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Executive Summary

The following report explores two questions: what constitutes legitimate state authority, and how is it extended in post-conflict countries? It analyzes UN mandates and activities regarding state authority across seven post-conflict examples: Central African Republic, Côte d’Ivoire, Democratic Republic of Congo, Guinea Bissau, Liberia, Mali and South Sudan.

Language and activities pertaining to extending state authority have become more pervasive in UN documents throughout the past decade. Despite this growing trend, UN mandates and reports have yet to provide, or attempt to provide, a definition of state authority and its purpose in post-conflict states. Efforts aimed at extending state authority remain functionally driven and address an extremely broad array of activities, from security sector reform to national dialogue to local administration to sports and culture. Furthermore, while mentions of state authority in some mandates emphasize the importance of local perspectives and minority grievances, none of the UNSC resolutions considered address issues of state legitimacy. The concept of legitimacy is referenced sparsely through Secretary General Special Reports, and never in conjunction with state authority.

In the absence of a concrete, UN-based definition of state authority, its components and its purpose, this report develops a working definition of state authority with a focus on effective and legitimate state activity. States derive authority from two factors: their ability to perform these functions effectively and their ability to perform these functions legitimately. As a state attempts to extend its authority across its territory, these two attributes (effectiveness and legitimacy) engage with each other in a mutually-reinforcing feedback loop. The more effectively the state delivers security, justice and services to its constituents, the more legitimacy it earns. Similarly, perceived state legitimacy in the eyes of its citizens enhances a state’s ability to perform these functions more effectively.

Through an analysis of UN mandates and documents, as well as reputable non-governmental organization (NGO) reports and expert interviews, the report presents two pervasive themes across seven post-conflict examples. Each theme poses several implications for future efforts aimed at extending legitimate state authority in post-conflict countries.

Firstly, this analysis highlights certain inherent and often contradictory dilemmas that challenge attempts to extend state authority in post-conflict countries, which must be at least acknowledged if not mitigated. Prioritizing the international or external legitimacy of the state can be counterproductive if the elements that contribute to domestic or internal legitimacy are ignored or actively undermined. Programs and activities should seek to achieve legitimacy not only in the eyes of government supporters but, if possible, also in the eyes of the “losers” of the conflict and their perceived supporters. In cases where the central state is perceived as predatory in the periphery, international actors must consider that their actions to bolster a central state may contribute to public perceptions of a state that is illegitimate. Attempts to extend the authority of a state through capacity building in formal institutions are less likely to succeed if those formally established institutions do not effectively cooperate with and respect existing informal institutions, and may violate widely shared expectations among citizens and civil society actors.

Secondly, this analysis makes several recommendations regarding programmatic design, specifically program sequence, scope and financing. Programs to extend legitimate state authority should sequence mediation and reconciliation initiatives, human rights discussions, and reintegration elements...
earlier in the transitional process than they may have been historically. Broad geographic and
demographic scopes improve state authority extension programs, as does durational longevity if and
only if funding is reliable and sustained. Inadequate funding and poor financial planning not only
compromise crucial programs but also can actively undermine the work they have already completed,
breaking the trust of those they agreed to serve.

Legitimate state authority is a dynamic concept, and extending it requires well-informed and well-
planned policies and activities that both find their substance in the functional and contextual
perspectives and actively work to mitigate common contradictory dilemmas. UN activities to extend
legitimate state authority in post-conflict countries will significantly benefit from a thorough
understanding of historical legacies, policy dilemmas, and programmatic constraints.
Introduction

Since its inception in October 1945, the United Nations has seen the formation or independence of more than one hundred sovereign nation states. While state sovereignty, freedom from oppression and representative governance remain high-priority international norms and values, many of the world’s younger nations continue to experience fragile transitions into statehood.¹ States that have yet to effectively and legitimately extend their authority throughout their territories and across their populations are significantly more likely to collapse into intrastate conflict and risk becoming hotbeds for the rise of violent extremism.² As such, the United Nations considers the extension of state authority a high priority issue, especially when addressing post-conflict contexts. Despite its high prioritization, policies and activities that successfully extend legitimate state authority in post-conflict countries prove elusive, and many past attempts have yet to yield the anticipated results.

In light of these observations, this report explores two crucial questions: what constitutes legitimate state authority, and how can it be extended? Section I reviews the growth of state authority terminology and activities in the UN mandates and reports of seven post-conflict countries. Finding a diverse combination of cross-sectoral efforts and no concrete definition, it then combines a review of theoretical literature and common themes from our case analyses to present a working definition of legitimate state authority and the factors that contribute to it. It describes not only the dynamic relationship between the effectiveness and legitimacy of state functions and activities, but also how the agenda of extending state authority differs from other post-conflict agendas, such as peacebuilding or statebuilding.

