INTERNATIONAL DIALOGUE ON PEACEBUILDING AND STATEBUILDING.
CIVIL SOCIETY INPUT TO THE MONROVIA MEETING JUNE 2011.

I. DISCUSSING PEACEBUILDING AND STATEBUILDING THROUGH THE LENS OF DEVELOPMENT AID.

Civil society is very supportive of the MDGs and concerned about the prospect of not reaching them by 2015. We share the recognition that the MDGs did not include issues related to conflict prevention, justice, security and governance. We therefore welcome the IDPS and the potential of aid to contribute to peacebuilding and statebuilding. At the same time we need to remain mindful of the following:

1. Prolonged fragility related to deep divisions in society and potential or actual violence, is often the result of a **crisis of governance and perceived legitimacy of the state**. This can be the result of the state's inability to deliver and meet society's expectations. But it can also relate to the 'state' not being used as an instrument for the public good but as a pathway to power and wealth for individuals and selected groups. The consequences can be popular apathy but over time this can turn into social unrest and violent contestation of 'the state'. Statebuilding then is fundamentally about the restoration of 'trust' in the institutions of the state (and those who control them), partially because of a new ability to deliver (functional capacities), but partially also because of a more inclusive politics and development (power and wealth). Stability can come from 'strong regimes', long term resilience can only come from a political culture that emphasizes inclusion, participation, consensus building and compromise.

2. **We cannot assume that 'statebuilding = peacebuilding' and 'development = peace'.** Historically 'state formation' more often than not has been a violent process, because it affects the distribution of power and hence has its 'winners' and 'losers'. Development aid has repeatedly been delivered in ways that are 'conflict-blind' (e.g. Rwanda pre-genocide[i]; Nepal pre-Maoist insurgency). 'Development' can also induce conflict, especially if designed to foster 'growth' but not 'inclusive growth', thereby only increasing the inequalities within society. All statebuilding and all development work MUST become conflict sensitive and abide by the prescript of 'do no harm'. **That draws our attention beyond the 'what' is done –and the purely functional approach to 'delivering results' - to HOW it is done.**

3. Reality tends to be holistic, while the aid world in many ways takes **segmented approaches** e.g:
   - ▶ The separation of 'aid', 'trade', 'defense', 'diplomacy' has been challenged through the 'whole-of-government' approach, but persists in a dialogue that considers peacebuilding and statebuilding primarily through the lens of 'aid';
   - ▶ A single-state perspective to 'resilience' and 'development' makes it more difficult to recognize regional[ii] and international dimensions of insecurity and fragility, deriving e.g. from the movement across borders of armed groups, arms flows, transnational organised crime, global food interdependencies etc.

Civil society supports an international dialogue about peacebuilding and statebuilding through the lens of aid, but also wants to point out that this is only one perspective with its inherent limitations. The continuation of that **dialogue post-Busan might be enriched by broadening the perspectives.**

II. STATE AND SOCIETY IN PEACEBUILDING AND STATEBUILDING.

STATEBUILDING

« …statebuilding is

1. An endogenous process to enhance capacity, institutions and legitimacy of the state driven by state-society relations;

2. Founded on political processes to negotiate state-society relations and power relationships among elites and social groups. Statebuilding is intimately connected to the political processes through which social/political relations and power relationships between holders of state power and organised groups in society are negotiated and managed.

Legitimacy aids the process of state building, and is reinforced as state building delivers benefits for people. The state's ability to manage state-society expectations and state-building processes is influenced by the degree of legitimacy it has in the eyes of its population.

3. A process that takes place at all levels of state-society relations. Developing resilience (…) requires territorial administrative integration and effective political processes to manage state-society expectations at all levels of government – from local to national. It is equally important to consider relations between different levels of government. The policy framework that defines centre-periphery relations has an important impact on state-society relations and whether tensions of unity and diversity within state and society can be managed constructively.

OECD/DAC 2008: *State building in situations of fragility. Initial findings.* Paris pp. 1-2

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1. The legitimacy of a government doesn't come from free and fair elections alone. The perception of legitimacy persists because of its actual 'governance' i.e. how its politics and political culture, and its performance for the public good, are perceived. **Peacebuilding through statebuilding does not look only at the functional performance of state institutions, but at the broader question of 'governance'** i.e. inclusion, transparency, inclusion, responsiveness, accountability.

