



Australia Government

REPORT
POLICY FORUM ON INTER-LINKAGES OF SECURITY SECTOR REFORM (SSR)
AND THE PROTECTION OF CIVILIANS (POC) IN AFRICA



Busua Beach Resort, Western Region, Ghana

26-27 August 2013



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Policy Forum on Inter-Linkages of Security Sector Reform (SSR) and the Protection of Civilians (POC) in Africa

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Report

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Executive Summary

One vital aspect of the Protection of Civilians (PoC) relates to the establishment of a protective environment. This includes ensuring that national institutions have the capacity to protect civilians by enhancing security and the rule of law, in accordance with basic human rights law. On the other hand, one of the goals of Security Sector Reform (SSR) is to build security institutions that are able to sustainably and consistently protect civilians from physical violence on the basis of non-discrimination, full respect for human rights and the rule of law. From the above, it is quite clear that PoC and SSR are intrinsically interlinked because SSR is a key way of protecting civilians. Yet, despite the fact that both PoC and SSR agendas aim to strengthen the capacity of national institutions to deliver on their responsibilities to enhance security and the rule of law, there remains a gap between the PoC and SSR communities and a consequent dearth of research, lessons learned and guidance on the linkages between these two policy and programming agendas.

To fill this gap, the Kofi Annan International Peacekeeping Training Centre (KAIPTC) in collaboration with the Government of Australia and the Security Sector Reform Unit of the United Nations organised a two-day Expert-Level Seminar on Regional Perspectives and Experiences on Security Sector Reform and Protection of Civilians in Ghana from 12 to 13 December 2012. The event was a build-up to previous work and discussions, including the event on “Protection of Civilians in Peacekeeping Operations: Capacity-building and Transitions” held in New York on 13 June 2012. The expert-level seminar focused on identifying experiences from Africa, in national and regional terms, to facilitate and enrich the development of the inter-linkages between the PoC and SSR concepts with a focus on strengthening the long-term capacity and political will of national authorities to fulfil their responsibility to protect civilians.

As a follow-up to the outcomes of the expert-level seminar, a Policy Level Forum on Inter-Linkages of Security Sector Reform and Protection of Civilians in Africa was organized at the Busua Beach Resort, Ghana from 26 to 27 August 2013. The policy forum brought together policy and decision-makers from relevant African Member States, regional and multi-lateral organizations and civil society. The objective of the forum was to elevate to the policy level the discussions on the inter-linkages between PoC and SSR, with a view to identifying the framework for a coherent agenda on the nexus. This is to enhance the prospects for peacekeeping and peacebuilding more broadly. Towards this objective, the policy forum focused particularly on strengthening the long-term capacity and political will of national authorities to fulfil their responsibility to protect civilians.

Based on the objectives of the forum and drawing on particular challenges and unique experiences in Africa, the seminar addressed the following key questions:

- How has the PoC concept and the PoC/SSR nexus been manifested and operationalized in Africa?
- What can be learned from regional experiences about effective strategies for bridging the gap between protecting civilians from imminent threats of physical violence and building the long-term capacities of national institutions? What is the role of non-state actors, regional and international actors in this regard?
- What are the emerging global trends in the region and what is the influence on the PoC concept?
- What can be learned from UN peacekeeping operations where protection of civilians, SSR and Demobilization Disarmament and Reintegration (DDR) are priorities for mandate? What can be learned from non-mission environments where the UN and regional actors are present?
- How can states, regional actors and international partners address the ambivalent relationship between the state and non-state actors?

Recommendations

At the end of the policy forum, the following key recommendations were made on the intersections between SSR and PoC at the state, regional and international level based on some broad overarching principles. In particular, these recommendations reflected the outcome of the Expert-Level Seminar on Regional Perspectives and Experiences on Security Sector Reform and Protection of Civilians.

Guiding Principles on SSR-PoC Inter-linkages

The following broad guiding principles are expected to guide the policy formulation on the intersection between PoC and SSR:

- The policies must promote a more organic social contract;
- The policies must be context specific;
- It must involve the multiplicity of actors both on the side of the UN and the state;
- The implementation approach must be integrated and coordinated;
- The policy must be gender-sensitive and responsive;
- The policy must synchronize the inter-linkages between SSR, PoC, DDR and human rights in the planning and implementation stages;
- There is the need for civic education, sensitization and awareness creation on the rights and responsibilities of individuals;
- There should be clear indicators of measuring success;
- There should be expanded partnerships that reflects the various actors both within and beyond the state;
- There must be youth inclusion and empowerment;
- Vulnerable groups such as children, women and people living with disability must be given high prominence; and
- There must be early warning and early response mechanisms.

Having identified these guiding principles, it was recommended that policies on SSR and PoC inter-connections should be pursued at the state, regional and international levels.

State Level

Under the state level, issues that were considered centred on the effectiveness of the security and the justice institutions. Issues of oversight, legitimacy, legality and the role of non-state actors were thoroughly discussed. Policy recommendations made for the state were:

- Security sector should be broadly defined and context specific;
- Capacity-building on PoC and SSR must be inclusive. It should not focus only on the military or the police it must be expanded to incorporate the judicial, intelligence services, correction services and any other institution that provides oversight responsibilities in the security sector;
- The process of capacity-building must include local communities, politicians and government officials to build their understanding and strengthen their capabilities in implementing the policies of PoC and SSR;
- For SSR and PoC to be effectively implemented there must be some form of national ownership. Besides, concepts and mandates must be clarified at the state (national), regional or international levels. Additionally, there must be some level of collaboration and commitment at all levels;
- Recruitment policies must incorporate regional quotas, ethnic/tribal balance and appropriate gender mix. Ultimately, the recruitment policy must be fair, transparent and devoid of political influence;
- Civil Society Organizations and the local communities must be included in all PoC and SSR processes;
- Security regulations and legal frameworks should be inclusive, transparent and participatory (national security policies). It should include SSR and POC elements;
- There is the need for a clear definition/delineation of roles and responsibilities of the security sector at all national levels;
- Political dialogue, mediation, reconciliation and confidence building measures must be encouraged at all levels; and
- The role of non-state actors' particularly traditional security providers must be recognized and regulated.