Section II analyzes past and current efforts aimed at extending state authority in these seven post-conflict countries. It pinpoints the common challenges facing such activities and provides recommendations regarding how to mitigate those obstacles and extend state authority more effectively in the post-conflict context. The challenges addressed include the mitigation of key inherent and often contradictory dilemmas in state authority extension processes, and innovation regarding often highly constrained program design tactics and strategies.

A team of seven researchers from Columbia University’s School of International and Public Affairs analyzed seven post-conflict case studies: Central African Republic, Côte d’Ivoire, Democratic Republic of Congo, Guinea-Bissau, Liberia, Mali and South Sudan. The resulting findings stem from a thorough review of UN mandates, UN activities and reports, and reputable third party reports and research, augmented by select interviews conducted with theoretical and field-based experts. The report includes individual annexes on specific case studies, from which we drew the general themes and lessons learned for the main body of the report.

It is widely believed that failures of legitimate state authority lie at the heart of many of Africa’s violent conflicts.\(^3\) While democratic elections far outnumber military coups or illegitimate takeovers in the region, a gap often remains between formal state institutions and their ability to provide effective, inclusive and accountable governance.\(^4\) Where state institutions fail to mitigate persistent inequality, pervasive poverty and other common post-conflict challenges, a security vacuum facilitates an environment where nonstate actors fill the void. While sometimes these rebel groups or local militias are predatory in nature, they also often provide services, collect taxes, and fulfill a number of other state functions in the absence of state authority at the local level. Complex power dynamics create an environment where “monopoly over violence is no longer the sole preserve of the state.”\(^5\) It is therefore crucial to understand what legitimate state authority constitutes in the modern era.

The following section explores how UN mandates and reports view and define the extension of state authority in our seven case countries. It provides additional insight in its analysis of UN mandates’ consideration of legitimacy and its relationship with state authority. It then develops a dynamic working definition of legitimate state authority founded in theory and practice, and explores this definition further by distinguishing it from similar, interrelated post-conflict concepts such as peacebuilding, statebuilding, and extending regime or government authority.

\(^4\) Mindzie, Wachira, and Dunderdale, “Effective Governance,” 2.
\(^5\) Mindzie, Wachira, and Dunderdale, “Effective Governance,” 2.
1.1 State Authority in UN Documents

This section analyzes the inclusion of mandates and activities related to state authority as they appear in UN documents. It considers all initial Security Council resolutions regarding our seven case countries as well as all major mandate revisions throughout the UN involvement in those cases. It also analyzes all Secretary General Special Reports with a focus on the most recent report from each case. Publication dates of the documents considered range from 1999 to 2015.

When considering solely the foundational UNSC resolutions (the first in each case), the verdict is split down the middle. The original UNSC resolutions from Mali (2013), Liberia (2003), Cote d’Ivoire (2004) and South Sudan (2011) include mentions of restoring or (re)establishing state, government, or national authority. The original UNSC resolutions from Guinea Bissau (1999), Central African Republic (2000) and Democratic Republic of Congo (1999) include no mention of state authority in any capacity.

As time progresses further into the 2000s, state authority becomes more prevalent in UN documents. Fourteen of the twenty-two UNSC resolutions considered include measures to re-establish or extend the authority of the state, government or nation. These instances appear in documents pertaining to all but one case study. Common language includes “restoring”, “establishing”, and “re-establishing” the authority of the state or the government (or national authority in the case of Liberia). Guinea Bissau represents the outlier, although its mandate includes a call for “enhancing the capacity of state organs”. Furthermore, state authority universally appears throughout Secretary General reports on these cases. The extension of state authority has clearly penetrated UN language, though its priority and purpose remain unclear.

Despite nearly universal inclusion, none of these UN documents provide a definition for state authority. Liberia’s UNSC resolution comes the closest, asserting that state authority “includes functioning administrative structures both at the national and the local levels.” In earlier mandates, state authority appears as a means to ends like security, stability, and justice. For example, in UNSC Resolution 1528 establishing UN Operations in Cote d’Ivoire, the re-establishment of state authority falls under the necessary conditions for pursuing a peace process. In more recent documents, extending state authority represents a goal in and of itself, with various activities aimed at achieving it.

The activities associated with state authority range across a diverse array of functions. In UNSC Resolution 2164 on Mali, state authority is associated with DDR and SSR, justice sector reform and mine action. In UNSC Resolution 1509 on Liberia, state authority is associated with the proper administration of natural resources, and then later with Liberia’s relationship with neighboring countries and the international community. In the most recent Secretary General Special Report on Democratic Republic of Congo, the construction of sports and culture infrastructure is presented as a crucial part of extending state authority. Other functions associated with state authority throughout UN documents include rule of law, transitional justice mechanisms, infrastructure and transportation, early warning, sensitization, fiscal administration, border control, service delivery, local administration, dialogue and conflict reduction, trust building, and minority issues, among others. In other words, according to a survey of UN mandates, state authority is crucial for almost all state functions, and contributing to each
of these areas should help to bolster state authority. Issues regarding media, communication, and the press remain absent.

