

Key Policies Affecting Civilian Capacities

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Background

In recent years, civilian capacity and its role in supporting sustainable peace and nation building in post-conflict countries have received increasing attention from members of the international community. Following the recommendations and principles outlined in the 2011 Guehenno Report, concrete steps have been taken by member states and organizations to improve support for national capacity development in post-conflict countries. This policy paper aims to highlight the current status of civilian capacity efforts in regional organizations as well as in the United Nations, and policies that may affect civilian capacity in the future.

I. The Current Status of Civilian Capacities: United Nations and Regional Organizations: The African Union

The United Nations civilian capacity agenda sought to create better linkages to support security and development approaches, including the paradox of providing short-term support in long-term peacebuilding processes. The UN is currently managing 17 peacekeeping operations and 11 political and peacebuilding missions around the world. Combined, these operations utilize over 6,300 international civilian personnel and 13,912 local personnel.¹ Operations range from stabilization missions in Haiti to peacekeeping operations in South Sudan. The demand for civilian personnel on such missions has remained consistent over the core peacebuilding areas of security and political institutions, the rule of law, and core government functionality. However, the area of economic revitalization has been one of the least successful sectors of civilian capacity.

The final report by the UN Secretary-General (January 2014) on the civilian capacity initiative signals a new form of UN engagement compared to the frenzied activism of the preceding years. Emphasizing a more reflective approach, the report outlines the UN's focus on lessons learned and on mainstreaming existing institutional structures and mechanisms while expanding partnerships with member states and regional organizations and financial institutions.² This marks a shift in the process of conceptualizing and developing civilian capacity that has been ongoing since 2010. This is accompanied by a renewed focus on recruiting civilian expertise for institution-building while increasing the presence of women in peacebuilding operations. In addition, enhancing partnerships through regional, South-South and triangular cooperation are being explored. The Secretary-General has stated that member states will need to provide more technical and financial resources to increase UN outreach to the Global South.

The Role of Regional Organizations

From Ukraine to the Central African Republic, recent conflicts have signaled an increased engagement from regional organizations, facilitated somewhat by new actors, or emerging powers in their spheres of influence. What is particularly interesting is that regional organizations function outside the traditional parameters of peacebuilding and do not restrict their efforts to robust peacekeeping practices. In fact, at several international summits that followed the eruption of the aforementioned crises, senior representatives from numerous regional organizations emphasized the value of civilian capacity, and declared their organizations' intention to provide such support.

Since 2012, the Organization for Security and Cooperation in Europe (OSCE), the Organization of Islamic Cooperation (OIC), the African Union and the Economic Community of West African States (ECOWAS) appear the most committed to providing civilian capacity assistance in the following key areas: access to justice, conflict resolution and reconciliation, support to policy and law development, strengthening the rule of law, support to income generating activities, creation of economic opportunities, protection of minority rights, provisions of infrastructures and services, increasing citizens' security, court and judicial system infrastructures. These are also the areas that present the most formidable challenges to achieving the Millennium Development Goals (MDGs).

Notwithstanding these challenges, significant progress has been made in all of these areas with the involvement of international and regional organizations. The MDG Achievement Fund's 2013 report, *Conflict Prevention and Peace Building*, notes that 122,906 citizens, 10,568 civil servants, 4,171 community leaders, 2,799 policemen, and more than 400 judges and government representatives have been trained and received direct civilian capacity assistance in conflict-affected countries from Afghanistan to Colombia and Ghana to Indonesia.³

African Union

The African Union has deployed numerous civilian capacity initiatives in the last few years in order to address the high demand from post-conflict countries on the continent. These include the African Civilian Capacity (AFCAP),⁴ a platform for disseminating information on training and deployment, and the New Partnership for Africa's Development (NEPAD), focusing on socioeconomic development. However, the three areas that the African Union has concentrated on concern the African Standby Force (ASF), the African Solidarity Initiative (ASI) and the African Union Civilian Standby Roster.

1 DPKO Fact Sheet, DPI, 31 July 2014 and DPI/2166/Rev.133.

2 Report of the Secretary-General on the United Nations Civilian Capacity in the aftermath of conflict, 6 January 2014, S/2009/248.

3 *Conflict Prevention and Peacebuilding: Thematic window development results report – 2013, Development Results Series*, MDG Achievement Fund, 2013.

4 AFCAP is an outcome of deliberations of the Recruitment & Deployment Workshop co-organized by AFDEM and ZIF and held in Bulawayo, Zimbabwe, in September 2010.

