Informal Conclusions of the Chair: High Level Panel on the Challenges and Opportunities for Security Sector Reform (SSR) in East Africa

2-3 October 2012; Nairobi, Kenya

INTRODUCTION

The High Level Panel on Challenges and Opportunities for Security Sector Reform (SSR) in East Africa has brought together over 200 SSR policy makers and practitioners to unpack the key issues facing both those undertaking and those supporting SSR. These have included those responsible for leading and implementing processes in Burundi, Somalia and South Sudan, as well as key donors, regional and multilateral organisations and representatives from the African Security Sector Network and other civil society organisations.

Senior representatives who contributed to the discussion over the 2 days included the Hon. Stephen Kalonzo Musyoka, Vice-President and Minister for Home Affairs of Kenya; Ambassador Sahle-Work Zewde, Director General of the UN Office at Nairobi; Hon. Hussein Arab Isse, caretaker Deputy Prime Minister and Minister of Defence, and Member of the Federal Parliament of Somalia; General Oyay Deng Ajak, Minister of National Security of South Sudan; Mr. Dmitry Titov, UN Assistant Secretary–General for Rule of Law and Security Institutions, Department of Peacekeeping Operations; Dr. Julius T. Rotich, Deputy Secretary General (Political Federation), East African Community; Mr. Aeneas Chuma, UN Resident Coordinator and UNDP Resident Representative for Kenya; Major General Silas Ntigurirwa,

High Level Panel Chair: Dr. Michal Mlynár, Ambassador of Slovakia with residence in Nairobi and Chair of Governing Board of DCAF's International Security Sector Advisory Team (ISSAT)

Permanent Secretary, Ministry of Defence of Burundi; Mr. Maurice Mbonimpa, Permanent Secretary, Ministry of Public Security of Burundi; Ambassador Nancy Kirui, Permanent Secretary, Ministry of State for Defence of Kenya; Ms. Hilde Johnson, UN SRSG and Head of the UN Mission in the Republic of South Sudan; Ambassador Augustine Mahiga, UN SRSG and Head of the UN Political Office for Somalia; Ambassador Antoine Ntamobwa, Director General for North American Affairs, Ministry of Foreign Affairs of Burundi; as well as SSR practitioners and UN personnel from across the region, diplomatic representatives and members of the international SSR community.

I would like to personally thank Ambassador Sahle-Work Zewde, Director General of the UN Office at Nairobi, for providing the venue for this High Level Panel in Nairobi and for her enthusiastic support of this initiative, as well as the Geneva Centre for the Democratic Control of Armed Forces' International Security Sector Advisory Team for all their hard work in planning and organising this event.

It is impossible to do justice to the depth and breadth of debate in the short time I have for closing remarks, so I will concentrate on highlighting some of the main messages and suggested recommendations to take forward from these two days.

> ### *Importance of SSR to peace, stability and development:*
> SSR is now widely recognised as playing a vital role beyond improving the delivery of security and justice services to the population. The transformation of security and justice institutions to be more accountable and more effective is a critical element for post-conflict peace building and development, contributing to both short-term stabilisation and long-term stability. SSR should not only be a reactive process, dealing with past imbalances, but also link in with other sectors to identify and address future security challenges, such as youth and unemployment or conflict over resources.

We examined the three case studies of South Sudan, Burundi and Somalia: three different contexts with very different challenges.

THE REPUBLIC OF SOUTH SUDAN

In **South Sudan** the SPLA transformation is part of the state-building process, transforming into a professional army whilst simultaneously undertaking its role. There has been an absence of an overarching SSR guidance framework, with sectors moving forward at different speeds. This is now on the way to being rectified with an established National Development Plan and the current drafting of a National Security Policy. Challenges of implementation remain however, for example how to incorporate civil society more and take into account community concerns and needs. This human security perspective requires a greater attention and investment in developing the rule of law and justice elements within the country. Transformation within the security sector is taking place in an increasingly complex security environment, with on-going external threats to South Sudan, as well as internal problems. These include reviewing the size and composition of the