Although authority and legitimacy are heavily related, the concept of legitimacy appears far more sparsely. None of our seven case UNSC resolutions discuss legitimacy in any capacity, whether pertaining to state authority or otherwise. References to legitimacy appear minimally in Secretary General Special Reports in four of our seven cases. Reports for Liberia, Cote d’Ivoire and South Sudan, reference the importance of a legitimate constitutional review, while Mali’s report highlights the need to address the legitimate grievances of the people. We found fewer than five references to legitimacy in the twenty-two documents considered, and none of those instances pertained to state authority building measures.

While efforts aimed at extending state authority in UN mandates often attempt to address local and minority issues, extending state authority is predominantly viewed as a functional activity. Bolstering administrative offices appears often as a measure of extending state authority, as does building or enhancing service or judicial infrastructure.

1.2 Working Definition

States can derive authority from a variety of sources. Considering UN documents do not define state authority or explain its purpose, analysis of resolutions and reports leaves researchers unclear regarding which type or types of state authority the UN aims to achieve in these seven post-conflict cases. This section combines the broad UN understanding of state authority and its contributing factors discussed above with theoretical literature to develop a working definition of legitimate state authority — its factors, its purpose, and how it differs from other similar post-conflict agendas. This definition then serves as a lens through which we explore the challenges in extending state authority in Section II.

1.2.1 Effectiveness and Legitimacy: a feedback loop

There exists a mutually reinforcing relationship between a state’s legitimacy and effectiveness. It is through this relationship that the state continually constitutes and reproduces—or fails to—the justification for its claim to authority. The authority of the state is understood to be “the ability and capacity of a government to exercise its power over the whole territory and the entire population, its inability to do so highlights the weakness of the state and its government.”6 A weak government or a government experiencing the weakening of power is forced to return to the source of its power and re-establish its legitimacy in the eyes of its citizens.7 The capacity of the state to carry out its functions—

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6 UNDPKO, Civil Affairs Handbook, 188.
7 Ibid.
state effectiveness—strengthens and earns legitimacy. Legitimacy, in turn, justifies the actions of the state necessary to be effective and carry out its functions. On the other hand, “state capacity depends on authority and ineffective states lose legitimacy.” Thus, state authority hinges upon and is constructed from this symbiotic cyclical relationship between legitimacy and effectiveness.

As several scholars have asserted, “the key differentiating characteristic of states over the past two hundred years is legitimacy.” Legitimacy is an inherently social phenomenon attributed on the basis of judgments, and a state is legitimate if:

“...its power is justified in terms of normative beliefs shared by both those who exercise power and those over whom power is exercised—beliefs about the ends toward which a state exercises power, but also about the way in which power should be exercised, and in which those who exercise power should be chosen. According to Rodney Baker, ‘legitimacy is precisely the belief in the rightfulness of a state in its authority to issue commands, so that these commands are obeyed not simply out of fear or self-interest, but because they are believed in some sense to have moral authority because subjects believe they ought to obey.’

Legitimacy is crucial to the state for three reasons: 1) prevention of the growth of rebellious groups, 2) more effective provision of public services and 3) sustainability of state institutions. For example, legitimacy makes it easier for states to collect revenues, which in turn sustains the capacity of the state to provide public services and public infrastructure. The provision of these public goods and services continues to strengthen legitimacy and the cycle continues to reinforce itself. On the other hand, “conflicts can be both a cause of and a consequence of a loss of legitimacy by a government, and

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11 Ibid, 50-51.
12 Ibid, 51.
they will certainly entail a reduced reach for state institutions across its territory, further disenfranchising its citizens.”

Because legitimacy is normative and a social construct, there is no universal definition of what constitutes a legitimate state and therefore no unequivocal guide for building a legitimate state.

The lack of consensus around the means to build a legitimate state, let alone extend its authority, is particularly evident in the post-conflict setting. This environment is characterized by alternative concepts of authority and informal power structures. This is further complicated when the state is traditionally shallow (before, during or after the conflict) and is not perceived to be “a neutral arbiter and provider of public goods.”

In each of the cases presented in this report, the state has “coexisted with and competed with other sub-state authority structures” and as a result played a varied role in “organizing social relations.” The ensuing international interventions to restore and extend state authority, particularly through formal state institutions, are caught acting in a partial manner and viewed as influencing the power balances in favor of the group that controls the state.

