus.

3.2 PRIORITIES AND ACTIVITY SEQUENCING TO INFORM THE DESIGN OF CIVIL SERVICE RESTORATION EFFORTS

In the immediate aftermath of conflict a number of priorities can be identified. Three potential priorities (adapted from UN/WB diagnostic framework)47 are listed below. See also Annex 1 for a broader discussion of diagnostic questions to inform the design of civil service restoration projects.

1. Conduct a rapid provisional count (disaggregated, if possible) of permanent government
civilian employees - including the police - accepting that “ghost” workers or double entries may remain for an initial period. Concurrently, establish a robust database with provisions for data security, updating and maintenance, including measures against fraud. Unlike the provisional count, it should be consistent with good practice from the start, even if the requisite information is not yet available;

2. On the above bases, set up an initial payroll of government employees, and put in place a simple and realistic salary payments system; and

3. Obtain information on the current location of government employees relative to the key public services that are to be restored and the location of the intended beneficiaries.

Over the medium term the following actions could be considered (adapted from UN/WB diagnostic framework):

- Make an initial determination of the government requirements for non-permanent employees, however approximate and subject to change. Clarify the definitions of government employees, contractual personnel, and advisers;

- Conduct a comprehensive civil service census, including biometric verification, following the initial rapid count. This should be done in conjunction with implementation of strong recruitment controls, or the problem of “ghost” workers will quickly reappear;

- Review and revise, as needed, the recruitment criteria, rules and mechanisms, and establish a centralized entity for overseeing all permanent government recruitment;

- Review and revise, as needed, the practices for monitoring and controlling the behaviour of existing and newly-recruited employees, particularly those interfacing with citizens;

- Devise a short-term plan for the provision of external technical assistance and the establishment of “twinning” relationships (between local staff and expatriates) and “soft skills” training to fill skill gaps in core government functions; and

- Develop a human resource strategy designed to reduce dependence on external technical assistance services in the medium to long-term.

3.3 ADDRESSING CIVIL SERVICE CHALLENGES IN THE DESIGN OF CIVIL SERVICE RESTORATION AND REFORM EFFORTS

In response to the ten civil service restoration and reform challenges discussed in the previous chapter, a number of potential solutions are outlined below. They can be drawn upon when formulating civil service restoration and reform efforts. The discussion presented here draws on a number of case studies to exemplify possible actions, and to indicate results and learning.

Managing Aggregate Wage and Employment: In the face of such pressures, donors and governments have sometimes enlisted analytic modeling tools to help frame - and discuss - the policy choices between wage bill reduction, employment containment or growth, and average or selective salary adjustment. Such instruments are mainly technical aides, but they can also offer governments support in weighing policy options and in developing political strategies in identifying and dealing with the potential winners and losers of macro-pay and employment reforms.48

Addressing the revenue problem may involve assumptions of stable wage bill expenditures for some period of time, as has been the case in CAR, where UNDP, the UN Peacebuilding Fund and the World Bank implemented the Emergency Public Services Response Project (EPSRP), which committed to supporting salaries for teachers and health workers among other public servants providing essential services. This support was delivered before elections and until economic recovery was underway and the fragile post-civil war political equilibrium could be stabilized.49 See Box 4 for further details of this project.

WHAT WAS THE ISSUE?

Following the early 2013 coup d'état orchestrated by the rebel coalition Séléka, the National Transitional Council (NTC) was established headed by Séléka leader Michel Djotodia. As a result, the Central African Republic (CAR) was plunged into violence and political turmoil. The civil service was heavily impacted; in most cases ceasing to function. Public service delivery ground to halt. To contain the descent into chaos, the African-led International Support Mission to the Central African Republic (MISCA) was deployed alongside French and European troops. These forces were later integrated into the UN's Multidimensional Integrated Stabilization Mission in the Central African Republic (MINUSCA). On 9 January 2014, President Djotodia and his Prime Minister resigned, under international pressure, given their inability to manage the political transition satisfactorily. This led to a re-election of leadership for NTC and the possibility of a more legitimate political transition. This was met with enthusiasm by the international community, who then moved to stem the country’s descent into further fragility.

WHAT WAS THE INTERVENTION?

The Emergency Public Service Response Project (EPSRP) was initiated by UNDP, in partnership with the UN Peacekeeping Fund, World Bank and the CAR Ministries of Finance and Public Service Reform, in mid-2014. The project financed the re-establishment of an operational government payroll, the associated payment of 20-31,000 public and security sector salaries, and the establishment of related financial management systems. It also had a secondary goal of preventing a further deterioration in political and economic conditions in CAR.

The project had two components: (1) payment of current salaries; and (2) technical assistance to core structures in the Ministries of Finance and Public Service Reform. To this end, in a sequential manner, the project supported: (i) an update of the human resource and payroll databases with the view to establish the basis for an improved civil service management system, including the integration of civil service files and payroll into a single computerized database; (ii) financing of current civil servant salaries upon production of certificates of presence at the job sites; (iii) strengthening of the revenue-generating directorates so as to enable the government to gain additional fiscal space; and (iv) re-establishment of basic control over the expenditure chain and cash management.

WHAT WERE THE RESULTS?

EPSRP provided salaries to more than 70 percent of teachers, health workers, and the civil servants of revenue generating directorates. This had the effect of supporting service delivery in the education and health sectors, and contributing to an estimated 71 percent increase in domestic revenue, by December 2014. More broadly, it also had the effect of signaling the support of the international community for the transitional government, which was an important confidence-building measure.
Supporting recurrent personnel expenditures were part of donor financing agreements in the West Bank, Gaza, Afghanistan and Burundi, among others. Such support represented a policy turnaround from previous eras when such financing was frowned upon as a non-investment. Part of the longstanding donor reluctance to finance civil service wages stemmed from concerns about perpetuating aid dependence through ongoing wage bill support. The policy reversal may have, in part, reflected an acceptance of the political importance of sustaining government’s capacity to pay wages in fragile and conflict-affected settings.

**Setting Individual Remuneration:** To help set civil service remuneration in fragile and conflict-affected settings choices are political in nature and fundamentally complex. Determining civil service pay on an interim basis in the immediate aftermath of conflict can also have long-lasting, unintended consequences. In several countries, unsustainably high pay choices were made (with scarce information) by international actors, who were under extreme pressure to get basic government functions up and running. But they risked setting governments on unaffordable long-term paths, as correcting pay downwards later proved politically near impossible. For example, the Cambodian government resisted donor pressures to raise civil service pay scales as late as 2008. The resistance was linked both to the merit base scale and to the fact that civil service salary scales were linked to military wage scales, meaning that a rise in one would require a rise in the other, vastly inflating the wage bill.

A useful example of setting remuneration is that of the United Nations Transitional Administration in East Timor (UNTAET). This example illustrates the risks involved in early pay decisions. Shortly after the end of conflict, UNTAET adopted a simple seven-grade pay scale for the civil service, setting average pay at about three times per capita GDP. The decision was, to an extent, “self-dealing”; as the civil service at that point was Timorese in name only, comprised almost entirely of expatriate aid workers who flooded into East Timor in the immediate aftermath of conflict. But high pay grades were also justified as an antidote to the low pay that donor advisors and Timor’s incipient political leadership sought to avoid for the soon-to-be-established Timorese civil service. When transferred to the fledgling Timorese government, the pay scale turned out to be highly unaffordable, as the subsequent political and social pressures to expand public employment beyond functional requirements could not be resisted. Pay was allowed to erode, but the seven-grade structure proved too compressed to allow for the career progression needed to motivate civil servant cadres over the decade that followed.50 See Box 5 for further information on setting remuneration for the police force in Afghanistan.