2. Viable states have a strong and active citizenry: Effective, legitimate and resilient governance requires not only a broad spectrum of capacities in the state but also in society at large. **There is no 'state' without 'citizens' and no state that is viable and resilient in the long term without a strong and active citizenry.** Viable states are built through the creativity and commitment of their citizens as much as that of their governments. Checks and balances also come from the population and not only from the thereto designated state institutions.[iii]

This has significant implications for international assistance efforts, among them:

▶ '**National capacities' are not just 'state capacities'**. Resilient states have strong capacities in the state sector AND in the non-state sector. It is not politically healthy nor functionally realistic in the contemporary world –where the actual control by the state is much less than it used to be, and where there are significant pressures to keep state expenditure under control- to see the state as the single most important political and economic actor.

- ▶ **'National' ownership cannot be reduced to 'government ownership',** but means broad societal ownership. 'National systems' are not only 'public sector' systems, but also the systems of the many 'non-state' institutions. Working through non-state institutions does not automatically equate with undermining 'national capacities' or 'systems'.

3. Viable states and societies certainly need functional-technical capacities but also **widely spread capacities for collaboration across divides, for conflict management and transformation, facilitation, mediation, constructive debate, political dialogue, bargaining, negotiation and compromise, effective communication** etc. Some of these capacities can be ad hoc and reside in persons, but others need to be embedded in respected and widely trusted institutions.

III. INTERNATIONAL ASSISTANCE TO PEACEBUILDING AND STATEBUILDING.

Where fragility is cause and consequence of violent conflict, the following needs to be taken into account:

- ▶ Local capacities for peace: External actors can help stop the violence, but cannot impose 'peace' upon those that are deeply divided and distrust each other. They must find their own ways of living and collaborating with each other, and of constructively managing the past and future drivers of conflict among them. Supporting a society's capacities to do this is strategic.
- ▶ Conflict sensitivity: People that are deeply divided, distrust each other and can't collaborate across divides, cannot together build a new, well governed political community, that is able to constructively deal with the inevitable conflicts that will arise. Building confidence and trust among people, between people and their 'leaders/authorities' and of people in the institutions, will take time – and will be very dependent again on HOW things are done. This requires an insight in and sensitivity to the dynamics that few external actors can ever hope to acquire. Deep listening to 'internal' actors is a must. That requires external aid personnel with strong analytical skills and conflict sensitivity, excellent interpersonal skills and sufficient duration of engagement.
- ▶ Indicators of commitment: Increased alignment with 'government' priorities, and aid flows through national systems are a good thing – in principle. In concrete situations however this only make sense if the authorities are clearly committed to and delivering on inclusive, transparent and accountable governance. Among other things that includes: implementing peace agreements and the results of political dialogues; promoting a political culture that favours inclusion, consensus and compromise; respect for human rights including the right of association and free speech; a general right to information law and transparency about budgets and budget allocations; effectively fighting corruption; actively inviting public participation also in policy-making and planning processes; pro-poor, inclusive and equitable growth (rather than mere GDP growth per se) etc. That cannot be too quickly assumed, but must be periodically assessed against milestones and benchmarks, also through research, public opinion surveys and public debates. There should be no generalized approach to aid in fragile situations, notably when fragility is linked to conflict and violations of human rights.

▶ <u>Non-state capacities</u>: Financial support must support the capacities of the state institutions but also of the non-state institutions, and help develop an active and responsible citizenry. Aid funds flowing predominantly through state systems can lead to excessive state control, a reduction of pluralism and avoidance of the important but politically sensitive issues. Aid flowing through pooled funds and multilateral organisations is often less accessible to local organisations. Credible non-state institutions deserve budget support just as much as credible state institutions. Similar indicators of commitment can be used as for the state sector.

▶ <u>Prioritisation and patience</u>: Overcoming the legacy of the past, restoring a modicum of confidence and trust, and creating a constructive political culture all take time. The World Bank Development report of 2011 talks about a 'generational time' of 20-30 years. Quick fixes not underpinned by political reform and citizen empowerment can damage prospects for longer term peace. The idea of 'radical prioritization', under which governments lead the focus on a few key priorities, *can* be positive in terms of supporting greater coherence for peacebuilding and recovery efforts; but any recommendation of 'radical prioritization' should be carefully stated, to avoid providing a rationale for leaving sensitive but necessary elements of conflict prevention and recovery off the agenda.