Regional Level

- There is the need for countries to be sensitive to regional dimensions of POC and SSR;
- SSR and PoC policies must be integrated into all mission planning and mandates formulation. The inter-linkages between PoC and SSR must reflect in all planning of mission start-ups and operations to enhance the cooperation of the two communities (SSR and PoC);

- There is the need for countries to be sensitive to regional dimensions of POC and SSR;
- SSR and PoC policies must be integrated into all mission planning and mandates formulation. The inter-linkages between PoC and SSR must reflect in all planning of mission start-ups and operations to enhance the cooperation of the two communities (SSR and PoC);
- There is the need to implement existing regional frameworks especially those that deals with issues bothering on PoC and SSR ;
- There is the need to include SSR and PoC intersection in regional frameworks; and
- There is the need for policies to promote inter-state collaboration.

International Level

- There is the need to indigenize SSR and PoC mandates so that they become nationally owned. This will inadvertently help in their implementation; and
- SSR and PoC policies must be integrated into the planning of mission start-ups and their inter-linkages must reflect in all mission concepts and operations.

Main Report



Some participants at the Opening Session of the policy forum at the Busua Beach Hotel

WELCOME AND OPENING SESSION

Opening Address by Colonel Edwin Adjei (Rtd), Director of Training, KAIPTC

The opening address of the Policy Forum on Inter-linkages of Security Sector Reform (SSR) and the Protection of Civilians (PoC) in Africa was delivered by Colonel Edwin Adjei (Rtd), the Director of Training, KAIPTC. On behalf of the Commandant of the KAIPTC, he welcomed and thanked all participants for their participation in the policy forum and to help advance the work of the KAIPTC. He further expressed the Centre's appreciation to the Australian Government represented by the High Commission in Ghana for supporting and funding the forum. With the presence of some select group of experts and policy-makers at the forum, Col Adjei (Rtd) indicated that he expects the outcome of the policy forum to greatly address the gaps that were identified at the Expert-Level Seminar on Regional Perspectives and Experiences on Security Sector Reform and Protection of Civilians. He concluded his address by wishing all participants good deliberations.

Opening Statement by Mr. Tim Millikan, Australian High Commission, Ghana

Mr. Tim Millikan of the Australian High Commission to Ghana delivered the opening statement on behalf of the Australian Government. He began his presentation by welcoming and thanking all participants to the policy forum. According to him, Australia is proud to fund the policy forum. Australia has been involved in global efforts to restore peace for more than 60 years including its non-permanent membership of the United Nations Security Council (UNSC).

And part of these efforts includes the issues of SSR and PoC and he has for example played a critical role in these issues in both Cote d'Ivoire and Liberia. More significantly, Australia has taken a lead role in international initiatives on PoC in peacekeeping operations. For instance, Australia is currently working with the UN and the African Union (AU) to strengthen PoC capacities and capabilities in peacekeeping operations. In 2010, for example, PoC was a subject of discussion of a symposium co-hosted by the AU and the Australian Government at an international forum of challenges of peace operations in Ethiopia. It also co-hosted the Expert-Level Seminar on Regional Perspectives and Experiences on Security Sector Reform and Protection of Civilians with the KAIPTC in December 2012 in Ghana. As a member of the UNSC, Australia plays a greater role in upholding and strengthening the protection of civilians, which most permanent members consider as one of the most pressing task ever. Today, 15 of the UN missions have PoC mandates and 90 per cent of peacekeepers are deployed to these missions. Also, there would be four UNSC debates on PoC in 2013, more than in any counted in a year since PoC was placed on the agenda of the UNSC since 1999. Under International Law, PoC is first and foremost a national responsibility which is why it is important that the international community shares lessons on SSR and work together to build capacities to ensure that state institutions and structures are well built so they can protect civilians. Australian Ambassador to the UN, Gary Quinlan, made a statement earlier this month on the importance of PoC and this can be found online on the Australian Website. Concluding his statement, Mr. Millikan thanked all participants and indicated that he looks forward to the discussions on how SSR and PoC linkages can be used to strengthen the capacities of all the UN missions.

Statement by Dr. Adedeji Ebo, Chief, UN SSR Unit

Speaking on behalf of the UN SSR Unit, Dr. Adedeji Ebo expressed his gratitude to the Government of Australia and the KAIPTC for co-hosting the policy forum and the previous Expert-Level Seminar on Regional Perspectives and Experiences on Security Sector Reform and Protection of Civilians. According to him, his first encounter with the Australians was in New York when he participated in a meeting they co-hosted with Paraguay on PoC. Since then, he has had a cordial working relationship with the Australian Permanent Mission in New York. More recently for example, his office is working very closely with Australia as non-permanent members of the UNSC to prepare the second report of the Secretary-General on SSR. Interesting, Australia will assume the presidency of the UNSC from September 2013, the same period that the second report of the Secretary-General on SSR would be released. On the part of the KAIPTC, Dr. Ebo recalled his initial discussions with KAIPTC delegation in New York in 2012 about the event and how gratifying it was to see it happening. He further noted that although he did not participate in the previous Expert-Level Seminar on Regional Perspectives and Experiences on Security Sector Reform and Protection of Civilians in December 2012, he was reliably informed about its productiveness. That was why the Policy Forum on the Inter-linkages of Security Sector Reform and the Protection of Civilians in Africa was being organised as a follow-up to the expert-level seminar. He ended by indicating that the policy forum was indeed the first time such an issue is being discussed in the world on how policies on SSR-PoC inter linkages can be formulated. In that regard, the forum was very important in terms of future policies.

SESSION 1

OUTCOMES OF THE EXPERT-LEVEL SEMINAR ON REGIONAL PERSPECTIVES AND EXPERIENCES ON SSR AND POC

Colonel (Dr.) Emmanuel Kotia presented the outcomes of the Expert-Level Seminar on Regional Perspectives and Experiences on Security Sector Reform and Protection of Civilians organised from the 12 to 13 December 2012 in Ghana. It was categorized under the following thematic areas: the objectives; challenges and lessons learnt; relevance of SSR and PoC inter-linkages; summary of recommendations and the issues to be addressed by policy forum.