**Administering Payments:** Responding to the challenge of administering payments in the civil service may include the use of innovative technology. For example, the Ebola epidemic that hit fragile and conflict-affected governments in West Africa brought into sharp relief the time-critical need to redress ongoing pay arrears to health workers whose role in combating the virus, and in restoring public trust in government, proved critical. The crisis spurred innovative applications for payment platforms, including mobile “apps” that helped overcome constraints to salary disbursement. See Box 6 for further details on administering payments to health workers across West Africa during the Ebola Crisis.

While this technology-driven solution was devised to address the challenges of the Ebola crisis, lessons from this experience of making payments to remote public servants in fragile and conflict-affected settings are worth exploring. In insecure, war torn areas, such as in South Sudan or Iraq, for example, distribution of salaries in cash by designated paymasters (the norm even in many non-conflict, low-income countries) risks delayed or failed delivery and may invite the fraudulent collection of salaries. Such technologies may offer even low capacity governments the possibility of “leapfrogging” beyond longstanding pay distribution constraints, potentially averting at least some of the causes of payment arrears, a potential trigger for further political strife.

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50 Blum, Ferreiro-Rodriguez and Srivastava, forthcoming.
**WHAT WAS THE ISSUE?**

In 2002, after the US-led ousting of the Taliban government, donor countries began the challenging process of reconstructing the country in partnership with the fledgling Afghan Interim Administration. The establishment of the International Security Assistance Force (ISAF) in late 2001 signaled the importance of re-establishing the Rule of Law. To achieve this, and to have any chance of securing a peaceful future for the country, an Afghan National Police (ANP) needed to be formally established, equipped, trained and paid.

**WHAT WAS THE INTERVENTION?**

In May 2002, the Law and Order Trust Fund for Afghanistan (LOTFA) was established. Given the scale of funding required to support the ANP, the fund was envisioned as a mid-term (until 2010) multi-donor mechanism to be administered by UNDP. LOTFA sought to cover the Government of Afghanistan’s security service related costs, particularly in relation to start-up and recurrent costs. The fund also aimed to build the capabilities of the ANP and the Afghan Ministry of Interior (MoI), the ANP’s parent institution, through a series of project-based interventions.

The ANP basic pay structure was based on the ranks of the Afghan National Army (ANA), but with a downward adjustment given the less dangerous security role envisioned for the police. However, given the institutional development of the ANP and the reality that ANP officers were at high risk and often fought in pseudo-military roles, ANP and ANA pay grades were equalized in 2007. Further incentives and bonuses were later added, including: (i) addition of hazard pay in 2009; (ii) Special Forces pay increase in 2011; and (iii) approval of Explosive Ordnance Disposal Pay in 2013. However, there is no increase in salary payments for length of service or bonuses paid based on performance.

However, with the Afghan Government remaining financially dependent upon the donor community and a growing need for an effective security service, LOTFA was funded through a series of subsequent ‘phases’. It is now in the process of being transitioned to government control.

**WHAT WERE THE RESULTS?**

LOTFA is a proven mechanism to make payments to ANP. It is responsible for paying over 99 percent of ANP salaries of which the majority are disbursed through an Electronic Payroll System (EPS), which in turn minimizes corruption. Moreover, several additional modes of pay have been introduced to better remunerate officers. However, suitable incentives and bonuses, to motivate better performance, are not yet in place.

In addition, while institutional sustainability is currently being addressed through the official transfer of LOTFA to Afghan government administration, financial sustainability continues to be a major challenge. The ANP continues to grow whilst donor support and government revenues have been significantly reduced since 2014. This coupled with insufficient investment in the development of MoI’s capacity to utilize security personnel more effectively means that an already sizeable wage bill is unlikely to disappear.
BOX 6: CASE STUDY

WEST AFRICA
PAYMENT PLATFORMS FOR EBOLA RESPONSE WORKERS

WHAT WAS THE ISSUE?

In March 2014, an outbreak of Ebola swept through West Africa. The epidemic struck countries where health systems were amongst the weakest in the world, with three heavily affected countries—Guinea, Sierra Leone and Liberia—having 10–20 percent of the internationally recommended health care workforce. By mid-2014 reports of health workers striking or threatening to strike, due to non-payment or discrepancy of incentives, became increasingly frequent. This was highly problematic given the effects of the epidemic; Ebola Response Workers (ERWs) were central to dealing with the outbreak.

WHAT WAS THE INTERVENTION?

In October 2014, UNDP, with support from the UN Mission for the Ebola Emergency Response (UNMEER) and other partners, set up and coordinated a program to ensure that ERWs were being paid their full salary and hazard incentives, in a timely manner. The Payments Program for Ebola Response Workers (PPERW) had three main objectives: (i) strengthening health sector human resource planning through information management systems; (ii) strengthening existing payment platforms and digitizing incentive pay; and (iii) establishing a UN-run contingency payment platform in Guinea and Liberia.

Information management systems were utilized in the following ways: In Liberia, PPERW tracked World Bank-funded incentive pay to ERWs as well as to newly-hired response teams. In Guinea, UNDP supported the harmonization of incentives across different payment schemes and also worked with partners to track ERWs outside of the government payroll. In Sierra Leone, an alternative ERW management and payment mechanism was created to decrease the likelihood of fraudulent payment claims.

Regarding payment platforms UNDP, with technical assistance from UNCDF, worked with the private sector in all three countries to digitize 93 percent of total payments. In Sierra Leone, mobile and banking solutions were used across the entire country. Whereas, 43 and 22 percent of payments were made using digital accounts in Guinea and Liberia, respectively, with the remainder being disbursed in cash.

WHAT WERE THE RESULTS?

PPERW broke new ground on the use of mobile money services and open source information management systems to deliver scale, efficiency and transparency of payments in a health crisis. The most immediate result was that the programme supported payments to 49,250 ERWs as of 31 March 2015, effectively keeping ERWs engaged and performing life-saving functions in the Ebola response. In addition, in Sierra Leone 100 percent of the workers were paid via e-payments, transitioning from 100 percent cash in November 2014 to 100 percent mobile money one payment cycle later.

One key area of learning was the need for flexibility in adapting to very different country contexts. Each of the three countries in which the payment platforms and information management systems were established had differing governance arrangements and private sector capacities, which determined the available payment solutions.

It is universally recognized that weak institutions played a large role in the spread of Ebola, but the response did not add significant capacity to the health sector or other sectors. Notwithstanding the unique circumstances of the Ebola epidemic, development efforts fail when they do not increase local capacity.
Counting and Identifying Civil Service Employees: Counting and identifying civil servants are standardized in the form of civil service censuses. They have also been enlisted to provide data for downsizing efforts which, analysis suggests, face uphill challenges in fragile and conflict-affected settings, but also in other development settings. See Box 7 for an example of the census and identification of civil servants in Bosnia and Herzegovina (BiH).