Role of civilian capacities in ASF: Since the early stages of its conception, the African Peace and Security Architecture (APSA) recognized the importance of civilian capacities. The first ordinary session of the Assembly of the African Union (Durban, July 2002) adopted the protocol relating to the Establishment of the Peace and Security Council of the African Union, in which it was stated clearly in Article 13 that the ASF shall be constituted of “standby multidisciplinary contingents, with civilian and military components.”⁵ In addition to functions directed by the Peace and Security Council (PSC), mandates regarding peacebuilding, observation and monitoring could also be given to the ASF.

African Solidarity Initiative: Launched in July 2012, the African Solidarity Initiative (ASI) is currently the main framework through which the African Union is tackling the demand for civilian capacities in post-conflict reconstruction. The initiative, which builds upon the African Union Policy on Post-Conflict and Reconstruction and Development (PCRD), aims to provide post-conflict countries with capacities and best practices to enable a successful transition. The key priority areas identified for PCRD countries were as follows: security sector; national reconciliation; peacebuilding, maintenance and consolidation; agriculture; infrastructure and energy, humanitarian issues and livelihoods; governance and rule of law; judicial reform; social and educational sectors; youth development; gender agenda and women; private-sector rehabilitation; macro-economic; and capacity building and development.

The African Union Civilian Standby Roster: Since 2010, the AU has worked with the Regional Economic Communities (RECs) and Regional Mechanisms (RMs) on the establishment of an AU Civilian Standby Force. A joint work plan has been developed for the Standby Force, including the recruitment of roster focal points; activities related to training, mentoring and E-learning, roll-out and testing of the roster database; and finalization of the human resources policy framework. The African Union Commission (AUC) holds that each REC should adopt its own policies, as long as it is coherent with the overall guidelines developed at the commission levels. There are huge disparities among the various RECs in this regard, with the Northern African Regional Capability (NARC) being one of the least developed.⁶ The development of the AU civilian roster, divided into three main categories (post-conflict and reconstruction, mediation and mission support) is currently facing numerous challenges; these include the weak linkage between trained civilians for deployment on the one hand, and their wish/ability/readiness to be deployed on the other.

II. Policies affecting Civilian Capacities in the last three years

Greater focus on Global South empowerment, security sector reform and the impending Post-2015 Development Framework have been three of the most significant influences on UN policies in recent years. The civilian capacity initiative has undergone a steep learning curve while seeking to explore new approaches to the issue of national-owned development in post-conflict countries. This includes experimenting with new rostering initiatives such as CAPMATCH, and the challenges of deploying government-provided personnel (GPP). These initiatives continue to be influenced by ongoing trends such as the recruitment of expertise from the Global South, institutional empowerment and increased partnerships with regional organizations.

The passive engagement of the UN in 2014 stands in contrast to the frenzied activism of the preceding years. The UN had taken steps to

improve its support for national capacity development in post-conflict countries following the recommendations and principles outlined in the 2011 Guehenno or Civilian Capacity Report. This includes publishing the 2013 *United Nations Guidance Note for Effective Use and Development of National Capacity in Post-Conflict Contexts*, a guideline for UN countries teams and missions. Twenty-four of the 47 Security Council resolutions adopted in 2013 explicitly mention security sector reform in the context of civilian capacity.⁷ The UN's focus on furthering South-South and triangular cooperation with regional organizations and financial institutions could be designed to address an institutional deficit in current UN operations while also expanding the UN's fiscal burden and leadership of such initiatives. In particular there is potential for cooperation and leadership from enhanced partnerships with regional organizations like the African Union and the Economic Community of West African States (ECOWAS) in the area of security sector reform. Member states, among them Chad and Nigeria, have emphasized the role such organizations could play in creating regional security sector guidelines and encouraging reforms.⁸

Implementation of current civilian capacity programs

CAPMATCH was launched in September 2012 as an automated forum to match capacity demand and supply to countries in post-conflict or transition. In fact, 85 percent of CAPMATCH requests have come from UN missions and department headquarters. CAPMATCH has been able to attract experts from the Global South: 69 per cent of the 50 new registrants within UN member states.