Objectives of the Expert-Level Seminar

The objectives of last year's expert-level seminar were to:

- Identify experiences from Africa, in national and regional terms which could enrich the development of and inter-linkages between SSR and PoC;
- Discuss experiences with the focus of strengthening the long-term capacity and political will of national authorities to fulfil their responsibility to protect civilians; and
- Discuss the broader framework of PoC and SSR, their inter-linkages, challenges and to make recommendations for their effective implementation.

Challenges and Lessons Learnt

Based on the objectives above, the following challenges and lessons were identified during the expert-level seminar:

- The dilemma between short and long-term imperatives of SSR and PoC. The tension between the two different phases in both PoC and SSR, which outlines the issue between short-term delivery of basic safety and security and the long-term need of creating sustainable and accountable institutions that protect the people, based on local ownership

➔ *Question: How can we deal with the dilemma of immediate protection needs and long-term security transformation?*

- The issue of legality versus legitimacy raises the question of how to address the role of the state in peacekeeping environments. With governments increasingly being accused of perpetrating violence against civilians, the state and the UN are losing their credibility with the local population. As a result, non-state actors like traditional security providers have taken steps to provide security to local communities. These non-state actors might not be legal, they are considered as legitimate in the eyes of the population.

➔ *Question: How can the UN mitigate the impacts of an abusive state?*

- Who is a civilian today? In the context of Africa, the relationship between the security forces and the larger society is often complex and multi-dimensional. Traditionally armed groups like the Kamajors in Sierra Leone were used by the government to fight against rebel movements. Complicating the situation in many current conflict settings is the diluted concept of "civilians"

- ➔ *Questions: How can the UN address and deal with non-statutory security forces? And how can we apply the concept of PoC, if there is a lack of clarity of who is a civilian?*

Relevance of SSR and PoC-Inter Linkages

It was identified during the expert-level meeting that the relevance of the inter-linkages between SSR and PoC is to ensure:

- Accountability;
- Legitimacy;
- Responsibility;
- Inclusiveness;and
- Operational effectiveness.

Summary of Recommendations

The recommendations of the expert-level seminar included among others the following:

- Capacity-building on PoC and SSR should not only focus on the military and the police but also on the judiciary and the correctional services;
- The process of building capacity must include local communities, the government and politicians to build their understanding and strengthen their ability to implement the policies;
- Synchronize the inter-linkages between SSR, PoC, DDR and human rights in planning and implementation processes;
- There is the need to mainstream gender in PoC and SSR processes;
- Include civil society organizations and local communities in PoC and SSR processes;
- Recruitment policies in the security sector must address gender and ethnic compositions;
- There is the need for countries to integrate regional security concerns into national security policies as well as establish effective collaborations with neighbouring states;
- There is the need to use flexible and acceptable term such as “Security Sector Governance/Management” to facilitate the interest of relevant groups such as national governments;
- Reviews of all regulation and legal frameworks on PoC, especially discriminatory practices, in order to give equal access to justice; and
- There is the need for civic education, sensitization and awareness creation on the rights and responsibilities of individuals.

Issues to be addressed by the Policy Forum

Based on the gaps identified during the expert-level seminar, the following issues were to be addressed by the policy forum:

- ***Mission Planning and Mandates***: SSR and PoC policies should be integrated into the planning of mission start-ups and their inter-linkages reflected in mission concepts and the concept of operations to enhance the cooperation of the two communities.
- ***Monitoring and Oversight***: SSR and PoC policies must include monitoring and oversight mechanisms for all actors and stakeholders; benchmarks and indicators need to be established to assess the development of the reforms and the reduction of violence against civilians.
- ***The Changing Face of Violence***: PoC and SSR efforts need to respond to emerging trends of contemporary conflict patterns (criminal violence resulting from trafficking in drugs, human beings, and weapons; piracy; gang and urban warfare; political violence resulting from resource conflicts and disputed elections).
- ***Regional Challenges***: Due to the transnational nature of security challenges, regional security frameworks need to be implemented and reflected in national security policies. The collaboration on SSR and PoC with neighbouring countries and within regional organizations need to be strengthened, guidelines need to be developed.
- ***The Role of Non-state Actors***: In post-conflict situations, where the state is not able to protect the population, non-statutory security forces are likely to undertake this responsibility. The accountability of non-state actors and the possible options for regulation within legal frameworks need to be discussed on the national, regional and international level. The focus should particularly be placed on traditional African security providers.
- ***Capacity Building***: Both PoC and SSR communities should enlarge the focus beyond initiatives targeting military and police, but also include judiciary, corrections, oversight institutions, and civil society; specific training courses on the inter-linkages of SSR and PoC should be developed.
- ***Partnerships***: With the increasing number of stakeholders and changing powers on the global political level, new partnerships should be explored.

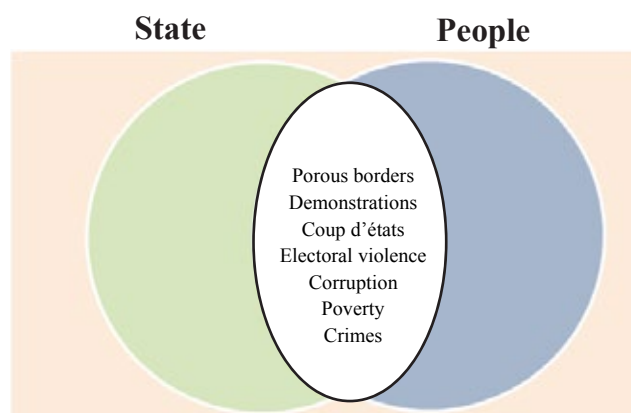
SESSION 2

SSR AND PoC NEXUS: POLICY ISSUES AND PERCEPTION

There is no special formula for the inter-connections between SSR and PoC. PoC is a very broad concept but in terms of peacekeeping, it usually refers to mandates that authorize peacekeepers to use all necessary means including the use of force to protect civilians from imminent threat or physical violence. In terms of the UN's approach to PoC on which guidance is still emerging, some of the things are very clear. For the UN, there are three tiers for approaching PoC. The first is political dialogue which includes mediation, reconciliation, and the good offices of the UN Secretary-General. These confidence-building elements constitute the first tier of the UN's approach to PoC in peacekeeping. The second is physical protection which involves the presence of peacekeepers and actions taken to protect civilian by peacekeepers through the use of force. The third element which actually links PoC to SSR is building a protective environment. This element has to do with supporting the capacity of the host states to protect civilians. This is what relates to what we call SSR, rule of law etc.