**BOX 7: CASE STUDY**

**BOSNIA AND HERZEGOVINA CENSUS AND IDENTIFICATION PROGRAM**

**WHAT WAS THE ISSUE?**

Following the dissolution of the former Socialist Federal Republic of Yugoslavia, in 1992, Bosnia and Herzegovina claimed independence. This quickly led the country into armed conflict. The Dayton Peace Accords, agreed in December 1995, brought about an end to the violence and established the mandate of the United Nations Mission in Bosnia and Herzegovina (UNMIBH). In 1999, the International Police Task Force (IPTF) was installed by UNMIBH to oversee reform of the police forces of the former warring factions. A preliminary assessment by IPTF found that police data provided by the various factions included serious inconsistencies, especially regarding the size and structure of their respective police forces. This presented a major challenge to the reform effort.

**WHAT WAS THE INTERVENTION?**

For reform purposes, it was essential for the IPTF to understand the make-up of these police forces. It was important to know, for instance, the size of the now combined police force and whether minority quotas within the force had been met. A Census and Identification Program (CIP) was therefore undertaken in BiH; the first of its kind. Between 1999 and 2000, IPTF - together with the national authorities - registered over 23,000 officers. Identification documents were provided to over 16,000 officers. The collected information was computerized allowing for analysis of demographic data and identification of trends in ethnic affiliation and skills gaps. Analysis also identified ‘ghost workers’ that could be removed from the system.

**WHAT WERE THE RESULTS?**

CIP contributed to transforming law enforcement in BiH. After the completion of CIP, recruitment could work to fill human resource deficiencies in the police force, vetting processes could be established to improve recruitment processes, and capacity building could be designed to respond to known skills gaps. CIP also had the indirect effect of making police officers more accountable, as they could be identified more easily.

A major challenge associated with the project was the four years it took to plan and initiate the project. Until the CIP was completed it was only possible to undertake small reforms relating to the police force. A key piece of learning was, therefore, the need to initiate CIP as early as possible in the reconstruction process.
In addition, census exercises continue to be plagued by capacity and sequencing problems. Even if an accurate snapshot can be obtained, data erode quickly if they cannot be quickly deposited into clean human resource management information systems. These, however, are complex and difficult to put in place, even years after conflict. So, most countries continue to rely, with varying degrees of effectiveness, on the payroll system itself and on establishment controls (i.e. institutional arrangements to make sure that the correct number of civil servants are hired, at the grades needed and with the required skills) dispensed by the Ministry of Finance to keep civil service employment in check. However, such controls often tend to be circumvented by temporary hiring less easily detected in payroll records. Still, in some countries, such as Sierra Leone and Haiti, where donors have provided extensive support to reconstructing records management, claims have been made that censuses played a useful role in beginning the process of rebuilding establishment control mechanisms over multi-year periods.

Dealing with Security-Related Personnel:
In the transition of parts of the armed forces to civilian status, a number of governments have provided employment opportunities to ex-combatants. Unqualified, poorly educated ex-combatants remained on Cambodia’s civil service roster for years, reinforcing the bottom rungs of a low-pay, low-skill civil service pyramid. Likewise, in Ethiopia 1,400 ex-combatants were provided job opportunities in the Ministry of Health as health practitioners. Another 39,330 have been referred to contractual employment in the public work programmes. In Eritrea, although both categories of the Eritrean civil servants (ex- and non-ex-fighters) have been working together since independence, former combatants were not subjected to standard recruitment procedures and were privileged in promotion and compensation benefits. The resultant politicization of the system to some extent had an unintended consequence of undermining the credibility of the civil service more generally.

Various governments in fragile and conflict-affected settings have undertaken separation schemes for military personnel that combine different severance arrangements, depending on seniority levels, including ‘golden handshakes’ with cash payouts as well as small-business credit and re-training programmes. Some analysis suggests that reliance on private sector employment has been disappointing, particularly where economic growth remains limited. Tracer studies and analysis of departure programmes from the civil service in developing countries more generally have stressed the migration of separated staff into informal and agricultural activities as the more likely channel for labor absorption.

A note of caution is also in order. Increasingly, agriculture jobs are less appealing to young people - who are more likely to be ex-combatant - due to the labor intensive nature of subsistence agriculture and post-harvest lost due to the absence of storage facilities and access to market. If there is no interest in agricultural jobs, then the programmes is likely to be unsuccessful. Incentives are needed (or, indeed, a way to convince beneficiaries that agriculture is appealing) such as offering seeds, storage and processing facilities, and potentially using the military to build farm to market roads.

Public Works Employment Remedies: The range of government employment choices may offer both political as well as developmental benefits, at least over the short term in fragile and conflict-affected settings. The mobilization of Eritrean soldiers into health sector positions described earlier may well have been initiated in this spirit, perhaps inspired by the “barefoot doctor” model or temporary literacy campaign worker schemes mobilized in a number of countries. While, as mentioned earlier, there is a danger to adding contractual workers onto government payrolls on an indefinite basis, there may be some conditions under
which carefully designed, temporary public employment is a useful transitional employment mechanism in some fragile or conflict-affected environments.

In Sierra Leone, for example, a public works programme was created with support from the World Bank after the civil war to help rebuild damaged infrastructure and provide temporary employment opportunities to poor households and demobilized combatants. The programme was designed to help meet the chronic need to restore and develop basic services but also to assist vulnerable households to access income opportunities and build local capacity in regions not previously served by government.56

In Yemen, the World Bank also supported the Labor Intensive Public Works project in 2012 in the midst of the political turmoil that followed President Ali Abdullah Saleh’s resignation.57 Again, the purpose was to create short-term employment opportunities and restore livelihoods in poor urban and rural communities and rebuild vital basic infrastructure, identified by citizens as sub-project priorities.58

In developing countries more generally, public workfare programmes are designed to raise incomes of the poor through the mitigation of shocks (both unexpected crises and seasonal downturns) and to provide a bridge to more permanent employment, possibly with a training or even a small business credit component, such as Argentina’s Jefes programme or South Africa’s Economic Public Works Programme. Both train workers in skills needed to transition to more regular employment. Economists consider workfare a form of unemployment insurance, where no such formal system exists. They find that workfare programmes typically run intensively right after a crisis has occurred - or for a few months in a year - and then are scaled down when worker demand for low-wage employment wanes. Thus, public works programmes are available to workers when needed.59

**Lustration of Former Officials:** Notwithstanding this general tendency towards continuity, countries have employed a variety of lustration methodologies to transform - and cleanse - the civil service. The Czech Republic adopted a lustration process where certain former high-level officials, particularly those who had served in the secret police, were involuntarily removed from their jobs. Poland, on the other hand, implemented a “softer” programme that allowed for more substantial incorporation of previous officials into the post-communist civil service. The fact that it proceeded over a ten-year period meant that communist officials continued to have considerable influence in post-Soviet politics and administration well into the transition.50

Arguably, the need for competent continuity is even greater in fragile and conflict-affected settings, where much has been made of the effects of premature load bearing - the placement of too many demands and expectations - on weak government bureaucracies in the short period after conflict. The 2011 World Development Report stressed the need for inclusive coalitions within government apparatuses to spread the burden.61 But the need for governments in fragile and conflict-affected environments to signal a decisive break with the past has also been highlighted. This need for a new start has indeed sometimes translated into lustration policies that rout out previous officials at all levels. This approach was taken in the immediate aftermath of conflict in Iraq, and more recently in post-Qaddafi Libya, in both cases raising concerns for inclusive governance and reversion to violence, but also for safeguarding institutional capacity going forward.