South Sudan

SPLA, managing internal violent conflict, supporting and integrating returnees and finding solutions to small arms and light weapons proliferation.
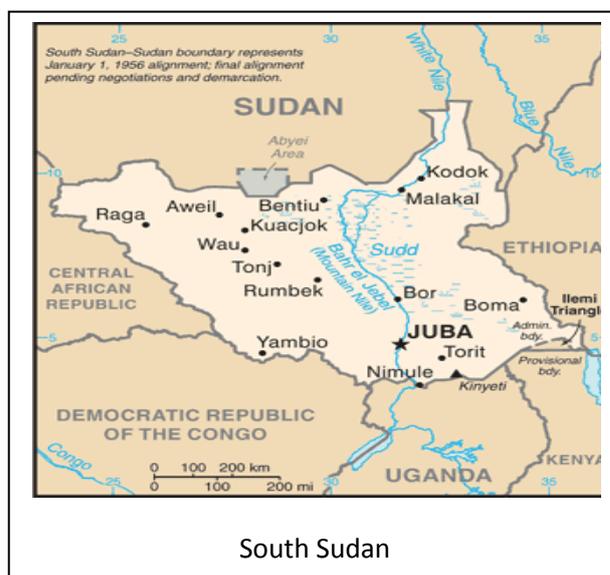
THE REPUBLIC OF BURUNDI

In **Burundi**, there was a similar tension between balancing the integration of members of the Armed Political Parties and Movements into defence and security institutions whilst coping with daily security issues. In the defence sector, the government faced a significant challenge of incorporating different armed movements into the armed forces, harmonising diverse ranks and levels of training. This was also the case for the police, the strength of which went from 2,000 to approximately 20,000 whilst preparing for elections. Oversight and governance in general remain weak, and greater internal and external controls of the security and defence forces are required to address human rights violations by some security institution personnel. The Burundi authorities have insufficient resources to tackle all these aforementioned challenges.

Burundi

THE FEDERAL REPUBLIC OF SOMALIA

In **Somalia**, the SSR process has only just begun and is taking place in parallel to stabilisation efforts. There is very little in the way of democratic oversight and whilst ministers have been appointed dealing with security and justice, they lack functioning ministries to support them in their work. A framework for SSR now exists in the form of the National Security and Stabilisation Plan, but there are significant challenges for implementation. Somalia requires integration of the militias and a comprehensive DDR process. The police face similar reform needs, especially to extend its reach across the country to the newly recovered areas. There is hardly any justice sector. Current levels of support from donors are insufficient to cover all requirements. Moreover, SSR and DDR efforts in Somalia are set against a backdrop of prolonged instability, although the recent gains over Al-Shabaab suggest that the end is now in sight. Additional challenges will arise when AMISOM eventually leaves, when extensive efforts will be required to prevent a security vacuum from arising.

Somalia

Country Case Studies and Lessons:
So what lessons can be taken from these case studies, as well as the experiences drawn from other contexts? Many observations made over the two days are not necessarily new, but much experience from the region has been put forward that will help to tackle persistence problems related to the effectiveness and accountability of security and justice institutions, as well as suggestions on how to put this learning into practice.

National ownership

National ownership is fundamental to sustainable and successful SSR. It provides legitimacy and ensures that national priorities and local contexts frame the SSR process. The concept of national ownership features strongly in policies, academia and programme documents, but it is important to remind ourselves what this actually means. National ownership is not just about donors listening to what the host governments say they need, or situating their interventions within the framework of a national development strategy.

National ownership includes responsibility and commitment on the side of the national government. This involves investing national resources: financial, human, and logistical. It also involves national governments ensuring that the voices of the population are taken into account, and their needs and concerns are incorporated into SSR efforts. The need for inclusiveness and participation was seen across the three cases.

In Somalia, national ownership has been put at the forefront, with calls from the Somali government for all assistance to be processed through their central institutions. Yet challenges remain to ensure that the concerns of the general population are captured in the policies guiding the SSR process forward. In South Sudan, the process aims to ensure that the community can play a genuine oversight role, providing feedback on the implementation of reforms. However, this requires the opening up of the security sector to greater scrutiny. In Burundi, lines of communication were opened between the army, the police and the community. This was brought about by the conduct of some citizen perception surveys and community policing efforts, and has led to a significant improvement in the level of trust in the performance of the police and the army. Inclusive analysis also led to a shared view on the causes of conflict, which in turn provided common ground across different stakeholder groups.

