Chapter 6

Security Sector Reform and Post-Conflict Reconstruction under International Auspices

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Introduction

In the aftermath of violent conflict and military interventions, international organisations or coalitions of countries increasingly engage in post-conflict reconstruction. One part of the international post-conflict agenda is the 'reconstruction' or 'reform' of the security sector (SSR). In post-conflict situations, the security sector is often characterised by politicisation, ethnicisation, and corruption of the security services, excessive military spending, lack of professionalism, poor oversight and inefficient allocation of resources. The term 'reconstruction' of the security sector pertains to the necessity of rebuilding domestic public security institutions, and particularly to re-establish a legitimate monopoly of violence. Such reconstruction is necessary where security forces cannot provide for order and protection of citizens, either because they were *de facto* dissolved, too small, or suffered from a loss of credibility. In peace support operations,[1] where local security formations were among the targets of international military intervention, such as in Haiti in 1994 or in Afghanistan in 2001, the need for reconstruction will go even further. The term 'reform' highlights necessary or desired changes to governing principles and procedures of existing, but not properly functioning domestic security institutions, particularly with respect to 'soft' issues, such as democratic civilian oversight and observance of human rights. Both aspects are part of post-conflict transition, which primarily focuses on the prevention of renewed conflict, the introduction of rule of law, the democratisation agenda, and the promotion of conditions for sustainable development.

Situations where the international community plays a prominent role, through a peace support operation or has a major political influence in post-conflict situations are becoming increasingly frequent. The most prominent post-conflict cases of externally sponsored policy measures in the security sector include Afghanistan, Azerbaijan, Bosnia and Herzegovina, Georgia, Haiti, Iraq, Kosovo, Liberia, Macedonia, Mozambique, Tajikistan and East Timor. It seems safe to predict that the international community will be faced with more cases where national order breaks down, or where internal warfare destroys the social and political fabric of societies, increasing the need for instruments and policies that can support state-building. Yet, views held in the international community about state-building are often competing, highly normative and not well tested. For instance, as regards economic development, international financial institutions such as the World Bank have developed sets of policies and measures whose success rate, when applied, is not very impressive.[2]

Security sector institutions provide another example of a policy area where the need for action is not concomitant to the stock of sound advice. While much has lately been produced in terms of suggestions for instruments and policies of security sector reconstruction and reform, there is still very little knowledge about the effects of priorities and sequencing in particular constellations. In this regard, situations with significant international involvement are particularly prone to yield useful insights for the accumulation of knowledge about the application of instruments and policies of security sector reconstruction and reform, as the international community is in a strong position to apply recently designed recipes.

This chapter explores a number of issues which seem particularly relevant for empirical analysis of the priorities in security sector reconstruction and reform. It offers some tentative ideas about dominant themes and respective priorities for external actors. Security sector reconstruction and reform is subject to, and generates, a number of policy dilemmas, some of which are identified in this chapter. The chapter concludes with a hypothesis about priorities for post-war security sector reconstruction and reform, which need to be put to further empirical scrutiny.[3]

Cues in the Security Sector Reform Debate

Security sector reconstruction and reform needs to begin with an appropriate identification of the security related problems to be solved in the short and midterm perspective. In all past, and likely future, cases of prominent international commitment to post-war reconstruction, the provision of physical security is the key near-term task on which international and national actors need to focus their efforts. The near-term priority issues for the provision of physical security include curbing warlordism, disarmament, demobilisation and reintegration (DDR), the formation of a national army and police reform, as well as transitional justice. To make the newly created, or reconstructed, institutions sustainable after the initial phase of security consolidation, their compatibility with available resources needs to be achieved. While disarmament, demobilisation and reintegration of military forces make sense for a number of reasons early on, later 'rightsizing' of forces, which entails a downsizing of military forces, is often crucial, particularly for long-term financial viability. In addition, security forces need to have clearly identified mandates, be accountable to civilian oversight bodies and be regulated by law.

Security sector reform is a relatively new concept, originally introduced by development donors.[4] In the late 1990s a comprehensive approach to the security sector began to be propagated by some development donors, international organisations and consultants working for them.[5] SSR is supposed to deliver on three fronts:

- Provision of security. This pertains to political violence by state or non-state actors, criminality, militant opposition group activity etc., and it is a major problem in most post-conflict situations, particularly those with international presence. Linked to this provision of physical security, which primarily involves the police and the military, is the proper functioning of the courts and the prison system, as well as, small arms control.
- Governance and Rule of Law. One of the roots of security sector reform is to bring security institutions within the realm of rule of law. Issues which affect the conditions of governance, include the professionalisation of the armed forces in the sense of Huntington's 'objective control' as well as the ethnic composition of security forces.

- Effectiveness and efficiency. In many post-war cases there is a need to de-militarise, for example, to reduce the number and size of armed forces and to bring military expenditures in line with economic means as well as to overcome clientelism and corruption.

According to the standard SSR argument, these three objectives need to be pursued in parallel. The propagation of such parallelism between performance, governance and efficiency is proclaimed in most reform efforts by development donor organisations as a consequence of criticism of earlier policies, which only focused on performance or efficiency. While sound in theory, such a comprehensive approach presents problems in practice. Often in concrete situations, decisions on priorities and sequencing of steps need to be made. For instance, external actors may be pressed to provide security even though this is detrimental to improving domestic control over security forces. There is no general agreement in the SSR literature which of these clusters should become a priority under what circumstances. Moreover, there is no agreement on how important it is to deal with all three simultaneously or in some order. In the case of East Timor, for example, there were voices among development donors who questioned the necessity of having a military force at all. Yet, as a rule external actors come with at least the semblance of a general idea, which is largely shaped by perceptions of their own security sectors, as well as larger objectives, such as democratisation and economic development.