Indeed, vetting can lead to an unacceptably large number of employees being removed from government service, doing harm to the capacity of institutions; capacity that governments in fragile and conflict-affected settings may not be able to do without. Effects on the capacity of a public administration may be particularly high when institutions are purged rather than vetted.62 If most individuals in a particular insti-
SUPPORTING CIVIL SERVICE RESTORATION AND REFORM IN FRAGILE AND CONFLICT-AFFECTED SETTINGS

A body of “technical” knowledge has developed on best practice approaches to vetting the integrity and suitability of individuals as part of party officials from the Iraqi civil service, following the 2003 US-led intervention.

A body of “technical” knowledge has developed on best practice approaches to vetting the integrity and suitability of individuals as part of

BOX 8: CASE STUDY

IRAQ DE-BA’ATHIFICATION POLICY

WHAT WAS THE ISSUE?
Following the successful overthrow of Saddam Hussein resulting from the US-led intervention in Iraq in 2003, the newly established and US-backed Coalition Provisional Authority (CPA) was faced with a difficult task. How could they ensure senior members of Saddam’s Ba’ath Party could no longer exercise control in Iraq without removing them from their posts and decimating the civil service? On the one hand, minimal action could be taken now that Saddam was deposed. On the other, the systematic purging of Ba’athists from senior positions in the public administration could be taken on, which would result in the need to re-populate and re-skill the Iraqi civil service on a massive scale.

WHAT WAS THE INTERVENTION?
Despite the concerns of Iraqis and outside observers about the effects that a wide-scale purging of the former ruling Ba’ath Party - the so-called de-Ba’athification policy - would have on the country’s ability to rebuild itself, the CPA ordered such a step. This led to the firing of 30,000 former members of the party, including many senior civil servants and between 6,000 and 12,000 teachers. Concerns over the negative impact of the process later led to the return to their jobs of thousands of those dismissed. Yet, to a large extent, this failed to stem the significant negative impacts of the policy.

WHAT WERE THE RESULTS?
The de-Ba’athification policy produced a vacuum of qualified individuals in the Iraqi civil service and by polarizing Iraqi politics contributed to an insurgency, further dividing the country along sectarian lines. The boundary between the political and administrative spheres were and continue to be unclear, resulting in civil service appointments based on ethnic and religious loyalty rather than experience and skills. This fueled perceptions of the exclusion of Sunnis in the public sector and generated support for anti-government violence and, arguably, the rise of the so-called Islamic State.

A major challenge associated with the project was the four years it took to plan and initiate the project. Until the CIP was completed it was only possible to undertake small reforms relating to the police force. A key piece of learning was, therefore, the need to initiate CIP as early as possible in the reconstruction process.
screening for eligibility for public employment after conflict ends. Guidelines suggest that, as a rule, involvement in gross violations of human rights or serious crimes under international law is immediately disqualifying, and that minimal criteria should be informed by international laws and norms. In Bosnia and Herzegovina, for example, the police certification programme excluded officers for acts committed during the 1992-1995 conflict period that showed them unwilling to uphold international recognized human rights standards.

Guidelines may discourage the application of integrity standards that are difficult to verify, however. This depends in large part on the availability of reliable and measurable evidence. Preferred practice may emphasize the targeting of senior personnel or those associated with a particular administrative unit rather than across-the-board vetting. Considerations in the design of vetting programme include: (i) decisions about the targeted institutions and positions to be vetted; (ii) the misconduct criteria to be screened for; (iii) the nature of sanctions to be applied to those who do not pass the screening; (iv) the procedural design; and (v) scope as well as the timing and duration of the vetting process itself. The institutional capacity requirements of lustration and vetting may itself overwhelm low capacity governments, an important issue when there is a need to prioritize only the performance of essential functions in fragile or conflict-affected settings.

While governments may turn to external actors for support in this process, such support may raise important political questions about the legitimacy of any lustration initiatives that are not “home-grown”. This also reinforces the principle that vetting needs to make sense in the context of broader administrative reforms. Thus, for example, vetting may be unnecessary alongside other selection processes that apply professional capacity criteria to public servants in broader institutional reconstruction efforts.63 Lustration of public officials reflects a new government’s political agenda and requires societal consensus to ensure sustainability. In South Africa, for instance, a choice was made against vetting as part of the larger political compromise that ended years of conflict, authoritarianism, and apartheid.64

Another political question is the degree to which lustration may be perceived to - or may actually - be misused for partisan political purposes. Where staff removals are based on ethnicity or party affiliation, for example, resentment and retaliation of targeted opponents could ignite spirals of dissent and even violence. The risks are heightened when such personnel have links to security or military functions. International and peer oversight (in the form of ad hoc commissions), along with public transparency and open competition for new government positions, offer remedies to help counter this danger.

Finally, attention to alternative employment channels for displaced (but non-criminal) employees may be critical to avoiding destabilization in volatile fragile and conflict affected environments.

**Position Distribution Among Political Stakeholders:** In fragile and conflict-affected settings major challenges arise when recruitment of civil servants is carried out through a formal rules-based system in opposition to an informal system based on patronage. Often, in such settings, a balance is required between civil service appointments made based on merit versus recruitment linked to traditional allegiance (e.g. on the basis of political, regional, ethnic or religious association). Where this occurs recruitment and civil servant management rules should be established, but a pragmatic compromise must be reached when employing new civil servants. One solution may be the use of temporary quotas for members of ethnic, religious or regional groups. Another may be earmarking a portion of government posts as political appointees, whereby such appointments can be made on a patronage basis. Indeed, moving too fast toward a merit-based system of recruitment might even undermine state credibility by limiting the appointment of members of majority groups. A trade-off between allegiance and merit-based recruitment may be unavoidable. In such cases, efforts should be made

64 Klaren (2007).
for the best-qualified employees to be attached to the institutions of government best placed to deliver key services and restore public trust.65

It is also important for members of minority groups - especially those who are potential “spoilers” and are key to maintaining the political settlement - to gain employment in the civil service. Ensuring such a balance of power in public administration is politically challenging and will, to a large degree, depend on terms of the political settlement and the willingness of the majority group to concede posts in the civil service. Where possible efforts to maintain an inclusive political settlement should be undertaken.