PoC is something which is usually immediate or short-term, therefore, how do you support the state concerned to be able to protect civilians particularly when the UN withdraws. This is where PoC and SSR intersect. The issue here is about strengthening national capacities and national structures as well as national accountability mechanisms. It is also important to stress that SSR goes beyond PoC and as a result, there is the need to draw a Venn diagram as indicated in Figure 1 below and say between the long term imperative of SSR and the short-term imperative of PoC, what are the points of intersection. The point of intersection really is the point about creating effectiveness of national institutions, issues of accountability and legitimacy.

Figure 1: Outlines the intersection between the state and individuals within a broader framework of PoC and SSR.



To begin with, why is the need for effectiveness of national institutions? If police personnel are to protect civilians, then there is the need to ensure that they are adequately equipped with logistics and well trained to do their work professionally. However, it is also important to note that SSR is not only about training and equipping. Indeed, SSR is about all those measures undertaken to ensure that people feel safer. Hence, training and equipping does not entirely address the question of safety.

The second leg is the legitimacy of state security institutions. This is imperative because if security officers are seen as illegitimate, alien and disconnected from the people they are supposed to be serving (thus, if they are the ones being served instead of serving the people as is always the case in the African context), then people will not feel safe or will feel insecure. The critical question then is how this issue of legitimacy be addressed? Indeed, legitimacy is the missing element in SSR and PoC inter-linkages and this is where we need a little bit of a historical background. During the neo-colonial period, security institutions were not established for the main purpose to protect the people but rather to protect the state from the people. All the independence struggle movements and indigenes that resisted the payment of taxes during the pre-colonial days had to deal with the police as enemies instead of as partners. In those days, the people were not the object of protections. After independence, the priority within the African context would have been how to transform this relationship between the state and the people. But this did not happen and many regimes found it actually convenient to maintain the same colonial relationships to oppress the people using the security institutions. In the Ewe language which is spoken in Ghana and Togo for example, the police is called “kpovi” meaning “the man with the stick”; in Hausa language, the police is called “daasanda” and in Yoruba language in Nigeria, the police is called “olookpa” all meaning the “the man with the stick”. This form of naming does not in particular denote a relationship of security but rather insecurity. The point here is that dealing with a man with the stick does not relate that concept of dealing with a man that will make you feel safe because what do you do with the stick if not for beating. So the issue of legitimacy is a historical one in many peacekeeping contexts. And PoC does not and cannot entirely address that because how does the UN hand-over to state institutions when these institutions are themselves seen to an extent as threatening security. Unless the mentality of the security institutions are transformed together with the relationship between the state and the people, PoC would be a failure and that is the point of inter-connection with SSR.

The third point of interconnection is the limited reach of the state. Most post-colonial states exist in the cities and not so much in the villages. As such, the state has always had a limited reach over its territory. Therefore, whether it is in terms of the economy or security, there are actually two dual systems: the modernised formal system that you get from the police, military and border security officials, who have a chain of command; and the informal sometimes traditional customary systems that are not often recognised as part of the security sector but are closer to the people.

In Ghana for example, there are what we call the ‘landguards’ (private security) and not many people recognised them as part of the security sector even though they are. Again, if you travel by land along the West African sub-region especially between Ghana and Nigeria, there are some persons called ‘Kalebes’ at the border post who open the gate but are not in uniform. These ‘Kalebes’ serve as servants of the uniformed personnel. But most often, they are not recognised as part of the security sector. In fact, the presence of these informal security actors shows that African states have since post-colonial times not had monopoly over the means of coercion. It is not that post-Westphalian state that has connection to every part of its territory. For example, one of the reasons why Boko Haram has become increasingly successful over the years is because the Nigerian state has not permeated every part of Nigeria. And sometimes these informal actors are closer to the people than the state. The critical issue therefore, is how to get the state to come to some form of working mechanisms and agreements with these informal actors so that the state grants legitimacy for their operations whilst ensuring that they do not take over the functions of formal security institutions.

Other dilemmas with respect to the inter linkages between SSR and PoC include:

- The expression protection of civilians gives the impression that it is clear who a civilian is. This is because in many instances, it is not clear who a civilian is even though the UN policy says that if you are confronted with any situations about who a civilian is, just assume that person is a civilian.
- The second dilemma is that sometimes we talk of protection of civilians but from whom. The problem is that more often than not civilians are protected from the state because the state is seen as a threat. How can this dilemma be resolved when you are protecting civilians sometimes from their own states?
- The third dilemma has to do with transnational organised crime. Sometimes, the issues go beyond borders and that is why the issue of regional and multilateral approach is important.

Suggestions to Guide Policy Formulation on SSR and PoC Nexus

- First, there is the need to recognise that SSR and PoC cannot be a one-way traffic, it is both ways. SSR cannot be done by focusing only on the security institutions, the civilian side thus, Civil Society Organisations (CSOs), legislators and all people who benefit from security need to be included.
- The second issue is that SSR and PoC involves multiplicities of actors. Within the UN, there are various UN agencies and offices. One of the challenges now is how to have an integrated approach which is popularly called ‘delivery as one’. This challenge is not limited to the UN alone, it confronts individual governments too. In the UN for instance, one of the ways of dealing with this issue is that, an Inter-agency security sector reform taskforce comprising 14 UN agencies have been set up. This taskforce is co-chaired by United Nations Development Programme (UNDP) and the Department of Peacekeeping Operations (DPKO). They are responsible for coordinating SSR/PoC issues across the UN System.

- Thirdly, the policy recommendations need to capture the regional dimensions of SSR and PoC.
- SSR and PoC inter-connection is a social contract between the state and the people. There is the need therefore to bridge the gap between the state and the people because unless that legitimacy angle is bridged, people will not feel safe.
- Lastly, the issue of national/state ownership is key to SSR and PoC issues.