Ways of promoting national ownership should be pursued, and external support should not be accepted just because it is offered. National governments should take charge of assessing which

High Level Panel discusses the case-study of South Sudan

donors can provide assistance and choose only those that support national interests and come with long-term levels of commitment. For example, South Sudan has recognised that whilst international community support is vital and forthcoming, it must be based on local needs and approaches. Greater coordination and management of donors by local leadership is required. This may be a challenge to countries undergoing SSR, particularly when those offering significant financial resources may lack country knowledge or SSR experience. In such cases, there is a danger that support will not be aligned with the context and with national perspectives. This could provide a possible role for the African Union (AU), setting the parameters for support to SSR and engaging strategically to negotiate SSR agreements between countries and donors.

Normative frameworks

Over the past five years a lot of work has been done on developing normative frameworks to guide SSR processes, ensuring that the core principles of accountability, effectiveness, respect for the rule of law, and of course national ownership are taken on board. The UN Secretary General's Report on SSR (2008), which sets out how the UN should support SSR processes, is now five years old. The UN currently has 14 peacekeeping operations, peacebuilding support offices and special political missions engaging in SSR assistance. These are supported by the UN Inter-Agency SSR Task Force, which comprises 14 UN departments, programmes and agencies.

The AU has also now developed its own policy framework through a consultative process, and this is expected to be approved early in 2013. It offers guidance to the AU in providing assistance to its Member States in training, assessing and monitoring SSR, as well as engaging with international partners to mobilise support and promote African solidarity. The proposed framework draws from the experience that the AU has gained across many different contexts, including Burundi, Somalia and South Sudan amongst others.

At a country level, overarching security policy frameworks can provide guidance for reform efforts and clear definition for the roles and responsibility of different security providers, which in turn enhance accountability. In South Sudan such a framework is being developed with the intention of facilitating greater coordination and clarity on budget sharing. Overarching frameworks may not, however, be in place when SSR efforts start, as was seen in the case of Burundi although the peace agreement guided initial restructuring efforts in the security sector. If this is the case, then discussion around such a framework may provide an excellent entry point for assistance, helping national actors to establish a robust consultative process.

Partnerships

Partnerships are clearly important for the delivery of SSR, for legitimate and sustainable support and to translate policy into successful implementation. Strong strategic partnerships have been developed over the past years between the UN, AU, EU, regional economic communities and other regional organisations and entities. This should be encouraged and further ones sought, following the UN's lead in engaging new partners, such as non-traditional donors and providers of customary justice and informal security arrangements in Africa and elsewhere. Moreover, partnerships should be developed for the long-term, with Burundi and Sierra Leone both

providing examples of the benefits of continuous engagement. The level of commitment seen in both countries totally changed the dynamics of SSR support, as well as working methods between national and international partners. This approach builds flexibility, allows a greater focus on process, boosts understanding and tolerance of risk, and provides space for clearer outcomes to be determined over time.

Greater South-South exchange of expertise is required. Lessons, skills and good practice need to be shared between contexts to see how challenges can be better addressed and progress replicated. South Sudan, for example, seeks to learn from the major reform projects undertaken in Kenya and Uganda. Somalia is also looking to develop partnerships with organisations such as the African Security Sector Network and develop relations and learn from the countries in the region.

The political nature of SSR

SSR is a political endeavour that requires technical capacity. These two aspects should not be considered separately. Technical practitioners need to be able to navigate political challenges, and this may mean developing new skills and approaches.

The political nature of SSR is not just about the engagement of the political leadership, but about changing institutional cultures and managing interests. For example, Kenya is currently facing the challenge of shifting the way their police view their role, from the police as a 'force' to the police as a 'service'. This means that we still need to find incentives to encourage change and provide education to help those involved to best orientate their processes.

Neither is it limited to politics in the host country. Donors and multi-laterals also face questions from parliament in their capital and from their headquarters. So there is a greater need for sensitisation on the role of SSR within countries supporting SSR efforts, as well as amongst the political leadership of countries engaging in reforms.

Political will

Strong political will should be engendered at the highest level. This is not simply having, for example, a presidential decree, but also understanding and managing what SSR will entail, and the power shifts that will occur. Political will includes directing sufficient resources for the task. So for example, establishing a working group to drive the process is not enough. It must be well respected and include the right people, who have long-term commitment and vision.

Ambassador Sahle-Work Zewde, Director General of the United Nations Office at Nairobi

All three country cases underlined the importance of political will. South Sudan saw strong commitment by the government, with a top level champion to drive the process forward, and agreement both on vision and how to lead the transformation. In Burundi, leadership and political will was a factor across the different stakeholder groups. In Somalia, strong vision from the very top was

coupled with political will to carry the process forward, with security and justice being a presidential priority.