Elements of what is generally now seen as falling under the security sector reform agenda soon also became an issue for peace support operations.[6] The objectives of massive international interventions in conflict and post-conflict situations have expanded over time, both in number and depth. Interventions have become broader in scope and longer in duration. Earlier interventions, authorised to back-up cease-fires, such as in Somalia, or to support political settlements, such as in Mozambique and Cambodia, were primarily aimed at restoring order and facilitating elections. Demobilisation and disarmament of combatants were an early harbinger of wider efforts towards security sector reconstruction and reform within peace support operations.[7] In parallel, but generally with little coordination, development agencies began to operate in areas relevant to public and human security.

More recent interventions have become very ambitious, attempting to lay the groundwork for sustainable political, economic and security

structures. Elements of this expanded interventionism include stabilisation, post-war reconstruction, economic rehabilitation, and democratisation. Next to the concept of 'human security' security sector reform thus turned into one of the most ambitious or holistic approaches.[8]

External contributions to security sector reform have been made under a range of circumstances, including where international agreements adopted following the cessation of armed conflict provided a corresponding mandate (Bosnia and Herzegovina, Macedonia), where the United Nations Security Council provided a mandate for international interim administrations (Afghanistan, Kosovo, Sierra Leone), and where a cease-fire, mediated and/or backed by international actors, which included security sector reform policies, put an end to collectively organised and/or large-scale armed conflict, (for example, in Tajikistan, Nagorno-Karabakh and Northern Ireland). Security sector reform has also been attempted outside such situations, for instance through the support of local initiatives by donor countries, with the focus on administrative reforms. This so far limited experience has been incorporated into the wider security sector reform agenda.[9]

With few exceptions, prescriptions and accounts of SSR are 'holistic', fusing ends and means, prerequisites and results, actors and policies. There are advantages and disadvantages to such an approach. One advantage is that the attempt is made to see societies, where reform is to occur, in their interconnected totalities. However, this advantage only plays out on a rather abstract level of analysis, or when it is filled with empirical detail relevant to a particular society. Otherwise it does not provide much guidance for policy. The major disadvantage of the holistic approach is that it is not very helpful for making decisions about priorities for or sequencing of policies.

Accumulation of knowledge about security sector reform in particular settings has only begun fairly recently. For the time being, the security sector reform debate is marked by a mismatch between long list of general recommendations of what could and should be done and concrete suggestions based on a thorough analysis of the problems in a particular post-conflict situation. This might be one reason why country-specific accounts often show little progress in security sector reconstruction and reform on the ground.[10] Security sector reform needs to be made concrete with respect to priorities and sequences, partial objectives and instruments, to have relevance in particular settings.

Objectives and Assumptions

Recommendations for security sector reconstruction and reform come from a variety of sources, including actors ranging from peacekeepers to development donors and analysts, all of various convictions. The result is a mixed bag of policy prescriptions and an ever-longer list of suggested instruments.

However, what unites all these recommendations is the idea to provide security for the 'people', that is the ordinary citizens living in a given state. This is generally seen as having two interlinked sides. First, the provision of physical security and second, the control of those institutions providing security so that they actually provide security to the citizens, and not to selected groups, or in ways infringing on the rights of citizens.[11] Deficits in the public provision of physical security are usually perceived as one of the core problems in post-conflict situations. Typical manifestations of insecurity include organised crime and illegal paramilitary organisations, trafficking in drugs and weapons, the unregulated possession of firearms, terrorism and violent extremism and the abuse of power by state security apparatuses.

At the same time, post-conflict situations are regularly marked by deficits in governance structures, including democratically legitimised institutions. The creation and reform of such institutions is another key task in post-conflict situations.

Solving the security problem is generally perceived as a prerequisite for development and democratisation. In peace support operations the burden of providing security initially will fall on the international community. Reconstruction and reform of domestic security sector institutions will then have to enable these to successively take on this task.

However, there is also a corresponding link between democratisation and security sector reform in the opposite direction. Without the functioning of democratic institutions, governance of the security sector will be prone to hostage-taking by particular interest groups. It will also be difficult to ensure that security institutions behave lawfully, as long as the rule of law is not broadly established in a post-war situation. Security sector reform is unlikely to be ahead of broader political and institutional reforms, in fact, security sector governance generally lags behind other reform efforts.[12]

The linkage between democratisation and security sector reform is complex and difficult to generalise. In a way, security sector reform and

democratisation provide an example of a chicken-and-egg problem. Traditionally democratisation has been prioritised in peace support operations, however, in a number of recent cases, such as Bosnia and in Central Asia, security sector reform has been pushed despite visible deficits of democratisation. This dilemma will be picked up again in this chapter on a more theoretical basis.

In addition to these two core facets of security sector reform, there is, in the view of the authors, a third facet, whose importance is often underestimated in discussions and theoretical prescriptions of security sector reform, but which is of great practical relevance, particular in post-conflict situations under international auspices. This is the economic sustainability of domestic security sectors constructed and/or reformed by international actors. International actors will often find it difficult to sustain funding to build-up national security sector institutions over long periods of time, while domestic funding is often hard to come by. Therefore, security sector reform, which aims at sustainable structures of security provision, will often occur under severe financial constraint, at least after an initial period.