Summary of Discussions

- **National Ownership:** It was indicated that the question of how to support individual states own the process or act of protecting their own civilians should be paramount in any SSR/PoC process especially within a peacekeeping context. But in situations where states are unwilling to protect their civilians, the operational capacity of peacekeepers needs to be strengthened to take up that responsibility.
- **Reorientation of the Security Service:** Most security (military and police especially) institutions in Africa have still not transformed from the colonial way of doing things. Therefore, to be able to have an effective SSR process, there is the need to reorientate the focus of the security services from the colonial setup. Otherwise, providing new logistics, equipments or uniforms will not bring about any changes.
- **Limited Scope of the SSR Process:** In most cases, the SSR process is centred on police and military reforms, forgetting the other institutions like the correctional services, customs and judiciary though they are all part of the security system. It is important to incorporate all the institutions that form part of the security sector in any reform process.
- **Inclusion of Women and CSOs in the SSR Process:** Women and CSOs should be actively involved in the SSR process. Very often, these actors are left out though they have a lot of experience and information to share and provide in the SSR process. However, care must be taken in including CSOs as most of them have been compromised either by donors or governments.
- **Limited Scope of the PoC Issues:** PoC should go beyond military and police issues. Issues such as building good infrastructure such as roads, hospitals, schools etc should also be take into consideration. This is imperative because such issues also deal with the safety and security of civilians.
- **Maintaining the Legitimacy of the State:** To address the question of the legitimacy of the state, it was suggested that the community policing concept is one important way of bridging the gap between the state and the people in the protection agenda. To exemplify, in Sierra Leone, before the introduction of the community policing concept, the relationship between the police and civilians was that of fear. However, some years after its implementation, police-civilian relations have improved tremendously and this has facilitated the gathering and sharing information by the populace.

- ***Issues of Legitimacy and Legality of Security Institutions:*** It was noted during the discussions that legitimacy and legality are crucial in terms of SSR/PoC inter-linkages. In some situations security institutions are lawful but are not acceptable to the people because they cannot protect them. This issue explains the limited reach of the state to the people. In Sierra Leone for example, the people turned to the Kamajors during the civil war because of this issue.
- ***Recruitment of Security Personnel in Post-Conflict Context:*** In the recruitment of security personnel as part of the SSR process in post conflict context, ex-combatants should not be given that responsibility as they tend to recruit their own people. And the persons who are usually not selected engage in all kinds of criminality including sexually abusing women and girls. This brings to attention the imperative of addressing issues of corruption in SSR processes.
- ***Training of Security Personnel:*** Security personnel need to be trained on how to engage civilians in complex situations. The security frameworks or rule of engagements with civilians needs to be carefully designed and implemented to avoid casualties when protecting civilians. In fact, there have been situations where the police shoot civilians at very close range under the guise of defending themselves. The consequence of this practise creates fear among the population. Lastly, there is the need for continuous training of police officers in human rights.
- Are there any lessons to be learnt from Anglophone and Francophone policing experience? What is the nature of security operations in the Francophone countries that is different from the Anglophone countries? Are there any lessons that can be learnt to enhance the PoC and SSR process?
- ***Enhancing Political will and commitment:*** SSR cannot be effective if there is no political will and commitment. Therefore, it is vital to undertake rigorous political dialogues to support the reform processes. And in post-conflict context especially, reform processes needs to begin during the political dialogues to end the conflicts. In DRC for example, they have been talking about SSR since the past decade but this has never happened. This is due to the lack of political commitment to the reform process.
- In formulating policies on SSR and PoC inter-linkages; there is the need to distinguish between a post-conflict context and a non-conflict environment.

SESSION 3

EMERGING CONFLICT TRENDS AND THE INFLUENCE ON THE SSR AND POC CONCEPT

This session gave an overview of the emerging security threats in Africa with special focus on transnational organized crimes, intra-state war, cyber crimes among others. The presentation highlighted the fact that in any trend analysis the characteristics, commonalities and unique features basically define a particular crisis. The presentation was situated in the historical milieu of state fragility. Thus, the state fragility concept viewed within the notion of different stages of state development provided the suitable framework for analyzing SSR and PoC within the post-conflict environment. In Africa, most of the states can be captured within the broad spectrum of state fragility. Either the state is virtually collapsed or it has failed to deliver on its responsibility to protect its citizens. Specifically, in looking at conflict prevention in the West African Sub-region, the specific case of the Economic Community of West African States (ECOWAS) Conflict Prevention Framework (ECPF) provided the best basis for evaluation. The ECPF has four main characteristics or indicators that guide the prevention of conflict in the region. These indicators include:

- Root causes of conflict;
- Accelerators of conflict;
- Triggers of conflict; and
- Manifestation of conflict.

Besides, all these indicators help one to identify and properly place a particular country within the state fragility spectrum. In many of these cases the terminology conflict is used interchangeable with security threats. The emergence of new security threats has activated a number of changes in the security debate. Principally, there has been an expansion in the concept of security from the original focus of the world order (the West-East divide) to the focus on inter-state conflict. Tracing the trends of conflict in Africa has its roots in colonialism. Festus Aboagye's book entitled *Indigenous Welfare* provides perfect background knowledge about the changing nature of conflict from the days of post-colonialism to the new millennium.

There are two main types of armed conflict: intra-state and inter-state conflict. These two types of conflict have been experienced in one way or the other on the African continent. Conventional conflict between member states, are bounded by international conventions and protocols including the UN Charter. These conventions and protocols also recognize the role of peacekeepers. Peacekeepers are basically mandated to serve as an inter-positional force between the two combating states. The role of the UN is critical as the post-Cold War security regime places a lot of emphases on interventions by external actors in the resolution of conflict. Significant among these protocols and conventions are the Laws of Armed Conflict. The International Humanitarian Law (IHL) for instance distinguishes two types of armed conflict. International armed conflict which is mostly between two or more states and non-international armed conflict which is mostly between government forces and non-governmental groups or between those groups only.

IHL regulates how prisoners of war are to be treated, how religious and cultural artifacts are to be protected and most importantly, how civilians are to be treated. Additionally, these laws (the four Geneva conventions) elucidate how armed conflict is to be conducted both at sea and on the battlefield. It also discusses the composition of combatants and non-combatants.