Synergies

Successful SSR requires many synergies. The process needs to be situated within the framework of development policy for the country, and the World Bank's 2011 World Development Report highlights the connections between security, development, rule of law and job creation. In Somalia, they noted the need for synergy between the political strategy and the security strategy when implementing a peace process. The process in Burundi made it clear that SSR and DDR need to take place concurrently. Recent SSR developments in Burundi, have seen the government move towards a more holistic approach, with action plans bringing together different pillars and the development of cross-cutting programmes. In Somalia, it is clear that tackling human security means finding opportunities for youth and developing programmes to empower women.

The link with public sector reform and expenditure should also be taken into account. This was an important aspect for reform in Sierra Leone, where cost-benefit analyses were carried out to determine how security formed a base for all other reform efforts. This is a field where the international financial institutions (IFIs), such as the African Development Bank and the World Bank, are well positioned to assist. However, support by the IFIs in this area is dependent on requests from national partners, who have so far remained silent. This may be through a lack of awareness, experience or, more cynically, a lack of interest in expanding transparency and accountability of budgets in the security sector.

Supporting SSR

Donors know that support must be sustainable. There remains, however, a tension between sustainability and the need to show results quickly. Sustainability may require a totally different way of working, acknowledging and building up capacity gaps (both national and international) to engage for the long-term.

We need to move away from the search for certainty, as SSR is a complex, unpredictable endeavour that is subject to a myriad of different factors. Tools must be developed to tackle the complexity and politics of SSR, combined with a greater appetite for risk. Donors are primarily concerned with accountability of results and resources, but this may end up creating a straight jacket in which to work. One possible solution proposed is to consider ex-post accountability, where programmes analyse as they progress to check assumptions, cause and effect, and continuing political will. The programmes are then adjusted as necessary, evaluating that the right steps are being taken as you go. This means moving away from the rigid constraints of the log frame to a more fluid approach, as is currently being explored by the OECD Development Assistance Committee's International Network on Conflict and Fragility.

Those supporting SSR must also take into account that they are providing assistance for the reform of institutions that are attempting to deliver security and justice at the same time, as was seen in the cases of Burundi, Somalia and South Sudan. Coordination, sequencing and national leadership are very important, based on a comprehensive analysis of the security situation to determine priorities and where different support best fits.

As highlighted earlier, there is a greater need for African SSR supporters. This is echoed in the draft AU policy framework through the principle of African solidarity. The AU and the regional economic communities are strategic actors who can play a significant role in encouraging and helping to coordinate in this area, both supporting countries emerging from conflict and those exploring SSR as a conflict prevention tool.

Hon. Stephen Kalonzo Musyoka, Vice-President and Minister for Home Affairs of Kenya (right) and Hon. Hussein Arab Isse, caretaker Deputy Prime Minister and Minister of Defence of Somalia (left) at the High Level Panel

FINAL WORDS

So what are the next steps? This has been a very rich discussion and its value will be ensuring that the ideas are taken forward and translated into changing how we operate. This informal Chair's Conclusions will be circulated to all participants in the next week, and a more in-depth report produced by the International Security Sector Advisory Team in the coming month. The second High-Level Forum on African Perspectives on SSR will be held next week (9 October 2012) in New York. The event will be co-hosted by the Governments of Nigeria and South Africa, with technical support from DPKO's SSR Unit, and financial support from the Government of the Netherlands. Many of the outcomes from this Nairobi event will be shared there. Finally, as practitioners and policy makers, it is for you to take forward the messages and incorporate them into your own work as well.

It just remains for me to thank our partners for this event: the United Nations, the African Development Bank, the Government of the Netherlands, the Government of the Slovak Republic, the African Security Sector Network, and DCAF's International Security Sector Advisory Team, as well as the Governments of Burundi, Kenya, Somalia and South Sudan, the African Union, East African Community and the Inter-Governmental Authority on Development. Finally, I must thank all the panellists, who shared their insights and experiences, and of course you the participants, whose contribution was paramount in making this High Level Panel a successful event.

Partners of the event are:

United Nations Office at Nairobi (UNON)

DCAF'S International Security Sector Advisory Team (ISSAT)

Government of the Netherlands

Government of Slovakia

African Development Bank

African Security Sector Network (ASSN)

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