Parallel Aid Structures and Engaging the Diaspora: In the reconstruction period in Afghanistan, donors and country partners put in place several mechanisms to substitute for state capacity in the delivery of basic state services. These were parallel implementation units, international and national technical assistance and external implementation through NGOs or private contractors.66 While this approach increased aid absorption capacity in the short-term, it also diminished the attention directed to civil servants and generated resentment among ministry staff.67

A similar experience in the early period of transition from UNTAET to Timorese sovereignty witnessed parallel structures with dual pay scales and expatriates effectively running core government functions. The influx of both government contractors and NGOs to post-disaster venues such as Haiti bears similar features. Such parallelism has deep roots in fragile and conflict-affected environments, where urgent functions must be performed. But it is, of course, not unique to such contexts. A substantial literature documents the effects of parallel aid incentives, often channeled through “projectized” development assistance, in a wide range of aid-dependent countries, particularly those characterized by fragile, low-capacity institutions.68 The need to address the collective incentives that drive donors themselves to perpetuate what is increasingly understood to be destructive behavior for client countries is driven, in part, by political dynamics within the broader aid community.

It is imperative that both the benefits and challenges of parallel aid structures are borne in mind when designing civil service restoration and reform interventions. During the design of such programmes of support, parallel structures are often utilized given the emphasis placed on rapidly restoring civil service functions. However, such motivations should be tempered by the limitations and lack of sustainability of such a decision.

With regard to engaging the diaspora, TOKTEN provides a tested solution to attracting diaspora professionals to fill capacity gaps in fragile and conflict-affected settings. For a description of the implementation of TOKTEN in the context of Liberia see Box 9. Programmes, such as TOKTEN, require parallel initiatives to develop “domestic” civil service capacity in the mid to long-term. TOKTEN was not intended to present sustained solutions to this problem, though some repatriated experts brought back home by the programme do in fact remain in country, albeit in very small proportions. In Lebanon, around one out of six TOKTEN expatriate participants resettled in country at the end of their TOKTEN mission.69 Some repatriation also takes place over longer periods of time, as overall economic conditions improve and the social relationships among former belligerent forces shift. Former Vietnamese who fled the country are returning 40 years after the war against the United States, in light of accelerated economic growth and an interest in re-establishing a connection with their country of origin.70

Meanwhile, some governments are turning to such repatriation mechanisms to fill the gaps in the middle ranks of their civil services in the mid- to long-term after conflict. Rwanda is in the process of creating a Rwanda Development Fellowship Programme to attract professionals to the middle ranks of its civil service, where government perceives skill shortages and staffing gaps. Its programme is modeled after Liberia’s

………………
65 UN/WB (2017).
66 OECD (2010).
67 Ghani and Lockhart (2009).
68 Easterly (2002).
69 Hanafi and Arvantis (2016).
70 Public Broadcasting Service (2016).
**WHAT WAS THE ISSUE?**

From 1975 to 1990 Lebanon endured a devastating civil war fought between Christian Maronite and Palestinian forces (mainly from the Palestinian Liberation Organization), and involving foreign powers including Israel and Syria. The Taif Agreement (1989) initiated the end of the civil war. Following the resolution of the conflict, Lebanon’s public administration was devastated: just over a third of civil service posts were filled, and many civil servants were unqualified daily workers. In addition, civil service practices and capacities were outdated. As a result the Office of the Minister of State for Administrative Reform (OMSAR) was established in 1994 and, with this support of the World Bank, developed the National Administrative Reform Strategy (NARS).

**WHAT WAS THE INTERVENTION?**

After initial restoration efforts were undertaken, UNDP was invited - in 2002 - by OMSAR to provide technical assistance and project activities to strengthen management of the Lebanese public administration. A number of initiatives, falling within the remit of the NARS, were undertaken. This included: (i) the preparation of new legislation relating to public sector reform; (ii) the development of strategic planning capacity in four ministries; (iii) the implementation of several e-governance projects (e.g. court automation and establishment of a civil registry); and (iv) the introduction of human resource management (HRM) tools to the Civil Service Council (CSC) and delivery of widespread trainings, including the provision of an e-learning platform for all civil servants.

Phase I of the project was implemented - from 2002 to 2009 - through OMSAR, with implementation delivered by a number of national and international experts. Subsequent project phase are ongoing.

**WHAT WERE THE RESULTS?**

Progress was observed in the ratification of new legislation, an improvement in certain strategic planning capacities, and the roll-out of e-governance initiatives. However, limited progress was observed with regard to HRM interventions. A lesson learned - specific to HRM component of the project - was the lack of commitment exhibited by the CSC. Very slow progress was made with CSC due to a lack of ownership and divisive party politics blocking many administrative reforms.

Another major lesson learned related to the political instability in Lebanon - originating from frequent deadlock between political actors - and its impacts on reforms. Given this political instability, the project has aimed to undertake reforms that will receive broad-based support which tend to be less focused on systemic change. This reflects a good grasp of the political context, but has limited the project to small-scale examples of reform rather than affecting systemic change.
BOX 10: CASE STUDY

LIBERIA
TRANSFER OF KNOWLEDGE THROUGH EXPATRIATE NATIONALS PROJECT

WHAT WAS THE ISSUE?

Reconstruction efforts were initiated in 2003, following the signing of the Accra Comprehensive Peace Agreement and the end of Liberia’s second civil war. However, in 2009, the one-year review of the implementation of Liberia’s Poverty Reduction Strategy Paper (PRSP) revealed significant delays linked to acute capacity constraints. Only 18 percent of planned activities for the year were completed. Extremely weak implementation capacity, poor inter-sectoral coordination and an absence of strong leadership were identified as the main constraints.

WHAT WAS THE INTERVENTION?

The Government of Liberia adopted a two-pronged approach to respond to this lack of capacity. First, skilled expertise and coaching services, provided by both national and international experts, was commissioned. Second, a long-term capacity development strategy was formulated to develop technical expertise, “soft” skills, and the capacities to plan, manage and deliver.

TOKTEN identified and brought expatriate Liberian professionals and international experts (e.g. medical doctors, economists, engineers and management specialists) to Liberia for short-term appointments. In Liberia, TOKTEN was designed and executed drawing on an established UN modality. This included assessing needs, developing terms of reference, advertising for and contracting candidates, relocating employed consultants, and assessing performance. These experts would work alongside existing civil servants, whilst also being responsible for the transfer of knowledge and skills to those same counterparts. The project was jointly funded by UNDP and USAID and managed by a unit located in the Civil Service Agency.

WHAT WERE THE RESULTS?

TOKTEN contributed positively to the functioning of the civil service in Liberia, temporarily placing 98 professionals into the Liberian public sector by 2014. A midterm, results-based evaluation found that TOKTEN had significantly contributed to the success of Liberia’s post war achievements in macroeconomic management, planning and budgeting, health care, education, trade and commerce, governance reform and rural development.

Three major lessons were learned through the implementation of TOKTEN. First, while the rapid deployment of human resources is needed in the post-crisis moment, a comprehensive and sustainable strategy is vital. Second, given pressures to perform daily tasks including the delivery of essential public services, it is imperative to ensure that capacity building is not relegated to a secondary goal. Training targets should be employed, resources should be made available to meet them, and they should be monitored and tied into performance appraisals. Finally, greater impacts could be achieved by establishing a capacity needs assessment mechanism that not only ensures that TOKTEN targets support to the areas of greatest need and possible impact, but is also responsive to changing human resource requirements.
President’s Young Professional Programme (YP-P)71, which provides incentives to attract early-mid professional cadres to the civil service.72

Other mechanisms are utilized to supplement scarce skills, particularly at critical junctures following conflict. The popularity of networking options, such as PALESTRA, is growing. PALESTRA is a community of Palestinian diaspora experts in Science and Technology, who facilitate interaction with professionals on the ground in the Palestinian Territories. However, such virtual expatriate networks require - and do not substitute for - the presence of a local, physical community.