The Cold War era and the period after have seen the changing dynamics of conflict in which conflict has moved from inter-state to intra-state. Most of the conflicts on the continent are being fought between armed groups within the states and also armed groups against government forces. This has made the application of IHL very difficult even though there are sections within the law that deals with humanitarian issues.

Trends/Triggers of Internal Armed Conflicts

Recently, most African countries have been pursuing democracy as a new form of political governance. However, this new wave of democratic governance has resulted in a number of internal conflict and disturbances. Below are some of the triggers of internal armed conflict within the African continent.

- Rebellion activity;
- Democratic reversals;
- Democratic elections; and
- Refusal to accept electoral outcome.

In the specific case of disputed election outcomes, there has been a shift in the way people who are aggrieved by election outcomes seek redress. It has moved from violently contesting election results to using the judicial processes (courts process). For examples, instead of fighting or rampaging, disputed elections in Ghana, Zimbabwe, Sierra Leone and Kenya have been resolved through the judicial process. Nonetheless, this new approach raises a number of pertinent questions. For instance, which institution is legally mandated to declare winners of elections? Is it the Election Management Bodies (EMBs) or the law courts? Will political parties accept ruling from the law courts? These questions must be answered in a way that does not open avenues for possible conflicts in the future.

At the social level in North Africa, the effect of the Arab Spring has shown yet another kind of conflict where ordinary citizens reacted violently against dictatorship and established norms. Invariably, this new wave of continuous demonstrations which at times turns violent has impacted negatively on the countries along the Sahel region. The example of the Libyan case and its destabilizing effect on Mali is worth noting. Besides the Sahel regions, there have been other kinds of conflict that has confronted most African countries since independence. These include Chieftaincy-related conflict, land and religious conflict and geographical conflict which normally play out between the north and the south. The ECPF for instance highlights how states within the West African sub-region must conceptualize conflict. These are clearly spelt out in three key ECOWAS protocol arrangements:

- ***The Protocol on Democracy and Governance***

This protocol has eleven convergence criteria in which member states are expected to adhere to. These include regular elections, observance of democratic principles, establishment of independent election management bodies and the renunciation of coup d'état.

- ***Ecowas Conflict Prevention Framework (ECPF)***

The ECPF highlights the four main conflict systems already discussed at the beginning of this section.

- ***ECOWAS Convention of Small Arms and Light Weapons (SALW)***

This convention proffers measures by which ECOWAS member states can prevent, combat and eradicate the illicit manufacture and excessive accumulation of SALW, trafficking, detention and the use of such arms to destabilize the sub-region. The Convention highlights the procedures by setting standards for exemption and criteria within which member states can operate.

ECOWAS has gone further to classify its member states into four conflict zones to enable the institution respond and react appropriately to any possible conflict situation. In practical terms, any issue that affects any member of the zone has repelling effect on all the other members within the zone. Below are the four conflict zones.

- ***Gulf of Guinea Zone:*** This comprises countries such as Nigeria, Ghana, Benin, and Togo. Nigeria has been described as the epicentre of conflict within this zone. In the particular case of Nigeria, the Niger Delta conflict and the Boko Haram phenomenon have been identified as entry point for a potential destabilization of this zone. In addition, all the four countries that make-up the group are experiencing some form of insecurity within their maritime domain (Piracy and Armed robbery at Sea).
- ***Sene-Gambia Zone:*** This comprises countries such as Senegal, Gambia, Guinea Bissau and Cape Verde. The epicentre within this zone is the Casamance region where the conflict has impacted negatively on countries such as Senegal and Gambia.
- ***Mano-River Union Zone:*** This comprises countries such as Sierra Leone, Liberia, Guinea and Cote d'Ivoire. With the exception of Guinea, all the other three countries (Sierra Leone, Liberia and Cote d'Ivoire) have been described as epicentres because they are all recovering from long periods of war. The emphasis in this particular zone is post-conflict reconstruction.
- ***Sahelo-Sahel Zone:*** This comprises countries such as Mali, Burkina Faso and Niger. The epicentre within this conflict zone has been identified as Mali with most of the issues hindering on human security.

Transnational Organized Crimes remain an issue in all four zones. Issues of terrorism, human and drug trafficking, proliferation of SALW, smuggling, mercenaries, money laundering and internet fraud are the most prevailing crimes within the sub-region. Besides, the ECOWAS conflict system frameworks have identified all these crimes as accelerators to conflict. The crux of the presentation was the effect of transnational organized crime on SSR and PoC. Considering the level of civilian casualties, human rights violations, issues of rape and gender based violence, operationalizing PoC and SSR within the ECOWAS framework is critical. Within the global environment the discussion on PoC and SSR are based on three major strategic shifts. These strategic shifts are modelled around:

- The End of Cold War and the redefinition of security;
- The UN Millennium Development agenda being pioneered by the UNDP since 2000; and
- Post 09/11 Counter terrorism responses.

In tackling the core issue of security, the major shifts have been:

- Shift from state-centered security to citizen centered security (human security);
- Shift from military-centered security to non-military centered security (food, environment, road and economic security, etc.); and
- Shift from state to non-state actors (private security companies, traditional security such as land guards and Karmajors).

These shifts have largely underpinned the definition of the security sector on the African continent. Likewise, there are other multilateral SSR support frameworks. For instance, the UN does not consider SSR as a stand alone concept but one that should incorporate the issue of rule of law. Whereas the SSR process within the UN focuses on post-conflict environment that of ECOWAS is seen as being part of the Conflict Prevention Framework. Similarly, the Department for International Development (DFID) and the Organization for Economic Co-operation and Development (OECD) have both added development and the justice sector to SSR. In a nutshell this is how the conflict trends in the African region have impacted on the concepts of SSR and PoC.