In summary, the authors are guided by the assumption that security sector reform in post-conflict situations is about three clusters of objectives: (i) the build-up of new security sector institutions, where none exist or are acceptable for reform by the international community, or the retrenchment of overwhelmingly controlling, present, repressive and threatening state security institutions from intervention into politics, economy, and society, where such institutions continue to exist; (ii) the disarmament, demobilisation, reintegration, transformation, and prosecution of illegitimate armed non-state actors in order to re-establish a state monopoly of legitimate violence; (iii) the long-term goals of building-up accountable, efficient and effective security forces.

To achieve these objectives, actors can use a wide spectrum of instruments, ranging from (a) strengthening civilian and democratic participation and control through (b) reallocating military (material, economic and human) resources for civilian ends ('conversion', 'demilitarisation' and control of military spending) to (c) reforming military and police institutions to perform specific tasks ('professionalisation', 'capacity building'), (d) developing an independent judiciary and a humane penal system ('rule of law') and (e) undertaking security analysis and creating policy models.

As a rule external actors generally come with broad ideas about which instruments are best suited to the particular situation, often shaped by images

of their own domestic arrangements. Since these ideas differ among major international actors, lack of policy coherence is a problem, further complicating the issue of priority setting. In addition, externally sponsored SSR often has to react in an ad hoc fashion to urgent security requirements.

While the security sector reform debate has clearly widened the agenda for reconstruction and reform beyond the military, which earlier was often seen as the only relevant institution, there is no unanimous view of how far this label should be stretched. A narrow definition of the security sector focuses on the provision of *public* security ─ it encompasses all actors and agencies authorised to threaten or to use violence in order to protect the state, its citizens or its external environment. The extensive use of the term SSR pertains to all potential actors, institutions, policies and contextual factors impacting on security.[13] Notions of physical security, rule of law, civil-military relations, democratic governance, post-conflict disarmament, demobilisation and reintegration and 'human security' intermingle respectively. In its extended version SSR exemplifies a thrust for good governance, for example, transparent, accessible, accountable, efficient, equitable, checked and democratic input, output and process. Accordingly, the concept covers all institutions and actors that in one way or another determine, implement or control the provision of public security or are able to undermine it. Corresponding to this spectrum of understanding of the security sector, international actors have also adopted somewhat different perspectives for reform policies. In some cases, such as Afghanistan, police reform has so far been prioritised over all other possible approaches, while in Bosnia and Herzegovina a very broad understanding was adopted.[14]

Post-conflict security sector reform sponsored by the international community is generally both defensive and offensive. In its defensive mode it is geared towards meeting contingencies that are often brought about by fears of disorder, anarchy, resurgence of violence, gross human rights violations, disloyalty, and mutiny. Compelling recent examples include Afghanistan, Bosnia and Herzegovina, Kosovo, Iraq and Macedonia. In such critical cases security sector reform should concentrate on the domestic security threats, particularly those emanating from an unreformed 'security sector', and potential ways of reducing these threats. In post-conflict situations 'security sector reform' needs initially to focus on activities aimed at reducing public insecurity and to restore the state monopoly on the legitimate use of violence. Early post-conflict security sector reform therefore often requires specific priorities, in contrast to SSR as part of democratic consolidation. These include containing the spread of violence,

emergency stabilisation, quelling the remnants of violence (mostly in the form of disarmament and other measures to contain the spread of small arms and light weapons, as well as demobilisation and reintegration of combatants), preventing relapses into violence and the formation of basic security agencies.

Security sector reform is time-sensitive and dependent on the conflict cycle. Given historical experience for the introduction of the rule of law and recent empirical evidence about the attention span of the international community, security sector reconstruction and reform does not often go much beyond initial stabilisation of the security situation, despite the broader issues raised in the security sector reform agenda. Under such circumstances, it makes sense to concentrate on the international actors' time frame rather than on normative ideas about an extended democratisation agenda. Security sector reconstruction and reform programmes should therefore avoid simply enumerating prerequisites or normative goals that can only result from a multi-year, evolutionary change. Externally promoted security sector reform can contribute to capacity building, changing forms of legitimisation, and they add a veto point to the political process. However, security sector reform cannot change the type of domestic political regime.

Democratic consolidation may require a comprehensive, mutually reinforcing combination of human rights, rule of law, development and polyarchy. Regardless of differences among students of democratisation, democratic consolidation usually includes constitutionalism (formal democratic principles), institutional consolidation (formation of democratic institutions), representative consolidation (formation and empowerment of democratic non-state actors), and normative or behavioural consolidation (internalisation of democratic norms and values).[15] Disputes exist with respect to the necessary prerequisites – a pre-existing demos, pre-existing statehood, rule of law, a Weberian bureaucracy, secularism, literacy, urbanism, and a certain distribution of income between social strata. SSR in post-conflict situations is not yet about the agenda of democratic consolidation.

Framing Conditions

Post-conflict situations usually share some legacies or framing conditions with a bearing on public security, few of which can be changed in months or even years.

In many of the cases relevant here, a recent history of war or large-scale violence led to the breakdown of the state monopoly on the legitimate use of violence. Interest groups are often armed. Accordingly, civilian norms of conflict management do not function as internalised guiding principles of public and private behaviour. Institutions of public security and law enforcement are either paralysed or factionalised. Furthermore, most of the post-conflict situations share with typical underdeveloped countries a lack of traditions of rational, efficient and effective state bureaucracies. Instead they are characterised by patrimonialism, clientelism, and informal networks rather than formal institutions.

