

**Peacebuilding Commission
Working Group on Lessons Learned**

**“Security Sector Reform and Rule of Law for Peacebuilding”,
26 October 2011**

Chairperson’s Summary

I. Introduction

1. The Peacebuilding Commission’s (PBC) Working Group on Lessons Learned (WGLL) held a meeting on the topic of “Security Sector Reform and Rule of Law for Peacebuilding” on 26 October 2011 in New York. The meeting was chaired by H.E. Mr. Tsuneo Nishida, Permanent Representative of Japan to the United Nations and Chair of the WGLL. The panel was composed of four speakers:

- Col. Aloysius Kagoro, Deputy Director of Legal Services, Uganda People’s Defence Force
- Mr. Adedeji Ebo, Head of the Security Sector Reform Unit, Department for Peacekeeping Operations, United Nations
- Mr. Kevin O. George, Country Director, American Bar Association, Rule of Law Initiative
- Ms. Camino Kavanagh, Senior Program Coordinator and Fellow, Center on International Cooperation

2. In his opening remarks, Ambassador Nishida indicated that the meeting had been convened under the theme of *security sector reform and rule of law for peacebuilding* which was a follow-up to an earlier meeting on comparative lessons learned from the United Nations (UN) rule of law assistance held in October 2008. He mentioned that both security sector reform and rule of law are recognized as peacebuilding priorities of the countries on the PBC agenda and noted the importance of these two areas in peacebuilding. Ambassador Nishida noted that the *World Development Report 2011 on Conflict, Security and Development* suggested the need for a more coherent approach to address the linkages between security sector reform and rule of law. The report also emphasized the importance of civilian oversight of security forces in the early stage. In addition, the Secretary General’s report on *Peacebuilding in the Immediate Aftermath of Conflict* recognized the centrality of capacity building in the area of security sector reform. He, then, noted that as outlined in the aforementioned documents and experience from PBC country configurations, the discussion of this meeting would be focused on linkages between security sector reform and rule of law, civilian oversight, capacity building and a reliable coordination mechanism and regional approaches.

II. Presentations by Panelists

3. Col. Aloysius Kagoro shared lessons learned from the work of Uganda People's Defence Force. He began by highlighting the Defence Review that took place in Uganda from March 2002 to June 2004. This review of defence processes and security sector reform, including the review of relevant spending, was conducted with the aim of creating a better security sector strategic framework and defence policy that was more transparent and accountable in terms of expenditure. Some lessons that emerged from the review included:

- A valuable security sector strategic framework will benefit from identifying feasible goals and expectations.
- It needs to be pragmatic and include both short term and longer term impact assessment.
- It is important to consider local traditions and involve national actors.
- It is crucial to foster national ownership among key stakeholders.
- SSR, DDR and Rule of Law, including the fight against impunity, were conducted in a coherent manner.
- It is important to have a strong legislative framework to ensure clear mandates of security sector institutions

4. Mr. Adedeji Ebo's presentation focused on lessons learned from the UN's experience in security sector reform. He observed that for security sector reform to be successful, it is important to simultaneously address the two pillars of the security sector, namely the efficiency of military and police institutions and oversight of these institutions. However, most efforts have focused on the first pillar while often overlooking oversight. On how to better develop strategies to transform security institutions, Mr. Ebo noted the following elements:

- The importance of national dialogue after conflict to increase legitimacy, transparency and clarity of responsibility in the security sector.
- The importance of a public expenditure review to better ensure sustainable funding of state institutions.
- Parliamentary capacity can be utilised to increase oversight. Three determinant factors in this process are ability, authority and attitude of the Parliament.

Decentralized security governance was also suggested and ways to achieve this could include Parliamentary debate and public hearings in rural areas. Finally, Mr. Ebo made a few comments on rule of law. He mentioned an "inconvenient truth" that the historical and political context of rule of law is often overlooked and we need to ensure a fair and just process without corruption. We also need to realise that justice is only one arm of rule of law. Justice and security are the two pillars of rule of law which aims to promote human rights.