Summary of Discussions

- Since it is a new area for most authorities within the African continent, there is the need to add the issue of cyber crime to transnational organized crime. Additionally, cybercrime must be contextualized within the broader debate of SSR and PoC;
- There is the need to emphasis the importance of SALW especially those in the hands of civilians;
- It seems that the PoC and SSR debate is still in the theoretical domain. Just like democracy, these concepts are seen on the continent as a foreign import that is tied to aid. For the concept to be better appreciated and properly implemented there is the need to consider African peculiarities in the implementation of SSR and PoC;

- There is the need to evaluate the principle of SSR and PoC especially in post-conflict environment to prevent states which are emerging from conflict from being captured by individuals involved in transnational organized crime;
- There is the need to stress that no single country on its own can tackle the issue of transnational organized crime. Countries must pull their resources together to support each other in the fight against transnational organized crime;
- PoC is very important and must be included in all SSR trainings; and
- There is the need to systematically use the experience of countries that have successfully implemented SSR and PoC to help fill the information gap that is displayed in most of the post-conflict countries.

SESSION 4

ACTORS AND FACTORS-THE SOURCES OF INSECURITY (GROUP WORK)

In this session participants were broken into four groups to discuss the sources of insecurity within their respective countries and how such insecurity impact on PoC and SSR concepts. The following countries were represented in each of the groups: Ghana, Liberia, Sierra Leone, Democratic Republic of Congo (DRC), Kenya, Egypt, Nigeria, Somalia, Mali, South Africa, United State of America, Switzerland, Cote d'Ivoire, and Australia. Cumulatively, the following questions were addressed by all four groups taken into consideration the implication for SSR and PoC:

- What makes people feel unsafe?
- What makes the states feel unsafe?
- How do the two sources/types of insecurity manifest in the respective countries?
- What actors were are implicated in the insecurity?



Some participants deliberating on the issues during the group discussions

Table 1: Summary of the Feedback from the Group Exercise

Box 1 What Makes People Feel Unsafe?

- ❖ Inadequate basic human needs;
- ❖ Lack of certainty/uncertainty;
- ❖ Lack of trust in the security institutions;
- ❖ Weak institutions of state;
- ❖ Corruption;
- ❖ Armed conflict;
- ❖ Lack of information (transparency/accountability);
- ❖ Organized crime (national and transnational crimes);
- ❖ Inefficient delivery of law enforcement agencies;
- ❖ Justice system is perverted in the state;
- ❖ Existence of SALW;
- ❖ Weak leadership;
- ❖ Lack of participation (policy/consultation/dialogue etc);
- ❖ Lack of economic opportunities;
- ❖ Poor natural resource management/environment;
- ❖ Deactivated ex-servicemen and ex-combatants;
- ❖ Poor sanitation and its unintended consequences e.g. cholera;
- ❖ Land and property disputes;
- ❖ Diseases e.g. HIV/AIDS;
- ❖ Prison overcrowding and poor justice system;
- ❖ Regional and ethnic polarization; and
- ❖ Political intolerance.

Box 2 What Makes the State Feel Unsafe?

- ❖ Existence/uncontrolled/proliferation of SALW;
- ❖ Weak security sector;
- ❖ Lack of responsible leadership/state institutions;
- ❖ Elections;
- ❖ Economic decline;
- ❖ Unstable neighbours/threat from neighbouring countries;
- ❖ Poor international relations with other countries;
- ❖ Uncontrolled intra/inter migration;
- ❖ Weak border controls;
- ❖ Demographic change/climatic change;
- ❖ Organized crime e.g. terrorism, drug trafficking, piracy, money laundering;
- ❖ Inter/intra state conflict;
- ❖ Inadequate support to security sectors;
- ❖ High illiteracy rate;
- ❖ High youth unemployment;
- ❖ Mercenaries;
- ❖ Conflict, instability and fragility;
- ❖ Lack of legitimacy;
- ❖ Ethnic hatred and tensions;
- ❖ High budget deficit;
- ❖ HIV/AIDS; and
- ❖ Pressures from geostrategic partners.

Box 3**How do the Two Sources/Types of Insecurity Manifest in the Respective Countries?**

- ❖ Increased public demonstrations;
- ❖ High cost of living;
- ❖ Heighten security alert;
- ❖ High unemployment;
- ❖ Decreasing social services delivery;
- ❖ Forced migration;
- ❖ Increased brain drain;
- ❖ Conflicts and disputes;
- ❖ Increase in crimes;
- ❖ Human rights violations;
- ❖ Security crackdown on political opponents and CSOs;
- ❖ Breakdown of law and order; and
- ❖ Capital flight.

Box 4**What Actors are Implicated in the Insecurity?**

State (statutory and non-statutory)	International Bodies	People
<ul style="list-style-type: none"> ❖ State leadership and administrative management bodies (president, ministers, etc.) ❖ Security forces (defence forces, paramilitary forces, intelligence & secret services, police and gendarmerie, border & customs guards, etc.) ❖ Justices institutions (courts, prisons administrator, etc.) ❖ Legislators ❖ Traditional authorities and clan heads ❖ PMSC ❖ Rebel groups ❖ Organized criminal networks ❖ Political party militias 	<ul style="list-style-type: none"> ❖ Neighbouring countries ❖ International and multinational institutions (NGOS, world powers, etc.) ❖ Sponsor agencies 	<ul style="list-style-type: none"> ❖ Community leadership ❖ Civil society institutions (NGOs, media, electorate) ❖ Ethnic and religious groups ❖ Politicians ❖ Aggrieved individuals ❖ Terrorist groups

Implication for SSR and PoC

It is understandable that insecurity is counterproductive to the existence and survival of human beings. It is an obstacle to development in its entirety. The evidence of the feeling of insecurity demands protection at all levels. The implication of insecurity for SSR and PoC as experienced by participants and shared in the group work includes:

- SSR processes are suited for reducing and/or eradicating insecurity. The ultimate objective for effective security delivery is to make the “people” feel safe by instituting mechanisms to address some of the factors and actors responsible for insecurity;

- PoC concepts are vital to eradicating insecurity through direct protection, mainstreaming protection, and restoring protection in national policies;
- There is the need to intensify SSR in countries emerging from conflict to address the issue of insecurity;
- It must be clearly noted that PoC is for the short term and as such it will need SSR to sustain and promote its effectiveness; and
- States must bear the ultimate responsibility of protecting its citizenry.