IV. PEACEBUILDING AND STATEBUILDING OBJECTIVES.

Civil society <u>agrees</u> with the stated objectives of 'legitimate politics', 'security', 'economic foundations', and 'justice', though our interpretation and recommendations on the specifics may differ.

We <u>disagree with draft objective 5</u> on 'revenues and services'. We want to see this rephrased as '**restore or build the core capacities of a transparent and accountable government'**

Objective 1: Legitimate, Inclusive Politics and Conflict Resolution.

Legitimate politics recognizes space for diversity and pluralism, including different visions of the future – but agrees on basic rules of the game. Effective politics is not only about competition but also about the ability to collaborate across divides, build coalitions, encourage consensus and accept compromise. The non-state sector is not subservient to the state sector. Health state-society relation mean there is a constructive balance between the two, where a broad range of societal actors beyond the state can play a full and active role in political dialogue, public policy making, planning, implementation, assessing performance and holding to account.

Political settlements are necessary, but tend to be predominantly elite settlements. They need to transform into larger societal 'compacts' – among people and between people and the leadership/authorities. Without such larger social and political compacts there will be no real basis (of sufficient trust) for 'collective action' for a better future for all.

Major elements of activity under this objective could include:
   o Support for multiple spaces that the society as a whole, through reasoned public debate and dialogue, can examine the nature and reasons of its fragility, the nature and origins of its violence, the obstacles and opportunities for reconciliation and peace and how every sector in

its own way can contribute to a better future. In these spaces people themselves can also examine the strengths and weaknesses, scope and limits of their 'traditional' and 'modern' conflict management and dispute resolution mechanisms, and explore options to strengthen them, accept 'new' mechanisms or create hybrid or complementary ones. Some of these spaces will be informal, others formal. They need to be created, hosted and facilitated by skilled and widely respected and trusted entities and individuals. They need to operate at all levels and across the territory and get linked so they can complement and enrich each other. Multiple dialogues are needed, not only to reduce the risk that the one dialogue gets stalled, but also to allow broad public participation.

- o Skill training in facilitation, conflict resolution and mediation for people and in institutions that command local respect and seen as generally 'fair' and trustworthy. This includes support for a political culture that encourages participation and dialogue and looks for win-win solutions or fair compromises.
- o Psycho-social interventions for e.g. ex-combatants, victims and others, that are seen as relevant and appropriate by those directly concerned;

Objective 2: Physical Safety and Security.

Without a sense of real security, there can be little development. A first priority tends to be physical security (the integrity of life). In principle the state has a major role to play in providing security. To that end it is granted the monopoly over the use of violence. Where there has been violent conflict, particularly internal conflict, people do not necessarily trust the state security institutions. The latter may have turned out too weak to be effective, or themselves a source of threat. In such contexts, people themselves will keep arms and/or seek out other security providers. Security is not just provided through DDR and the practical reform of the security services. This needs to get embedded into a broad political and societal culture of 'democratic security', that finds expression in public policies but ultimately in mindsets. 'Democratic security' also means that the people are actively engaged with and about *their* 'security institutions' and that thematic knowledge and competences on this issue are strengthened in the non-state sector.

Objective 3: Economic Foundations.

Physical security as a top priority for people tends to be closely followed by 'economic security'. This is not so much about 'income' as 'steady and predictable income and purchasing power'. Aid has generally not been a very effective tool for this. We agree that there can be scope for public works schemes, and with the relevance of investing in roads and electricity. But we want to emphasise other areas for effective assistance:
- ▶ Experience has shown that land and property disputes can often be very prevalent in post-violence situations – and also very hard to resolve as they arise from different systems of regulating access or 'ownership', and different people may show 'legal title' to the same asset. 'Land Commissions' are relevant but by themselves unlikely to be able to deal with all situations of dispute. This is one area where mediation and other conflict management capacities, also in the non-state sector, are likely to be much required.
- ▶ An enabling environment needs to be created for micro- and small scale enterprise. In many countries starting up a business remains an uphill struggle against many bureaucratic and fiscal

obstacles and disincentives.[iv] Specific attention is here also needed to the legal protection of property and enforcement of contracts.

► Where foreign investors enter into economic activity within the country, using its resources (not only mineral resources but also land for food production), we need to look not just at the interest of the state (national treasury) but also at the interest of communities. Local communities cannot be barred from land they are using simply because they have no strong 'legal' title to it. Significant benefits and dividends from resource use or resource extraction need to come to local communities. The import of foreign workers needs to go together with an obligation to train and mentor local workers to be ready to assume greater responsibilities within a defined period of time.