However, concerns first mentioned in 2011 by member states regarding the disconnect between technical capacity tools such as CAPMATCH and the limited institutional capacity of the UN to manage such resources have remained an obstacle.⁹ As a pilot system, CAPMATCH was labor-intensive. Recruitment teams were forced to negotiate the modes of request with the quality of civilian expertise that applied. This was further problematized by the ongoing internal issue of member states' national roster and identification system. Furthermore the technical reliance of CAPMATCH itself may have acted as an impediment to recruitment from the Global South especially in countries with limited online capacity. In the end, agencies and programs made limited use of the system, using it only as a supplementary source while continuing to rely on existing recruitment structures. Thus, the UN Secretary-General has signaled his intention to discard the self-service system and instead direct resources to strengthening existing outreach programs and systems, such as the Departments of Field Support and Peacekeeping Operations and at UN headquarters.¹⁰

Government-Provided Personnel (GPP)

Technical assistance remains a critical aspect of support to post-conflict countries. The deployment of government-provided personnel to support institution-building in UN missions, particularly regarding the rule of law area, such as police, justice and corrections sectors, has been one of the more successful aspects of the civilian capacity initiative, particularly in relation to South-South cooperation programs. Triangular cooperation has also been effective. For example, with the support of Sweden, Rwanda has provided specialized capacity in the

5 Protocol Relating to the Establishment of the Peace and Security Council of the African Union, Article 13.

6 A seminar held by CCCPA and CMC Finland in October 2014, attended by representatives from the AU, RECs and European Union, tackled this specific issue. One of the main recommendations was to appoint, as soon as possible, a civilian roster officer for the NARC region.

7 SC/11369 United Nations. “Unanimously Adopting Resolution 2151 (2014), Security Council Underscores Need for National Ownership of Security-Sector Reform,” 28 April 2004.

8 “Fifth Committee Delegates Seek More Clarity on Budget Implications of Building Institutional Civilian Capacity in Post-Conflict Situations.” 11 March 2014. Available at: <<http://www.un.org/press/en/2014/gaab4099.doc.htm>>.

9 Keating, P, & Wiharta, S. (2012, September). CIVCAP 2012: Lasting Concrete Foundations. *NUPI Police Brief*. Available at: <<http://www.nupi.no/Publikasjoner/Policy-Briefs/Policy-Briefs>>.

10 SC/11369 United Nations. “Unanimously Adopting Resolution 2151 (2014), Security Council Underscores Need for National Ownership of Security-Sector Reform,” 28 April 2004.

area of police management, and administration to Liberia, and in particular the Liberian Ministry of Finance.¹¹ The role that emerging powers can play through these partnerships has also been noted through several UN publications¹² and some traditional actors with the UK, for example, establishing a fund to target emerging powers with triangular cooperation projects.¹³

However, many of the problems highlighted in previous policy briefs, such as the issue of transparent selection, remuneration and jurisdiction, have yet to be fully addressed. Problems remain in the deployment of GPP especially regarding the issue of transparency in how such personnel are selected (identifying and vetting candidates). The risks for personnel who participate with any deployment in a post-conflict setting continue to pose a challenge. Bunkering of GPP is an endemic problem in Afghanistan and Somalia for example. In recent years the targeting of UN personnel has directly led to recruitment and human resource problems; people are reluctant to apply for deployment, and the risks to nationals also weaken contributing states' willingness to participate. Moreover, such attacks on the UN have led to staff leaving missions early, as has happened in Mali.¹⁴ The quick turnover on UN missions in addition to continued weak coordination mechanisms often results in failure to acknowledge lessons learned, and therefore a loss of institutional knowledge and expertise with the departing staff. Possibly reflecting this awareness, in his 2014 report the Secretary-General has proposed using GPP for more time-limited, specialized functions. However, such functions have yet to be clarified by the Secretary-General. Furthermore, the nature of the threat of transnational terrorism means that contributing countries may also risk reprisals at home on their own soil.

III. International Policy Initiatives likely to be affected in the future

The dominance of the civilian agenda will continue to be present in the United Nations and other regional organizations. That being said, there are currently a set of policies and initiatives, which, once completed, will affect the civilian capacity agenda.

At the end of October 2014, the UN Secretary-General appointed a High Level Independent Panel on Peace Operations, tasked with undertaking a comprehensive assessment of the state of UN peace operations today, and the emerging needs of the future. The last review undertaken in this respect was the Brahimi Report (2000), which made several recommendations designed to improve the operational and doctrinal aspects of peacekeeping. Although it may be premature to predict, the final outcome – expected to be discussed during the upcoming general debate of the UN General Assembly – will examine the current modalities of civilian deployments. It is worth noting that this panel will be the first of its kind to examine both peacekeeping operations and special political missions, where civilians are assuming a central role.