Most political regimes prior to the conflict, but, given the societal base, also after the conflict, are authoritarian or semi-authoritarian,[16] and they belong at best to the group of 'partially free' or 'delegative democracies' with elected presidential systems, strong majority features, executive power concentrations, and a strong reliance on security forces as instruments to stay in power. Political parties, which are the prerequisite of strong parliaments and provide the crucial state-society nexus, are mostly organised around ethnic affiliations or clientele networks. Clientele and charismatic leader parties dominate over democratic programme parties. Civil societies are usually weak, at least in the sense that evaluative institutions autonomous of the government or the power elite are missing. Additionally, most of these post-conflict situations are on the lower end of the Human Development Index while they rank high on indices measuring rent-seeking and market distortions, such as Transparency International's corruption index.[17]

Even in those post-conflict situations where international actors are limiting the external and internal sovereignty of states through military intervention forces, or administration of territories, they still need to reckon with domestic characteristics of societies and polities. There are no clean slates anywhere. Any kind of reform programme, whether in the security or any other sector, runs its course influenced by reactive, strategic behaviour of domestic actors. International actors will seldom be able to determine outcomes. One important example is the provision of physical security in programmes for security sector reconstruction and reform.

Dilemmas of Externally-Driven Security Sector Reform

In terms of the seriousness of the challenges, post-conflict situations seem to provide fertile ground for security sector reform, but they are characterised by at least six dilemmas.

Firstly, post-conflict situations are marked by a lack of security and the need to quickly build up institutions which can provide security for the people as well as state institutions. Yet, there are often structures and institutions of war present which need to be disbanded. While the need for security is obvious, it is often questionable whether post-conflict situations provide adequate opportunities for security sector reform. Sometimes both actors and analysts assume that there is a clean slate when in fact, as mentioned above, this never is the case. Political and societal legacies may have been thoroughly changed by a war and foreign military intervention, but they remain relevant, mixing with new interests groups. A *tabula rasa* approach with respect to past deeds, for example, blanket amnesty, absence of lustration policy, the transformation instead of dissolution of repressive organs as well as paramilitary forces, is often the prerequisite for buying the acquiescence of former perpetrators. Contrary to the assumed need of an ideational and jurisdictional break with the past, reform often has to begin with the fiction of a zero point in order to limit political opposition and resource needs. Imperatives of transition and legacies evidently clash. The question in many concrete situations therefore is, to what extent well-meaning reform policies can in fact contribute to overcome those legacies? General transition research suggests that after an initial shock, entrenched actors and traditional structures overwhelm one-fit-for-all programmes.[18] Path dependency of societal and political development is difficult to overcome, even in situations where major shake-ups have occurred in the form of wars and subsequent international interventions.

Secondly, in peace support operations, foreign troops and/or police, which initially take over the role of security providers, are faced with the classical 'white man's burden' problem of setting incentives for reactive, seemingly passive behaviour of domestic actors, strategically aimed at exploiting the international actors.[19] However, security sector reform – like all policy which is to be sustainable after the end of international tutelage – needs to be implemented and enforced by domestic actors with particular interests. It is, therefore, generally difficult to find the proper place of external actors in security sector reconstruction and reform. As a rule, internationals have a strong interest that their input is transitioned, as soon as

possible, to national institutions. The interest in early transfer is self-evident – high costs, vanishing consensus and support in donor countries, security risks for internationals and disincentives for national stakeholders to take over responsibility. Yet, domestic actors' thrust for a quick transition undermines the very basis of external influence. External input clashes with the need for local ownership.The practical question therefore is what principles should guide transfer strategies.

A third, related dilemma pertains to the fundamental democracy deficit of external interventionism. The power of international actors to bring about security sector reconstruction and reform depends not just on financial or human resources, but on the ability to shape, direct, and control policies and outcomes. International actors may reduce security problems and contribute to capacity building, but they are not subject to principles of popular sovereignty, constitutionalism, elections, and accountability in the territories where they act. The capacity to implement programmes depends on a violation of just those democratic principles to be promoted. The fundamental question is whether basic, non-arbitrary criteria can define readiness for self-determination, self-governance and rule of law in security sector reform agendas.

The fourth dilemma concerns the interdependency of policies. At least in post-conflict situations externally sponsored SSR is *de facto* premised on the assumption that public security and the state monopoly on legitimate violence are prerequisites for long-term democratic, developmental or overarching 'human security' agendas. Afghanistan, Bosnia and Herzegovina, Iraq and Kosovo are cases in point. They are either politico-military protectorates or semi-sovereign states. Security sector reform has been prioritised by international actors in these cases compared to democratic consolidation. However, some authors hold that democratisation has to be prioritised, and that with proper democratisation respective governance of security institutions will emerge over time. Another view holds that capacity building for 'good governance', particularly professional training, has to be the priority. The question is whether public and physical security issues have to take precedence over the democratisation agenda or whether conditioned capacity assistance with a stabilisation and conflict containment agenda is the adequate option.