► International assistance actors can make greater efforts to stimulate local economies, through local purchase and the use and professional development of local labour and through procurement services that are not so stringent that local providers are simply unable to compete.

► Severe economic inequalities, especially in situations of persistent and fairly large scale poverty, tend to become a source of unrest that can spill over into violence. Economic growth that is not well spread can become a factor contributing to conflict. It can also undermine the trust in democratic systems of governance and encourage popular support for authoritarianism.

Objective 4. Justice.

Without the just and peaceful resolution of grievances there can be neither security nor development. This operates at three levels:

▪ deep seated structural injustices that are often a root cause of violent conflict, and which requires more fundamental political transformation. Governments are not always very good at directly addressing deep seated structural injustices unless and until they are prepared to broaden the constituencies they serve – at the risk of disaffecting their confirmed supporters. Here again there is a need for space for non-state actors to speak, to support bold steps and if needed even to lead;

▪ accountability for serious acts of violence and violations – this can be politically very sensitive and actually prevent violent actors from laying down their arms, or spark new violence. Dealing with the past, and with the questions of impunity or justice, are difficult and controversial challenges for a society that has gone through widespread conflict. This is a society-wide question, because it centrally related to 'reconciliation'. As such, it should be a theme for broad debate and political dialogue.

▪ more case-specific conflicts. This will require a justice mechanism that is available, affordable, based on due process and hence trusted. There is ample evidence to suggest that the (re)building of an effective judiciary is a major challenge that takes a long time. In many fragile countries, citizens have no trust in the justice system because it is too slow, open to influence by those who have money and/or connections, and sometimes not understandable. As people need to mediate conflicts and/or want to see justice, they use other mechanisms or take the law in their own hands.

Again, strong formal and informal, individual and institutional capacities for conflict management, mediation and dispute resolution, in the state but also in the non-state sectors, and across society, will be needed to complement a judiciary that may take years to become fully performing.

Objective 5: Core Capacities of a Transparent and Accountable Government.

The ability to raise, prioritise and manage resources is critical to finance the provision of security, justice and other basic social services. A sound and transparent system of public financial management is needed to instill confidence in citizens to pay their taxes, in donors to contribute aid and in businesses to invest. Public confidence in state management is critically dependent on

  ▶ Public participation in choosing priorities for expenditure allocation and performance allocation;
  ▶ Inclusion of the more marginalized members of society, and conflict-sensitive handling of different views between competing groups;
  ▶ Transparency and pro-active information: This means 'open budgets' but also the legal protection of the right to information;[v]
  ▶ Fighting corruption at all levels;
  ▶ National capacities in the state and non-state sectors to generate reliable but also independent figures and quantitative and qualitative analysis on resource management.

In the contemporary world, many services and functions are not performed by state actors. We agree with the principle that the state should provide and enforce the policy and regulatory framework for the totally of providers. That can allow for collaborative public-private partnerships, but also for some healthy competition between the public and the private sector. In situations of fragility, where the commitment of the state to the public good of all is not yet widely trusted, too much control by the state however can again be used politically to the benefit of less than all. Support for such regulatory role is appropriate, if the actual governance meets critical indicators of commitment (see above p. 3).

V. HIGH LEVEL COMMITMENTS ON PEACEBUILDING AND STATEBUILDING.

It is our view that these draft commitments need a lot more thought and discussion. Some of the core considerations are:

<u>a. Who is committing?</u>

No single actor, even if well resourced, can take a country out of a situation of persistent fragility to one of sustained resilience. The complementary and collaborative efforts of all are needed. Currently the language of the drafts typically refers to 'national' and 'international partners'. But it does not distinguish between 'state' and 'non state actors', and de facto tends to consider only the national (not local) government receiving aid as the 'national partner'. We believe that these commitments are to be secured by the inclusion and participation of all society and not only governments and national governments in particular. This means more than just 'organised civil society', certainly in its narrow interpretation of 'NGOs'. It is to include the more marginal and less articulate or organised groups of people. It also means that consultations and dialogue processes need to be thorough, properly resourced and given the time they need. While that is well recognized in principle and policy, in practice it seldom happens.

b. Restructuring the commitments.