**Human Resource Management and Development:** In fragile and conflict-affected settings it is important to ensure that sub-optimal systems of human resource management of the type outlined in Chapter 2, while necessary, should not prevent the future establishment of an effective, efficient, fair and inclusive civil service. Continuing efforts should be made to establish and strengthen the formal rules-based system, whenever possible. Even with a quota or a positive discrimination system that gives priority to certain groups, the system needs to strive towards fairness and transparency. In instigating these temporary and special measures, there is a need for the transitioning government to maintain a high level of transparency and communicate as frequently as possible to all the civil service personnel the reasoning behind these reforms.

Prior to the formalization of newly determined remuneration levels and recognized standards for the recruitment of new civil servants, it would be advisable to utilize fixed term contracts and market-aligned compensation. This would be particularly applicable in cases where skills needed for the delivery of essential public services are urgently required.73 Nevertheless, governments are tasked with setting policies that look at the composition of the public administration and the type and models of public service delivery in each particular country. For instance, what portion of the public administration will be occupied by permanent contract holders vis-à-vis those holding fixed-term contracts? Ultimately, each government will determine a career-based, a position-based or a hybrid civil service system.

Reversing the shift in gender inequalities brought about by conflict requires governments to take steps to promote women’s participation and access to decision-making roles in the civil service. This should take place throughout the civil service - at all levels and in all institutions - but is particularly important in decision-making positions. Women’s participation at decision-making levels can contribute to more inclusive policy-making and service delivery. In the first instance, this could include women’s quotas in public administration institutions to overcome the numerous constraints to employment they routinely face.

In addition to the short to medium-term use of special measures (such as quotas) to increase female participation, it is also important to provide capacity building and skills training opportunities to encourage women to join and succeed in the civil service. A specific emphasis on women leaders could be promoted through the introduction of a women’s empowerment component in leadership development schemes/fast tracking systems, where existing. This should ensure that women are provided the support needed to compete on equal footing with their male colleagues for higher-level positions. It’s also important to ensure that quotas, and related initiatives, appear in all institutions across government. This may seem ambitious - and should be implemented according to contextual realities - but women typically hold more positions in “support” roles as well as in “traditional” sectors (e.g. education, health and social care roles) in fragile and conflict-affected settings. In addition, a concerted effort to enforce quotas is also necessary. In many situations, women have been hired to fill quotas but once they leave their position these are replaced by men, thus reversing gains made.

In addition to establishing quotas and parallel capacity building measures, a number of other initiatives can be taken to mitigate constraints faced by women. The collection and utilization of sex-disaggregated employment data is one...
BOX 11: CASE STUDY
SOUTH SUDAN
CIVIL SERVICE COACHING AND MENTORING PROGRAMME

WHAT WAS THE ISSUE?
A professional, accountable and impartial civil service which is representative of all sections of society is essential for restoring trust, confidence and effective transition. Nonetheless, the Government of South Sudan inherited a public service whose capacity remains nascent and besieged by multiple challenges. Given that a significant number of current civil servants are former combatants, lack education, skills and competencies necessary for effective service delivery. Besides the challenge of insufficiently qualified staff, the public service is further compromised by poor organizational design; ineffective bureaucratic processes; inadequate legal, institutional and policy frameworks; inadequate leadership and supervision; lack of equipment and working tools; and lack of information management systems. The situation at sub-national level is particularly serious due to the limited state presence and expertise in the state institutions. As a result, service delivery across all sectors remains inadequate. UNDP South Sudan seeks to contribute to the capacity building process by targeting skills development through coaching and mentoring to improve functional and technical capacities at national, state and county levels. The objective is to increase the capacity for frontline service delivery, policy development and strategic planning for longer term peacebuilding and statebuilding.

WHAT WAS THE INTERVENTION?
The Republic of South Sudan/Inter-Governmental Authority on Development Regional Initiative for Capacity Enhancement in South Sudan Project (in short RSS/IGAD Project) an innovative capacity development approach that involves regional (South-South) cooperation through the deployment of qualified and experienced Civil Service Support Officers (CSSOs) from the IGAD contributing countries of Ethiopia, Kenya and Uganda. The key strategic focus of the project is the “transfer of knowledge and skills” through mentoring and coaching of South Sudanese civil servants also known as “twins” in a peer-to-peer partnerships with CSSOs. While IGAD provides the political framework and regional legitimacy, the initiative builds on bilateral agreements between South Sudan and the three IGAD countries. UNDP provides support to all aspects of the project and serves as the technical partner. Norway funds the (comparably small) allowances for the CSSOs as well as the costs of project support and management. The deployed CSSOs remain on payroll in their countries for the duration of their two-year coaching and mentoring assignment, which would appear to make the individual contributions among the largest examples of South-South cooperation for post-conflict statebuilding to date.

WHAT WERE THE RESULTS?
In Phase I (June 2011-September 2013), the RSAS/IGAD project deployed 199 CSSOs in 22 RSS institutions across all over the 10 states of South Sudan including 19 ministries; the National Legislative Assembly; HIV/AIDS Commission; and Council of States and coached and mentored more than 200 South Sudanese civil servant “twins.” The coached and mentored twins contributed to improved performance in 22 RSS institutions by supporting the development of national strategic plans; drafting policy frameworks for labour inspection; drafting and reviewing laws for the parliament; training of staff in the implementation of a new Pensions Scheme; improved basic administrative systems; standard operating procedures and quality management systems; improved records management; accounting and bookkeeping; and infection prevention practices in hospitals.

In Phase II (October 2013-December 2018) recruitment and deployment of CSSOs was halted during 2014 and effected in the 3rd quarter of 2015 due to the December 2013 crisis and subsequent insecurity in most part of the country. To date, the project deployed 111 (23 female) CSSOs out of the targeted 139, which represent 81 percent of the total CSSOs deployment to coach and mentor: 246 (67 female) twins and 396 (99 female) non-twins in 18 national, 27 sub-national and three county level institutions in seven of the 10 former states. The trained twins developed 53 policies, 27 strategic plans, 7 standards operating procedures are at various stages of approval.
such step. Having such data is the first step in affecting changes in gender equality in the civil service. Without such data, baselines cannot be set and progress cannot be measured. Furthermore, sex-disaggregated data will help in understanding drivers and barriers in achieving gender equality in public administration. As such, it is important to have mechanisms in place to track gender equality in those institutions restored in the aftermath of conflict.

A further step can be taken to overcome constraints facing the employment of women in public administration in fragile and conflict-affected settings. This is the design, implementation and monitoring of gender-responsive employment policies and their incorporation in regulatory and procedural frameworks that govern human resources management and development. Such policies should target, and could have tangible impacts upon, women’s recruitment, selection, promotion and retention in the civil service.