A fifth dilemma pertains to the self-interests of national actors. As the introduction of rule of law and law obedience in general demonstrate, it is naïve not to take into account the immediate self-interests, in terms of financial and power games, of all relevant actors in security sector reform

programmes.[20] Particularly for those key national actors which are powerful prior to reform, security sector reform is often not in their short-term self-interest as it threatens to undermine their power bases. This suggests that security sector reform has to overcome an initial unstable phase where a wide range of actors are faced with short-term increases in insecurity about the new arrangements as well as unknown pay-offs. The benefits of stability through more predictable behaviour of disenchanted segments of society, helping to channel distress, and increasing social cohesion, generally only come in the longer term. Yet, the expected long-term benefit of rule of law may transgress the time frame of national actors primarily interested in power preservation. The question is, therefore, whether and how the incentive structure of national actors can be changed in favour of post-conflict security sector reconstruction and reform.

A sixth dilemma concerns the contradicting interests, divergent resource endowments, and varying levels of expertise among international actors. Due to its resource endowment and organisational capacity, the military often takes the lead in security-related issues in post-conflict situations, including issues of security sector reconstruction and reform. As security sector reform entails instruments not generally in the military's toolbox, this constitutes a stretch of the capabilities and capacities of military organisations, in addition to claiming ground traditionally covered by development agencies. However, development agencies generally have little experience, and often limited willingness, to deal with security institutions or to develop programmes for security sector reform such as police reform or the design of laws for security sector institutions. Discussions about norms, rules and institutions of civil-military interaction in post-conflict situations are just emerging and are highly informed by national cultures and interests. An open question therefore concerns the appropriate qualifications and forms of interaction among international actors.

Priorities to Improve Security

Judging on the basis of a preliminary analysis of a number of post-conflict situations, the initial focus of international efforts in post-conflict situations should be on curbing warlordism and stabilising the security environment, on disarmament, demobilisation and reintegration of former combatants, re-building military and police forces and on transitional justice.

Curbing warlordism must involve efforts to undermine the economic foundations of the warlords' power and facilitate a transition to a civilian economy. Rampant violence and disorder in post-conflict areas and the international community's unwillingness to commit sufficient peace enforcement forces is often a major obstacle to security sector reform efforts. Lasting causes of insecurity usually involve warlordism, trade in narcotics, illegal arms and precious resources, the interference of regional states, so-called 'spoilers'[21] and rampant crime. Warlords, or similar actors who can self-finance organised militant groups, in many cases, pose the most potent threat to the post-conflict political order. The lack of law enforcement and unclear legal provisions often allows warlords to create economic and political niches in the transition phase from a manifest violent conflict to stabilisation. Warlords aggressively carve out provincial fiefdoms, use ethnicity for support, and generate resources through drug or arms trade, controlling external aid, imposing taxation and various forms of criminal activity.

If the central government lacks the means to curb the influence of the warlords, it can try to accommodate, co-opt or integrate them. Political dispensation is in the interest of warlords as it provides them with the veneer of legitimacy without curbing their activities. However, 'buying in' warlords may pose a threat to SSR – most are war criminals, guilty of grave human rights violations and unpopular among the general population. Due to the involvement of many of them in the economies of war, the nascent government may become hostage of war oligarchs. To undermine the power of warlords and spoilers security sector reform will have to include concerted efforts to choke off their sources of revenue. The warlords power is often primarily predicated on a financial rather than on a military basis. Accordingly, an effective means to confront warlordism is to equip the nascent government with economic tools to disrupt and dissolve their economic networks, for example through controlling transit trade and bringing customs under central command, and stopping military interference in economic and political affairs.

Disarmament, demobilisation and reintegration of former combatants is an indispensable component of post-war rehabilitation and reconstruction. Its primary purpose should be to demilitarise society by disbanding armed groups and eliminating military structures outside state control. In addition, successfully reintegrating former combatants into civilian society reduces the likelihood that 'violence experts' pick up arms again in order to secure their livelihood. Severing the dependence between militiamen and the

warlords often necessitates the offer of alternative employment opportunities. Incentives for former combatants could include appointments in the government, military or police, retraining, assistance in establishing private enterprises and economic inducements. Disincentives refer to the use of force, recourse to legal measures, and banishment. The main problem is political and can result from a number of factors, including popular distrust of the nascent army and police, the existence of armed rival factions, possibly even a security vacuum where no national or international actor is in control and the failure of the international community to deploy robust forces. Small arms and light weapons control programmes can contribute to ridding post-conflict areas of surplus weapons.[22] However, expectations that more than symbolic numbers of weapons can be collected are generally unrealistic. Laws controlling the possession and use of weapons are often comparatively easier to enact and enforce.

The formation of truly national security institutions, whether army or police, is viewed in many post-conflict situations as a litmus test for the entire state-building endeavour (Bosnia and Herzegovina, Macedonia, Afghanistan, Iraq, partially Kosovo). Key problems for the creation of ethnically and politically representative security forces include the resistance of private militias to reform, as well as, political factionalisation, limited capacities of existing forces to absorb additional personnel from formerly excluded groups, lack of equipment and the absence of an overarching ideology. Externally assisted police reform was, all in all, more successful than military reform (Kosovo, Bosnia and Herzegovina, Afghanistan), although lack of sufficient training, basic equipment, miserable payment, and the enrolment of ex-combatants with a militiaman mentality have inhibited effective policing in a number of cases. However, the most serious obstacle to successful police reform is often the lack of lasting international support.