2015 will also witness the review of the UN peacebuilding architecture. Discussions organized so far,¹⁵ based on the last ten years of the UN

Peacebuilding Commission's work, have reflected the importance of respecting the principle of "ownership" for any civilian post conflict support, yet failed to conclude on the exact definition of "ownership": Does it mean only "ownership of the country (national)"? And if so, is it determined only by the government in place – or by all stakeholders, including political parties and civil society? Or does it mean "regional ownership," taking into consideration the crucial role of neighboring countries and regional and sub-regional organizations in succeeding or failing a post-recovery phase for a country?

Similarly, the post-2015 development agenda will affect the civilian capacity agenda in the future. While the Guéhenno report identified five key areas of civilian expertise, the post 2015 development agenda may switch the focus to other areas. The African Union, in its common position adopted in this regard, has already identified six main themes: (i) structural economic transformation and inclusive growth; (ii) science, technology and innovation; (iii) people-centered development; (iv) environmental sustainability, natural resources management, and disaster risk management; (v) peace and security; and (vi) finance and partnerships.¹⁶

Furthermore, there are currently various initiatives aimed at enhancing coordination among organizations deploying civilian capacity. A lack of coordination results in either a duplicating effort, or, more worryingly, an unaddressed domain. Recent meetings held between the United Nations, African Union and the Regional Economic Communities in Cairo, November 2014, discussed ways and modalities to enhance coordination.

Finally, there remains a legal issue that is likely to affect civilian capacities. When uniformed peacekeepers are deployed, they have been nominated by their respective governments. This does not necessarily apply for civilians. Both the UN and AU hire most civilians through direct recruitment. Recently, several cases of sexual abuses by uniformed personnel in peacekeeping missions have been recorded. Both the UN and the AU apply a "zero tolerance policy" in this regard, sending back the perpetrators of the crimes to their governments for necessary action. The case is not clear for the civilians, especially if their recruitment has not been made through their respective governments. The outcome of this legal debate should constitute an important element affecting the civilian capacities in the future.

Conclusions

Cooperation between the UN and regional organizations in the past three years has shown that several problems remain in regard to coordination and complementarity – sometimes duplication of work – among international organizations, regional actors and local stakeholders. In particular, coordination issues involve overabundant offers of aid and mediation assistance in conflict-affected areas. The goodwill of nations, international non-governmental organizations, (INGOs) as well as regional actors can prove as detrimental as it can be helpful, especially in nascent conflicts. In Ukraine, for example, in the early days of the conflict, the office of the interim prime minister was so overwhelmed by the torrent of offers of humanitarian and mediation assistance from state and non-state actors that he had to turn over coordination to the OSCE. Given the enormity and complexity of the conflict, and the equally impressive number of agents that wanted to get involved with it, the OSCE also found itself incapacitated, and requested assistance from the UN regional office. The Ukraine example captures the essence of the problem: as long as the coordination issue is unaddressed, cooperation between stakeholders will always remain fragile.

11 "Peacebuilding Commission Informal meeting of the Organizational Committee, 9 April 2014: Summary of Discussion." Available at <www.un.org/en/peacebuilding/>.

12 UNDP. (2013). Human Development Report, The Rise of the South: Human Progress in a Diverse World. UNDEAS. (2013). Global Development Report, A Renewed Global Partnership for Development.

13 Shunichior Honda and Mihoko Sakai. (2014, April). Triangular Cooperation Mechanisms: A Comparative Study of Germany, Japan and the UK. JICA Research Institute.

14 Mauricio Artiñano, Peter Blair, Nicolas Collin, Beatrice Godefroy, Conor Godfrey, Brieana Marticorena, Daphne McCurdy, Owen McDougall, Steve Ross. (2014, April). Adapting and Evolving: The Implications of Transnational Terrorism for UN Field Missions. Woodrow Wilson School Graduate Policy Workshop.

15 Based on discussions of November 24 and 25, 2015 held at the CCCPA hosted regional workshop on "Regional Aspects of Peacebuilding: Identifying Gaps, Challenges and Opportunities."

16 22nd Ordinary Session of the Assembly of the African Union on 31 January 2014 declaration.