Often, in fragile contexts, technical assistance arrangements will be established to boost civil service capacity for the restoration of core government functions. In such instances, and in the short term, mentoring arrangements should be set up, under which civil servants can benefit from coaching from international and national advisors. However, to avoid the priority to “deliver” taking precedence over planned training or mentoring activities local staff should be required to demonstrate their newly acquired knowledge and skills when the mentoring arrangement comes to an end. Furthermore, the advisor should suffer contractual penalties should he or she fail to suitable coach their mentee.74

It is also important to (re)build “soft skills” - for example interpersonal communication, problem solving, conflict resolution, timeliness, and following instructions - across the civil service in fragile and conflict-affected contexts. Often prolonged periods of conflict and violence will undermine such skills. Quick training and the provision of incentives to apply such skills across the civil service could be valuable as an opportunity to mainstream and build more consolidated training. For instance, capacity building linked to follow-up to ensure expected results of the training are forthcoming. See the case study in Box 9 of human resource management and development in Lebanon.

In the mid- to long-term, donors and the government should devise a human resource and capacity development strategy to not only address the broader skills required in the civil service, but also to minimize dependence on technical assistance provide by external actors.

There is a crucial need to devise new and modern capacity development curricula that match the necessary skill sets and knowledge required to effectively perform the duties and responsibilities of civil service positions in fragile and conflict-affected contexts. Capacity development should be linked to and based on the identification of competencies for each job level and category. Competency frameworks would provide the basis of performance analysis and training needs assessments at the individual level, and would inform the design of adapted and fit for purpose training courses.

3.4 CONCLUSION

Few development tasks are more salient and relevant for the achievement of the 2030 Agenda than the restoration and reform of civil service in countries affected by fragility and conflict. When the civil service functions, public service is delivered. The civil service is the backbone for the achievement or failure of the development aspirations of governments and societies. SDG16 implies the importance of development underpinned by governance considerations of responsiveness, accountability and inclusivity.

This guidance note has centered on the exposition of numerous political, technical and operational challenges that have serious short-term consequences for restoring functioning government as well as longer-term impacts on state- and peace-building and development efforts. Most civil services in fragile and conflict-affected settings are overwhelmed by these challenges. This note has thus explored both the political and technical aspects of ten common priority issues related to the restoration and reform of the civil service in fragile and conflict-affected contexts.

74 Ibid.
ANNEX 1: DIAGNOSTIC QUESTIONS TO INFORM THE DESIGN OF CIVIL SERVICE RESTORATION PROJECTS

LEGAL AND ORGANIZATIONAL ISSUES

- What is the pre-conflict legal framework that governs public employment? Is there separate legislation, or does general labour law cover government employees?

- If there is a pre-conflict legal framework that governs public employment, how inclusive is it (e.g. quotas, provisions to support women’s entrance, promotion and retention within public employment)?

- Is there a central agency, such as a public service commission, and is it functioning? Is there a ministry of public administration or equivalent and is it functioning?

- Is there a government agency responsible for tracking gender equality in public employment (e.g. public service commission, Gender Equality Commission, National Statistics Institute)?

- Does the legal framework specify a general managerial cadre that rotates across various agencies and departments, or is it expected that employees will spend their entire careers in a particular ministry? How does this play out in practice?

- Are there staff who have been working in specific regions, like provinces or districts, for their entire career?

- Do accurate HR records exist, or were they destroyed in the conflict? How can they be rebuilt? And what are the attitudes of civil servants around rebuilding them?

- If HR records were destroyed in the conflict, how did government collect data pre-conflict? Did this include the following indicators: i) Percentage of women in the civil service/public administration, ii) Women’s share of managerial positions in the civil service, iii) Percentage of women in the regional and local administration.

EMPLOYMENT, COMPENSATION AND THE WAGE BILL

- Does accurate information exist regarding the size and composition of public employment? If not, how can a “quick count” be organized, prior to an eventual comprehensive census?

- If the information exists, where is it housed and how can we access it? How does the number of government employees compare with that in neighbouring countries and countries at similar income levels - as a broad measure of the appropriateness of the size of government employment?

- What is the breakdown of regular, contractual and daily employees?
What is the breakdown of managerial, technical, administrative and support staff?

What is the breakdown of central and sub-national government employees?

What is the breakdown between sectors (i.e. service delivery, security, etc.)?

What is the gender composition of government employment? Is this data further disaggregated by age and education level?

What is the breakdown in terms of minority status (ethnicity, disability etc.)?

What has happened to government employment during the conflict? Approximately how many employees have left the country, and from which functions? Are certain ministries or regions particularly lacking in staff?

How large is the government wage bill as a proportion of GDP, central government expenditure, own source revenue, and investment expenditure? How does it compare with neighbouring countries or countries at similar income levels?

What is the breakdown in salary grades and steps for higher-level personnel? How compressed is the salary structure?

Is there information on government compensation compared with the private sector for various categories (managers, technical, administrative, manual labour)? Can a quick survey be conducted to establish the orders of magnitude?

At the current compensation structure, is the government likely to be able to attract and retain staff with the requisite skills, particularly in key areas such as management and IT?

Are non-monetary allowances offered to employees? What is their approximate estimated value as proportion of basic salary? Is there scope for simplification and/or rationalization after the immediate post-conflict period?

What form of additional compensation is provided for especially hazardous jobs or temporary assignments to hardship locations?

Are all salaries paid by check or direct deposit and, if not, how quickly can cash salary payments be phased out?

Are there large salary (or pension) arrears and, if so, how and when can plans be made for their settlement?

HUMAN RESOURCE MANAGEMENT

What provisions can be made to assure that recruitment and other policies embody a realistic compromise between the need to support the political settlement and the need to foster merit and efficiency?

What provisions can be made to facilitate the recruitment of women in the government workforce - including at higher ranks - or, at a minimum, remove de jure and de facto barriers to their employment?

What provisions can be made to promote and retain women in the government workforce?

How was recruitment practiced before the conflict? What central government agencies were responsible for its oversight?

Have certain ethnic, religious, regional, or political groups been historically disadvantaged in terms of government employment?

Did manpower planning take place at either the centre of government or within line ministries or both, and does such capacity still exist?

What are the criteria and practices for promotion, discipline, and terminations of government employees? In particular, is career advancement based primarily on seniority?

Are contracts mainly “indefinite duration” (tenure) or fixed-term?
SUPPORTING CIVIL SERVICE RESTORATION AND REFORM
IN FRAGILE AND CONFLICT-AFFECTED SETTINGS

Does a code of conduct and/or code of ethics for government employees exist? Are there prospects for its enforcement?

At what levels in government employment are political appointments made?

Is lateral entry from the private sector into high positions possible?

Is there partisan political interference in individual personnel decisions (other than the previously-mentioned goal of representativeness and support for the political settlement)?

TRAINING/CAPACITY BUILDING

What existing public sector training initiatives are in place? What government agency do they sit under, what skills do they target, and how are they funded?

What are the existing training institutes for public administration, and what is their actual capacity?

Are professional credentials required for government employment in selected categories? Are these requirements enforced?

Have skill gaps been identified for key functions in core agencies and departments? If so, how and when can a targeted training strategy be formulated for rapid filling of these gaps, through either local and diaspora personnel?

Do twinning relationships exist between expatriate staff and government employees in key managerial and administrative positions?

How are training contracts structured to assure effective transfer of knowledge?

PARALLEL AID STRUCTURES

How common are separate project implementation units (PIUs) in aid-financed projects?