What is needed? (SSR or PoC)

Below are some critical questions that need to be evaluated when dealing with PoC and SSR:

- Who is to protect who?
- Who is the civilian?
- What are the entry modalities?
- What form should SSR take? (Rebuilding, reorientation, reshaping, creating or designing new mechanisms?)
- What principles or tools are required? (democracy, civil-military relations, economic empowerment, cultural empowerment?)
- Who should be involved in the SSR/PoC process?
- What measures are needed for long-term sustenance and for the prevention of future crisis?

SESSION 5

THE WAY FORWARD-POLICY RECOMMENDATIONS FOR STRONGER LINKAGES OF SSR AND POC IN AFRICA



Dr. Adedeji Ebo leading the discussions on the way forward on recommendations for stronger linkages of SSR and PoC in Africa

Following the Policy Forum on Inter-Linkages of Security Sector Reform and Protection of Civilians, experts made some proposals on the intersection between PoC and SSR based on the following overriding guiding principles.

Guiding Principles

The following broad guiding principles are expected to guide the policy on the intersection between PoC and SSR:

- These policies must promote a more organic social contract;
- The policies must be context specific;
- It must involve the multiplicity of actors both on the side of the UN and the state;
- The approach must be integrated and coordinated;
- The policy must be gender sensitive and responsive;
- The policy must synchronizing the inter-linkages between SSR, PoC, DDR and human rights in the planning and implementation stages;
- There is the need for civic education, sensitization and awareness creation on the rights and responsibilities of individuals;

- There should be clear indicators of measuring success;
- There should be expanded partnerships that reflects the various actors both within and beyond the state;
- There must be youth inclusion and empowerment;
- Vulnerable groups such as children, women and people living with disability must be given high prominence; and
- There must be early warning and early response mechanisms.

Having identified these guiding principles the policy forum based on the group work and recommendations from the previous meeting further suggested that policy should be pursued at the state, regional and international levels. Consequently, the following policy recommendations for the various actors were categorized into state, regional and international levels.

State (National) Level

Under the state level issues that were considered centred on the effectiveness of the security and the justice institution. Issues of oversight, legitimacy, legality and the role of non-state actors were thoroughly discussed. Among the policy recommendation for the state included:

- Security sector should be broadly defined and context specific;
- Capacity-building on PoC and SSR must be inclusive. It should not focus only on the military or the police. It must be expanded to incorporate the judicial, intelligence services, correction services and any other institution that provides oversight responsibilities in the security sector;
- The process of capacity-building must include local communities, politicians and government officials to build their understanding and strengthen their capabilities in implementing the policies of PoC and SSR ;
- For SSR and PoC to be effectively implemented there must be some form of national ownership. Besides, concepts and mandates must be clarified at the state (national), regional or international levels. Additionally, there must be some level of collaboration and commitment at all levels;
- Recruitment policies must incorporate regional quotas, ethnic/tribal balance and appropriate gender mix. Ultimately, the recruitment policy must be fair, transparent and devoid of political influence;
- Civil Society Organizations and the local communities must be included in all PoC and SSR processes;
- Security regulations and legal frameworks should be inclusive, transparent and participatory (national security policies). It should include SSR and POC elements;
- There is the need for a clear definition/delineation of roles and responsibilities of the security sector at all national levels;
- Political dialogue, mediation, reconciliation and confidence building measures must be encouraged at all levels; and
- The role of non-state actors' particularly traditional security providers must be recognized and regulated.

Regional

- There is the need for countries to be sensitive to regional dimensions of POC and SSR;
- SSR and PoC policies must be integrated into all mission planning and mandates formulation. The inter-linkages between PoC and SSR must reflect in all planning of mission start-ups and operations to enhance the cooperation of the two communities (SSR and PoC);
- There is the need to implement existing regional frameworks especially those that deals with issues bothering on PoC and SSR;
- There is the need to include SSR and PoC intersection in regional frameworks; and
- There is the need for policies to promote inter-state collaboration.

International

- There is the need to indigenize SSR and PoC mandates so that they become nationally owned. This will help by making the implementation very effective; and
- SSR and PoC policies must be integrated into the planning of mission start-ups and their inter-linkages must reflect in all mission concepts and operations.

SUMMARY AND CONCLUDING STATEMENTS

Dr. Adedeji Ebo, Chief of the UN SSR Unit reiterated the importance of SSR and PoC to the UN. According to him, this is a new area for everybody and so it demands critical attention moving forward. He expressed his appreciation to the Australian Government for its continuous support to the SSR project. He noted that the UN as an organization is trying to address the gaps that exist in terms of the operationalization of the linkages between PoC and SSR. Additionally, he indicated that the UN was still in the process of capturing more sharply what the intersection between the two concepts should entail. Therefore, the long-term plan is to produce a technical guidance note for colleagues who implement the policy of SSR and PoC on the ground. Dr. Ebo was emphatic that moving forward, the UN will try to gain some proximity with the KAIPTC because it is so close to the field and moreover, the Centre is in a better position to facilitate the process of integrating PoC and SSR into national policies for countries emerging from conflict. He ended by expressing his appreciation to the KAIPTC and the Australian Government for making the Policy Forum on the Inter-Linkages between Protection of Civilians and Security Sector Reform in Africa a success.

On his part, Mr. Tim Millikan from the Australian High Commission, Ghana was excited about the passion and commitment displayed by the experts throughout the two-day meeting. He stated that two commonalities emerged from the policy forum. First, there was the need to prepare a response mechanism to deal with SSR and PoC and second, the need for civil society to drive popular support by impressing on the political class to place the issue of PoC and SSR on the top burner. According to him, the Australian Government will continue to push the agenda of PoC and SSR especially in the formulation of mandates at the Security Council level. Concluding his closing remarks, Mr. Millikan expressed his appreciation to the KAIPTC for putting the meeting together and all the participants for taking time off their busy schedule to avail themselves for the meeting.

Colonel Edwin Adjei (Rtd), Director of Training at the KAIPTC on behalf of the Commandant expressed his appreciation to all the participants for their enthusiastic contributions that enriched the discussion at the policy forum. He thanked the Australian Government for the sponsorship and was hopeful that in future there would be more of such collaborations between the Centre and the Australian government. He also expressed his appreciation to the UN SSR Unit for their unflinching support. Lastly, he thanked the organizers for putting the meeting together and wished all the participants a safe journey to their respective destinations.

Appendix A

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