Complementarity issues, on the other hand, have not diminished since the advent of civilian capacity three years ago. In fact, they have become more entangled with the entry of regional organizations. As reflected most visibly in the area around GPP, personnel deployed to conflict zones are ever more disconnected from the local stakeholders and one another. Securitization and bunkering problems are most common among GPPs. Recent studies conducted in Afghanistan and Somalia has shown this effect.¹⁷ In Somalia, both GPPs and INGO representatives work almost in isolation. The GPP embedded with the UN and other major international organizations are still operating largely out of Nairobi or Mogadishu international airport. Similarly in Afghanistan, the end of the ISAF mission – and the reduction of troops to 12,000 in the Resolute Support Mission – may discourage civilian capacity providers from continuing their mission outside the safety bubble of the Northern Province.

Another emerging trend is the widening gap of communication between the host government and civilian capacity providers. This has become more common between INGOs operating independently. Not only do they not coordinate their activities with their peers, but they have limited relations with the coordination offices in their home countries, as well as with the representatives of traditional donors on the ground. The third dimension of coordination and complementarity problems concerns the recipients of civilian capacity. The problem of identifying the right partners in the field and the debate over whether to include or exclude belligerent/radical actors from civilian capacity assistance continues. In Somalia, some Turkish NGOs have had to engage with al-Shabaab as a necessity of operating in parts of the country. Similarly, in Afghanistan “civil society” is not a neutral actor and includes warlords that must be considered in operations if support is to reach local populations. Any civilian capacity initiative targeting the Balkh region, for example, would require the full consent of the regional strongman Atta Mohammad Noor. Noor wields sufficient regional power to tip the scale towards stability or chaos. Therefore, engaging a regional enabler of his caliber for civilian capacity building in the northern provinces of Afghanistan demands a careful predeployment analysis.

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17 E. Fuat Keyman and Onur Sazak. (2014, July). Turkey as a “Humanitarian State”. *POMEAS PAPER* No.2. Available at: <<http://pomeas.org/Home/index.php/publications/pomeas-papers/419-turkey-as-a-humanitarian-state#sthash.WqTFLPON.dpuf>>.

Onur Sazak, Thomas Wheeler, Auveen Woods. (2015). Turkey and Somalia: Making aid work for peace. (Working paper). Saferworld and Istanbul Policy Center.

Do we sit down with Taliban and hear their wishes in Afghanistan, to help civilian capacity penetrate certain high-security risk areas? In the last three years, these questions have dominated the discourse on the effectiveness and breadth of CIVVAP operations.

IV. Policy Recommendations

– Recommendations: UN

- o Emerging powers such as China, Brazil and India have a more business-oriented approach to development in contrast to the aid-centric policies of traditional donors. Further consultation and engagement with these countries in the area of economic revitalization, the weakest sector of civilian capacity in the UN, could support more innovative approaches.
- o To the peacekeeping panel review: Address civilian capacities in a holistic approach, and in a modality which takes into consideration the perspectives of various regional organizations, new development actors, as well as the post-2015 development agenda findings and the 2015 peacebuilding review.
- o Coordination problems between the UN, regional organizations and emerging powers should be considered to avoid duplication of work. Emerging powers such as South Africa and Turkey have illustrated their willingness to participate in such activities. As more and more conflicts will require closer and more comprehensive regional organization involvement, suitable coordination strategies must be developed to prevent overcrowding of civilian capacity initiatives. The internal capacities of these states often differs from that of traditional actors and must be considered as an institutional issue and a not necessarily a reluctance to engage.

– Recommendations: AU

- o Continue the documentation and dissemination of civilian capacity initiatives and ensure a harmonized pace of advance within the various sub-regions in Africa.
- o Further consultations are needed between the AU, RECs, and other countries on the best approaches for civilian deployment.
- o Training of civilians should be linked to the creation of the civilian roster of experts.

– General recommendations for civilian capacities

- o Link the debates on peacekeeping, peacebuilding reviews and the post-2015 development agenda to avoid duplications and redundancy related to civilian capacities.
- o From one side, complementary problems can be resolved through more communication, not only between the donor countries and the major international organizations but also via an increased peer-to-peer dialogue among INGOs currently operating on their own. However, donors must not forget to consider the needs and opinions of the populations in recipients countries who often know more about what they need and how.
- o Securitization of aid and the “bunkering” of civilian capacity efforts should end. Emerging powers are generally opposed to these trends and engage in alternative approaches to post-conflict countries with some such as Brazil, India and Turkey having some success with on the ground direct engagement.
- o Effective targeting of the right partners on the ground should be considered. Renewed attention should also be given to appeasing hardliners and including potential spoilers in pre-deployment talks. Consideration of who are the “right partners” from the perspective of local populations and legitimacy must also be included.



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