How does the salary structure in PIUs diverge from that within the broader public sector?

What proportion of PIUs has training and/or transitional plans in place to build local capacity? Are there any particularly effective examples of such programmes?

Are there concrete plans for support to strengthen parts of the country’s own procurement and FM systems?

Do aid-financed projects incorporate appropriate technical assistance to gradually develop the country’s own institutional capacity?

Are PIUs systematically designed also as incubators of local capacity and training of government employees in fiduciary and M&E systems?

BOUNDARY BETWEEN POLITICS AND ADMINISTRATION

Where did the division lie between political and administrative appointments throughout the civil service? What were the established practices prior to the conflict?

Is the current public service heavily politicized?

Are there variations between line ministries in terms of the ratio between political appointees and career civil servants?

Do certain parties, groups or factions currently control some ministries? Do these arrangements help support the political settlement and consolidation of security, or are they motivated by other considerations?

Are there provisions to provide a realistic boundary between appropriate political instructions to administrators and inappropriate political interference with specific administrative/technical decisions?

Are there provisions to protect individual civil servants from inappropriate political interference?
ANNEX 2: CIVIL SERVICE AND DEVELOPMENT DATA FROM FRAGILE AND CONFLICT-AFFECTED SETTINGS

Data and statistics from low income, fragile and conflict-affected countries are scarce and limited and often policy making is based on anecdotal evidence. The following table includes data from UNDP's Human Development Reports and the World Bank's Worldwide Bureaucracy Indicators. It includes data from a subset of countries classified as fragile by either the World Bank, OECD and the G7+ group. It presents statistics on human development categories as well as key civil service related data discussed in this guidance note related to public employment, wage bill, and benefits.

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**Sources and notes:**
SUPPORTING CIVIL SERVICE RESTORATION AND REFORM IN FRAGILE AND CONFLICT-AFFECTED SETTINGS

Human Development Index (HDI)
- 0.000-0.499: Low Human Development
- 0.500-0.699: Medium Human Development
- 0.700-1.000: High Human Development

Wage bill
- As % of GDP
- As % of Expenditure
Note: Map is for illustrative purposes. Designation of frontiers is not official.
Guided by the integrative approach embodied in the 2030 Agenda, the UNDP approach aims to effectively support sustainable development across these three broad development settings. The UNDP vision for the Strategic Plan, 2018-2021 is therefore:

“To help countries to achieve sustainable development by eradicating poverty in all its forms and dimensions, accelerating structural transformations for sustainable development and building resilience to crises and shocks.”

UNDP’s Strategic Plan, 2018-2021 aims to the development of integrated policy and programmatic content; strengthen collaborative engagement, partnerships and coordination with other development partners and mainstream gender equality and women’s empowerment and South-South and triangular cooperation across operational programming. Support to the restoration and reform of civil service in fragile and conflict-affected settings will be done as UNDP aims to improve its performance through quality programming, building on multidisciplinary, targeted approaches to poverty reduction and in enabling responsive institutions, democratic governance, public administration and access to basic services through all programmes and projects, with a central role in advancing the 2030 Agenda.

While support to civil service restoration and reform is context dependent, UNDP’s Strategic Plan makes provision for member states to request support. In countries affected by fragility and conflict this is more particular to Outcome 3 of the strategic plan related to helping countries to strengthen resilience to shocks and crisis and Signature Solution 2 on strengthening effective, inclusive and accountable governance.

Below are a few excerpts that may help UNDP programmes plan support interventions under the rubric of UNDP’s Strategic Plan, 2018-2021. It is not exhaustive, but rather indicative.

**Build resilience to shocks and crises.** Distinctive development challenges confront countries and communities that are impacted by hazards and slow- or rapid-onset crises. These crises can range from limited, short-term shocks (e.g., most geophysical and climatic hazards, disease outbreaks, sudden economic downturns, etc.) to protracted crises such as conflict or major droughts, epidemics or economic collapse. The impact of climate change will continue to disrupt economies and the lives of billions.

To respond to these disasters and crises, Governments require support in their efforts to return to sustainable development pathways, while increasing their abilities to proactively manage risk and strengthen resilience to future crises. Strengthening resilience enables...
countries to better respond to disasters and crises whether these are induced by environmental, economic or social factors. Strengthening national crisis prevention capacities and resilience-building includes a range of activities prior to, during and in the aftermath of humanitarian emergencies, including for instance strengthening national capacities for crisis response, climate change adaptation, disaster early warning and risk reduction and post-crisis recovery. Such support to national capacities will be built on foundations of inclusive and accountable governance, together with a strong focus on gender equality, the empowerment of women and girls and meeting the needs of vulnerable groups, to ensure that no one is left behind.

Signature solution 2: Strengthen effective, inclusive and accountable governance.

Inclusive and accountable governance systems and processes are recognized as crucial to sustainable development and human security. This solutions package will therefore focus on supporting diverse pathways towards peaceful, just and inclusive societies, building on the UNDP comparative advantage and long track record in governance. Some development contexts may require support for core governance functions, establishing local service provision, rule of law, anti-corruption capacities and access to justice. Some may require assistance with accessing and using development finance and official development assistance (ODA), which may be provided in collaboration with the Department of Economic and Social Affairs, UNCDF and IFIs. Others may request innovative support for improved regulatory capacities, enhanced legal frameworks, strengthened institutions and local governance capacities.

In crisis contexts, support may be requested for re-establishing core governance functions, to support long-term preventive solutions that address root causes of conflict and disasters. This solution will seek to build inclusive, effective and accountable institutions and mechanisms for the peaceful resolution of conflict and for advancing social cohesion.

This requires ensuring the inclusion of women, youth, people with disabilities and other traditionally marginalized groups, working in partnership with agencies such as UNICEF, UNWomen and others.
### OUTCOME 3: STRENGTHEN RESILIENCE TO SHOCKS AND CRises

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<td>#2 GOVERNANCE</td>
<td>3.2.1 National capacities strengthened for reintegration, reconciliation, peaceful management of conflict and prevention of violent extremism in response to national policies and priorities</td>
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<td>#3 RESILIENCE</td>
<td>3.3.1 Evidence-based assessment and planning tools and mechanisms applied to enable implementation of gender-sensitive and risk-informed prevention and preparedness to limit the impact of natural hazards and pandemics and promote peaceful, just and inclusive societies</td>
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<td>#6 GENDER</td>
<td>3.6.1 Women’s leadership and participation ensured in crisis prevention and recovery planning and action</td>
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<td>Number of countries supported by UNDP, upon request, to establish or strengthen national infrastructures for peace</td>
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<td>Number of countries requesting the application of tools such as the UNDG conflict and development analysis (CDAs) to inform planning and programming in key sectors</td>
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<td>Percentage of women in leadership positions within prevention and recovery mechanisms</td>
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75 Includes institutional capacities and processes for national and local planning, management and coordination (e.g. executive office management, aid management, human resource management and financial management).
REFERENCES


Brandt, Cyril Owen. 2014. “Teacher’s Struggle for Income in the Congo (DRC), Amsterdam.


Sissons and Al-Saeidi. 2013. ”Iraq’s De-baathification still haunts the country.” International Center for Transitional Justice.


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