Some of the commitments are more the practical translations of what should be an overarching commitment. One overarching commitment, for the international assistance actors, should be *to support the development of national capacities, as a strategic objective, from the very outset and in every intervention.* Commitments 7, 8 and 9 are SOME – though not all- practical translations of this. The current draft, it should be noted, fails to acknowledge the importance of capacities in the non-state sector, and tends not to pay much attention to the all important capacities for constructive conflict management, that need to exist throughout society.

Another overarching commitment, for the national –and local- governments, should be to actively pursue an inclusive, participatory and consensus or compromise oriented politics. Translations of this are the enabling of spaces for public debate and multiple dialogues, encouraging public participation in policy debates and decision-making, pro-active information provision and a 'right to information', open budgets, commitment to the implementation of agreements etc. (see the Dili Declaration Annex Statement by the G7+: "*We recognize the need for good governance that empowers the people through open and transparent public administration and financial management, political representation and leadership.*")

c. The right conditions and timing.

The commitments appear to be valid for 'fragile states', irrespective of the differences in their actual situations. Yet this cannot be. What can be discussed, what can be discussed constructively, what level of trust there is, what ability there is to collaborate across divides, evolves over time – and possibly at variable rhythms in different parts of a country. What is possible for the state authorities and for the people of Sierra Leone or Timor Leste in 2011 is not the same as what was possible in 2002. Therefore, the sequencing of interventions and the opportunities for action will change and vary from place to place and across time. This suggests
- That our planning needs to be very flexible and responsive to these changes and opportunities. A generic approach is not appropriate to statebuilding nor to peacebuilding.
- That 'priorities' (unless they are phrased so generally that most things can fit under them – which would reduce their prioritization value) can also change.
- That we can establish time-bound impact targets, but that in our assessments of progress and 'results', we must take account of the real circumstances – and be realistic about the time it takes to effect some larger changes.

d. Conflict sensitivity and 'do no harm'.

A central commitment from the external assistance actors should be 'conflict sensitivity' and –as a minimum- to do no harm. This would be a 'game changing' recommendation – but it isn't there. There is now an unwarranted assumption that 'aid' is 'neutral' – which it isn't. Aid cannot be 'conflict blind' and aid providers have to be extremely careful and responsible about not creating or contributing to conflict.

Central to this are a deep insight into the real dynamics among the actors, and constant attention not just to 'what' is being done and to 'results' in functional terms, but to **HOW something is done.**

Without strong conflict sensitivity, appreciation of the actual conditions and what is appropriate and possible within them, large scale 'alignment' behind 'national priorities' may be premature, fail to have any peacebuilding value, or actually contribute to new conflict. Our commitment is to avoid that happening.

> **Note:** This paper was *finalized* through the collaborative efforts of the African CSO Platform for Principled Partnership, West African Network for Peace, GPACC, Conciliation Resources, Saferworld, and Interpeace. It draws however on earlier CSO inputs into the International Dialogue on Peacebuilding and Statebuilding, with papers presented to the meetings in Dili (2010) and in Kinshasa (2011) and Sierra Leone (2011). These earlier papers drew on a. extensive consultations – through various processes- in which a large number of civil society organisations around the world, many from the 'global south', providing their input. Details are provided in the various earlier papers; b. the views of citizens in various fragile states, as captured in CSO-led programmes (see notably the direct quotes in the 2011 CSO paper on Political Dialogue); c. a diversity of case examples from relevant CSO-led programmes in different countries (see notably the papers on Capacity Development and Political Dialogue). Finally, this paper also draws on a diverse literature on the topic of peacebuilding and statebuilding, literature generated by CSOs, analysts, researchers and research institutes, the Development Assistance Committee of the OECD, the World Bank etc.

[i] Uvin, P. 1998: Aiding Violence. The development enterprise in Rwanda.

[ii] See e.g. Ramsbotham, A. & W. Zartman 2011: Paix Sans Frontieres. Building peace across borders. London Conciliation Resources. Accord Issue 22

[iii] Gaventa, J. & G. Barrett 2010: So What Difference does it Make? Mapping the outcomes of citizen engagement. Univ. of Sussex, Institute of Development Studies.

[iv] The International Bank for Reconstruction and Development/World Bank 2010 : Doing Business 2011. Washington, D.C.

[v] Darbishire, H. 2010: Proactive Transparency. The future of the right to information. Washington, D.C. & World Bank Institute & International Budget Partnership 2011: Open Budgets. Transform Lives. The Open Budget Survey 2010. US, Mexico, South Africa and India.