Countless atrocities have been committed in the course of 'civil' wars, including systemic executions, mass killings, mass rape, ethnic cleansing, torture, indiscriminate shelling, armed robbery, extortion, abduction, assaults on civilians, violence against journalists, feminists or political activists. Transitional justice has often treated these atrocities as taboo. While there is much recent experience with various forms of dealing with the past, including international tribunals, the international community and national governments often feel insecure and reluctant about how to address the problem. This issue is intimately linked to the dilemma, identified above, of building post-war power coalitions with limited resources. However, in our

preliminary analysis of relevant cases, silence on accountability for human rights violations has more disadvantages than advantages. It emboldens ex-combatants and warlords to consolidate their power. Amnesty might be a necessary compromise in order to successfully demilitarise and reintegrate ex-combatants, but amnesty has to be more specifically defined. In view of the lack of amnesty legislation, the expectation of a blanket amnesty is very likely to stimulate insurgents to relapse into violent or criminal pursuit of interests. The promise of amnesty may even make the international community appear to be aiding and abetting opponents to successful reform the security sector. Blanket amnesties cast a lasting doubt on the democratic credentials of paramilitaries transformed into security agencies, but also inhibit their future control. Evaluation of personnel for post-war security agencies has, therefore, to cover all potential candidates, including commanders. Flagrant violations of humanitarian law, including genocide, war crimes, torture, terrorism, rape, and hostage-taking, should be exempted from any amnesty. Given the wide array of acts of violence, the reintegration and re-assimilation of combatants warrants a proactive reconciliation policy. Insufficient amount of attention has been dedicated to issues of human rights and gender, which have tremendous implications for security. If mechanisms to protect the rights of women and prevent human rights abuses are not erected in the security sector, the SSR process will serve to perpetuate gender-based discrimination and egregious human rights violations.

Suggested Conditions for Success and Failure

The following tentative conclusions and recommendations are derived from a preliminary analysis of post-conflict situations with strong international influence. They constitute hypotheses, which need to be further tested in empirical analysis. Specifically, they include (1) capacities of international actors, (2) local ownership, (3) enabling factors, (4) sequencing of models and (5) cost-benefit and project evaluation.

Capacities of international actors. If international actors intend to play a substantial part in security sector reform, they must be willing to invest substantial political and financial capital. Security sector management will require a multidisciplinary approach involving legal and constitutional experts, military and police professionals, experts in human resources management, persons and agencies with experience in demobilisation, re-

trainers and labour market experts. Effective security sector reform is best conducted cooperatively among a wide range of actors. These include, in addition to those involved in peacekeeping and international administration in post-war situations, development as well as national and international donor agencies such as the World Bank and relevant non-governmental organisations. However, while positive in principle, the multiplicity of international actors with similar mandates operating in the same areas constantly creates 'turf wars' sometimes even among competing actors from one donor country. Duplication, parallel chains of command, and fights over allocation of funds have a noticeable toll on efficiency and effectiveness. International resources are often spread over too many independent actors with divergent mandates and limited willingness to coordinate. Overall responsibility for the various aspects of security sector reform is often unclear, or deliberately vague. Security sector achievements have been limited, for example in Afghanistan, because implementation of the division of labour for elements of the overall reform process agreed among national donors has been flawed. In some cases, such schemes have served to disjoint the process, fostering uneven progress in a strategy contingent on simultaneous movement among its constituent elements. Competing national agendas, unclear division of labour, budgetary problems, and bureaucratic sluggishness result mainly from political negligence. A solution could either exist in nominating a 'lead nation' for co-ordination or in establishing an international working body – not just a supervisory organ – for coordination.

Local Ownership. SSR will only last if it is based on a growing sense of local ownership. Imposition of security sector reform might seem possible in protectorates such as Kosovo and Bosnia and Herzegovina, but even there external leverage has proven to be limited and external dictates counter-productive in the long run. It is vital that reform is seen as an expression of national will and not something imposed by outsiders.

Enabling factors. Within a general framework, external support should be as demand-driven as possible and take the local socio-economic environment into account. Projects are too often generated externally and then 'sold' to the recipient country without needs assessments by independent experts or the recipient government. Needs assessments are rarely performed before measures are decided on. Chances of successful security sector reconstruction and reform increase if they form an integral part of post-conflict agreements, since they tend to reduce the likelihood of a relapse into

violence. Keeping security sector reform off the initial agenda for post-conflict reconstruction is likely to increase the long-term costs in political instability and the danger of reigniting conflict. Security sector reform is also aided if the message sent by the international community is unambiguous. Post-war security policy must be geared towards removing the remnants of war, not to rectifying military imbalances or rewarding warlords. Capacity building of security sector forces is the core of successful external security sector reform assistance. In cases where emergency measures for stabilisation of the security situation are necessary, the initial focus must be the provision of physical security. Longer-term issues of security sector governance will need to take second place. Assisting capacity building should clearly be connected with de-militarisation, de-politicisation and strengthening the rule of law. Security sector reform should not result in furthering repressive regimes or authoritarian politics. Raising expectations not backed by capacities only leads to frustration and shifting responsibilities to external actors.