5. In his presentation, Mr. Kevin O. George addressed sustainable approaches to national capacity development in rule of law based on his experience at the American Bar

Association Rule of Law Initiative in Liberia. He made several suggestions, which include the following:

- It is important that coordination not only takes place at the macro level, but that it occurs at key stages where human, management and strategic capacity need to be strengthened. It is important to build human capacity to manage security and Rule of Law institutions. Management capacity is often the greatest barrier to sustainability.
- Where human and financial resources are scarce, it is critical for the international community to address the micro level of management capacity even before or contemporaneously with major macro level initiatives to devolve service delivery, such as the Peacebuilding Fund (PBF) supported “hubs” in Liberia.
- There is a need to fine tune how the delivery of funds is made. For example, the Liberian capacity should not be overloaded with projects that seek to accomplish too much too quickly.
- Nationally-driven sector wide approach is crucial in order to ensure coherence of donor support and avoid duplication of effort.

6. Ms. Camino Kavanagh spoke of the obstacles which most post-conflict countries face when conducting rule of law reform and the role which the PBC could play in this regard. She noted the numerous definitions and explanations of rule of law which often cause confusion. She also emphasised that rule of law efforts should in essence address actual needs of the people and protect their rights. The PBC was called upon to:

- Involve all national stakeholders, not only the state, in the overall efforts to deepen the culture of rule of law and develop the justice sector.
- Facilitate the sharing of lessons learned among countries facing similar challenges and/or that have overcome these challenges.
- Utilise the political space that the PBC offers in order to encourage an attitude change of states’ security sector reform and rule of law efforts.

III. Discussions on Lessons Learned

7. Participants, including the Chairs of the Country Specific Configurations of Guinea, Guinea-Bissau, the Central African Republic and Sierra Leone, underlined some important points regarding security sector reform and rule of law. For example, it is vital that national governments are fully engaged in their security sector reform and rule of law efforts to ensure problems are addressed and solved. When conducting strategic reviews of the SSR, means and problems of the country first need to be identified in order to produce prioritised, realisable and clear goals. Policy makers need to be aware that both security sector reform and rule of law efforts require a holistic approach, with due consideration to cultural and historical contexts. In addition, these are long term processes with mid term challenges. Strong national leadership, political will and a coordinated approach were proven to be useful in successful security sector and rule of law efforts. Also, regional organisations that have experience in the region should be utilised to share experiences and lessons learned. In the context of capacity building,

integration of efforts among key actors was strongly emphasized and a South-South cooperation mechanism beyond the UN was recommended.

8. Special emphasis was placed on the gender dimension of SSR and RoL. It was suggested that women be involved in efforts to develop civilian oversight at the early stages of SSR processes. The usefulness of Parliamentary oversight was also emphasised. It was suggested that Parliament's capacity be utilised to draw good legislation to provide the legal umbrella for the military and the police to perform their distinct roles. In addition, PBC resources could be better distributed among building efficiency of institutions and oversight, echoing comments of one of the panellists.

9. The linkage between SSR and rule of law reform efforts was emphasized in the context of addressing human rights abuses, sexual violence, corruption and impunity. Participants also expressed concerns regarding the question of coordination in the field which has resulted in duplication of efforts, reallocation of resource and cancellation of contracts.

10. In addition, participants suggested that the PBC:

- Place more emphasis on addressing obstacles in ensuring coherence of SSR and rule of law efforts in the field.
- Support national actors to clarify short, medium and long-term goals of SSR and rule of law development processes.
- Develop more clarity on ownership in the context of SSR and rule of law planning and assistance.
- Identify gaps and obstacles in the field and raise international awareness.
- Identify evaluation schemes and indicators to evaluate the performance of relevant actors.
- Facilitate information sharing at a sub regional level.

11. Some suggestions were also made to the PBF. It was suggested that the PBF encourage medium and long term approaches to SSR and rule of law which would facilitate sustainability of investments.