Sequencing. The post-conflict SSR policy sequence should start with deliberations about future tasks of national security, defence and intelligence, cascading down to changes in organisations and personnel. Discrete security sector reconstruction and reform projects should form – as much as possible – part of larger efforts for post-war reconstruction and democratisation and be aimed at sustainability. It is preferable for the long-term success of such programmes that security sector reconstruction and reform flows from a restatement of national security policy and that the development of defence and intelligence policy is a part of that process. In an ideal situation, which can serve as guidance for the overall approach, a restatement of the overall defence policy should form the basis for constitutional and legal reform, democratic control, the roles and functions of each security-related organisation, material and equipment, manning, and force management. Concrete reform elements should be elaborated in detailed plans, including budgets, for the various new security sector institutions. A management structure should be created which is capable of leading and inspiring the respective security organisation, as well as managing its resources efficiently and effectively within the democratic requirements of transparency and parliamentary accountability. Each of these plans will require implementation timelines, as well as the appointment of change managers to oversee the process. Administrative and technical reforms are unlikely to succeed unless they are underpinned by progress on

the wider post-war reconstruction agenda. The overarching goal of international assistance must be to facilitate the creation of sustainable national structures, including legal frameworks. Goals and time frames of security sector reform should be clearly stated, otherwise donor fatigue coupled with the slow pace of aid delivery may deprive the process of vital funds.

Cost-benefit and project evaluation. As each layer of the plan is implemented, it is important that the solidity of the foundation is regularly confirmed. The aim of any review should be to conduct a quantitative, qualitative and effective audit of each step in the SSR process. The review phase should assess, among other issues, the quality of internal communications and the distribution of information concerning implementation of the plan, the quality and relevance of legal advice and other external expertise, the soundness of financial management, the effectiveness of the identification of skills and of commercial opportunities for laid-off personnel, and the overall cost of the implementation in terms of 'value for money'.

Conclusion

Post-conflict situations, where the international community is strongly committed, provide particularly pressing needs for security sector reconstruction and reform. If existing at all, domestic security institutions are generally faced with major security challenges, from remaining contenders to power and/or criminality, in some cases also from neighbouring countries. At the same time, security forces are often inadequately empowered or lack legitimacy.

External actors who involve themselves in peace support operations need to combine priority setting with facilitating the long-term build-up of professional, legitimate and efficient domestic security institutions. Unfortunately, little good advice on such priority setting is currently available. This is partly due to the relative novelty of international peace support operations including security sector reconstruction and reform, and partly to deficiencies in the debates on security sector reform, particularly a lack of empirical studies.

On the basis of preliminary analysis, taking into account the specific nature of each post-conflict situation, a number of hypotheses are developed for further empirical testing. One cluster of hypotheses pertains to the priorities for international actors in the reconstruction and reform of domestic security sectors. Near-term priority issues generally include curbing warlordism, disarmament, demobilisation and reintegration, the formation of a national army and police reform as well as transitional justice. Related to this are the long-term goals of building-up accountable, efficient and effective security forces. Moreover, conditions for the advancement of security sector reconstruction and reform are often difficult, because of the existence of semi-authoritarian or authoritarian power structures. However, in these situations, security sector reform cannot be a substitute for political reform and democratisation.

Another cluster of hypotheses developed in the chapter address the enabling conditions for security sector reconstruction and reform. The success of security sector reconstruction and reform will likely depend on a number of factors, including the capacities of international actors, the degree of local ownership, the successful sequencing of models and, finally, the proper application of cost-benefit analysis and project evaluation.

These hypotheses need to be further tested in field studies. The goal of such work should be to assess whether security sector reform and reconstruction has helped to provide more security to people, to avoid

politicisation, ethnicisation, and corruption of the security forces, to reduce excessive military spending and inefficient allocation of resources, and to improve transparency and accountability. A number of major external contributions to security sector reconstruction and reform have by now been made, or are under way, providing a growing body of evidence which needs to be systematically scrutinised.

Notes

[1]   The term is used here loosely, for international interventions with the primary objective to restore peace and establish sustainable structures for conflict management. See also Fitzgerald, A., 'Security Sector Reform – Streamlining National Military Forces to Respond to the Wider Security Needs', *Journal of Security Sector Management*, Vol. 1, No. 1, (2003).

[2]   See World Bank, *The Role of the World Bank in Conflict and Reconstruction. An Evolving Agenda,* (Washington, D.C., 2001), available at <http://lnweb18.worldbank.org/ESSD/sdvext.nsf> (2001) for an official policy statement and Batchelor, P., Kingma, K., and Lamb, G., (eds.) *Demilitarisation & Peace-Building in Southern Africa: The Role of the Military in State Formation & Nation-Building,* (Ashgate, London, 2004), for a critical account for the Southern African region.

[3]   An edited volume, the result of a joint DCAF-BICC research project, with case studies on post-conflict security sector reconstruction and reform, for which this chapter provides a framework, is planned to be published in early 2005.

[4]   See DFID (UK Department for International Development) , *Poverty and the Security Sector. Policy Statement*, (London, 2000); Welch, C., and Mendelson Forman, J., *Civil-Military Relations: USAID`s Role*. Centre for Democracy and Governance, (US Agency for International Development, Washington, D.C. 1998); World Bank, *Security, Poverty Reduction and Sustainable Development: Challenges for the New Millennium*, (Washington, D.C., September 1999); GTZ (Gesellschaft für Technische Zusammenarbeit), *Security-Sector Reform in Developing Countries: An Analysis of the International Debate*, (Eschborn. 2000); OECD/DAC, 'Security Issues and Development Co-operation: A Conceptual Framework for Enhancing Policy Coherence', *The DAC Journal: International Development*, Vol. 2, No. 3, (2001).

[5]   See Chalmers, M., *Security Sector Reform in Developing Countries: An EU Perspective*, Saferworld, London, January 2000; Williams, R., 'Africa and the Challenges of Security-Sector Reform', in: J. Cilliers, A. Hilding-Norberg (eds.), *Building Stability in Africa: Challenges for the New Millennium*, ISS Monograph Series No. 46, Pretoria 2000; Hendrickson, D., *Understanding and Supporting Security Sector Reform*, DFID, London.2002; Cooper, N., and Pugh, M., *Security Sector Transformation in Post-conflict Societies*, The Conflict, Security & Development Group, Working Papers, King's College, London, February 2002; Ball, N., *Enhancing Security Sector Governance: A Conceptual Framework for UND*P, October 9, 2002.; UNOG and DCAF (eds.), *Security Sector Reform: Its Relevance for Conflict Prevention, Peace Building, and Development*. Compilation of Presentations Made at the First Joint Seminar of the UNOG and DCAF, Geneva 21.1.2003, Geneva, 2003; Commission on Human Security, *Human Security Now*, New York, 2003.

[6]   See United Nations, *Report of the Panel on United Nations Peace Operations*, Chaired by Lakhdar Brahimi, (New York, 2000) , available at
<http://www.un.org/peace/reports/peace_operations/>.

[7]   See United Nations Department for Peacekeeping Operations, *Disarmament, Demobilization and Reintegration of Ex-Combatants in a Peacekeeping Environment,* New York: United Nations 2000.

[8]   Some authors see SSR as a carrier for 'democratisation of the state', 'establishment of good governance', a basis for 'economic development', 'international and regional conflict prevention', 'post-conflict recovery', and 'professionalisation', see, for example Karkoszka, A., 'The Concept of Security Sector Reform', in: UNOG and DCAF, eds., *Security Sector Reform*, Geneva , 2003. In this paper, none of such claimed links are further investigated.

[9]   See Saferworld/International Alert/Netherlands Institute of International Relations 'Clingendael', *Towards a Better Practice Framework in Security Sector Reform. Broadening the Debate*, Occasional SSR Paper no. 1 (The Hague.2002).

[10] See Buwitt, D., *Internationale Polizeieinsätze bei UNO-Friedensmissionen. Erfahrungen und Lehren aus Bosnien-Herzegowina und im Kosovo*, BITS Research Report 01.1, Berlin, December 2001; King, J., Dorn, W.and Hodes, M., *An Unprecedented Experiment: Security Sector Reform in Bosnia and Hercegovina*, Saferworld and BICC, (London, September 2002); Yusufi, I., *Security Sector Reform in South East Europe*, Center for Policy Studies, (Gostivar, 18 February.2003); Sedra, M., *Confronting Afghanistan`s Security Dilemma. Reforming the Security Sector*. Brief 28 (BICC: Bonn, 2003).

[11] See Ball, N. and. Brzoska, M, (with Kees Kingma and Herbert Wulf), *Voice and Accountability in the Security Sector*, BICC Paper 21 (BICC: Bonn, 2002).

[12] OECD/DAC, *Security System Reform and Governance. Policy and Good Practice*, (2004). Available at: www.oecd.org/dataoecd/26/44/31870339.pdf .

[13] See Hänggi, H, 'Making Sense of Security Sector Governance', in: Hänggi, H., Winkler, T. (eds.), *Challenges of Security Sector Governance* (LIT: Münster, 2003), pp. 3-18.

[14] See King et al, *An Unprecedented Experiment,* and Sedra,*Confronting.*

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[15] See Collier, D. and Levitsky, D., 'Democracy with Adjectives: Conceptual Innovation in Comparative Research', *World Politics*, Vol. 49, No. 3, (1997), pp. 430-451, Beichelt, T., *Demokratische Konsolidierung im post-sozialistischen Europa. Die Rolle der politischen Institutionen*, (Leske und Budrich, Opladen 2001); Diamond, L., 'Thinking about Hybrid Regimes', *Journal of Democracy*, Vol. 13, No. 2, 2002, pp. 21-35.; Merkel, W., Puhle, H.-J., Croissant A., Eicher, C., and Thiery, P., *Defekte Demokratie*, Bd. 1, (Leske und Budrich, Opladen, 2003).

[16] Measured e.g. by the Freedom House Index, see <www.freedomhouse.org>.

[17] See <www.transparency.org.>.

[18] See Linz, J. J., and Stepan, A. *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*, Johns Hopkins University Press, (Baltimore 1996) and Lauth, H. J., Pickel, G. and Welzel, C. (eds.), *Demokratiemessung. Konzepte und Befunde im internationalen Vergleich,* (Westdeutscher Verlag, Opladen, 2000).

[19] See Chandler, D., *Bosnia: Faking Democracy After Dayton*, (Pluto Press, London 1999)

[20] See Maravall, J. M.and Przeworski, A. 'Introduction', in: J. M. Maravall and A. Przeworski, (eds.), *Democracy and the Rule of Law*, (Cambridge University Press, Cambridge. 2003); Weingast, B. R., 'A Postscript to "Political Foundations of Democracy and the Rule of Law"', in: J. M. Maraval and A. Przeworski, (eds.), *Democracy and the Rule of Law*, (Cambridge University Press, Cambridge, 2003), pp. 109-113.

[21] See Stedman, S. J., 'Spoiler Problems in Peace Processes', *International Security*, Vol. 22, No. 2, (1997), pp. 5-53.

[22] See Faltas S. and diChiaro J.III, (eds.), *Managing the Remnants of War*, (Nomos, Baden-Baden, 2001).