Tensions naturally arise as outside actors attempt to influence and shape deeply internal matters: state effectiveness and legitimacy and by extension state authority. Legitimacy does not automatically come with government, particularly as international actors support and implement state institutions in a manner that is in many cases entirely contradictory to how states are traditionally built.

1.2.2 Distinguishing the Extension of Legitimate State Authority

The concept of extending state authority was born out of peacebuilding and especially statebuilding efforts. Its very emergence, however, demonstrates the need for its distinction. While these three agendas remain interrelated, especially in a post-conflict context, it is important to distinguish their goals and activities from each other to more narrowly focus on our definition of state authority.

According to the United Nations, peacebuilding can be understood as a “range of measures targeted to reduce the risk of relapsing into conflict by strengthening national capacity at all levels for conflict management, and to lay the foundations for sustainable peace and development”.

Successful peacebuilding can be measured against a country’s success in sustaining peace over the long-term.

Definitions of statebuilding, on the other hand, have focused on various interpretations of the concept. The two most commonly discussed interpretations are based on a minimalist understanding and involve the reestablishment of “the state’s monopoly over the means of violence with control over the country’s entire territory and with an effective administration”. The second is based on the premise that statebuilding is necessary to stabilize the international system according to a set of international norms and values, which have been largely defined according to democratic-liberal standards. According to the second interpretation, successful statebuilding contributes to establishing responsible, legitimate states.

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13 UNDPKO, Civil Affairs Handbook, 188.
14 Zaum, ibid, 55.
15 Ibid, 60.
and governance-compatible entities. Therefore, while peacebuilding often represents an important part of the statebuilding dynamic, it is significant not to forget that while peacebuilding offers modalities for overcoming some of the greatest challenges to statebuilding, the need to build ever-deeper state-society relations is likely to remain in the long-term.

Instead of only focusing on overcoming the challenges related to peacebuilding and statebuilding, the extension of legitimate state authority in post-conflict countries has to be understood as a set of activities that are conducive to strengthening the authority of the government over a country’s territory in a legitimate manner. As a consequence, efforts targeted to increase the legitimate authority of the state represents more than measures taken to improve state functions through for example institution building. This becomes particularly evident when the relationship between a state’s legitimacy and its effectiveness is taken into consideration, which may require a different set of activities to mutually reinforce each other. Moreover, considering that a central feature in post-conflict situations has been the coexistence of various actors and institutions that are competing over the legitimacy of state power, extending the legitimacy of the state has to address other relevant sources of legitimacy that challenge the authority of the state. Thus, efforts that are taken to enhance that legitimate authority of the state reflect elements of both peacebuilding and statebuilding, yet the extension of state authority cannot by definition be seen as part of either category and should therefore be treated as a category in itself. Overall, the extension of legitimate state authority can therefore be understood as a set of activities that are tailored to the needs of strengthening legitimate sources of governance in fragile political contexts by increasing the acceptance levels of the central government in the eyes of the population and relevant international actors through various reforms.

Finally, it is important to draw a distinction between extending state authority and extending the authority of an individual, a particular political party, or a regime. For authority to truly belong to the state, it must exist outside of the current executive or legislative administration in power. If a state’s authority disintegrates or fails to transfer to different administration, then the authority of the government cannot be attributed to the state. While this distinction poses harsh policy challenges, it is essential to our understanding of state authority, as it lays the framework for a definition of state authority that will be sustainable into the future.

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Section 2

HOW TO EXTEND LEGITIMATE STATE AUTHORITY?

Following naturally from the preceding section, which defines legitimate state authority, its components and its caveats, this section explores how to extend that legitimate state authority, particularly in post-conflict states. It draws from implications and lessons identified in the assessments of our seven post-conflict case studies – Central African Republic, Côte d’Ivoire, Democratic Republic of Congo, Guinea Bissau, Liberia, Mali, and South Sudan.

This analysis ultimately finds two core challenges facing state authority extension policies and programs. The first challenge is to mitigate the inherent and often contradictory dilemmas facing the extension of state authority founded in the variety of different sources that contribute to it. The second is to mitigate the design-based constraints and assumptions hindering current UN programming. Activities that deliberately consider and intelligently mitigate inherent contradictory dilemmas and creatively address design constraints and assumptions have proven more successful in extending long-term state authority in post-conflict countries. Failure to do so often yields ineffective results and actively undermines state authority in post-conflict countries.

Throughout our analysis, we emphasize the importance of incorporating both a functional and a contextual perspective. The functional perspective considers technical programmatic tools to extend state authority. Policies and programs born from the functional perspective often bolster state effectiveness. The contextual perspective considers the underlying social factors upon which a state finds itself attempting to extend its authority. Policies and programs born from the contextual perspective often bolster the state legitimacy. Understanding the functional perspective is necessary but by no means sufficient for designing and implementing programming that will successfully extend state authority in post-conflict countries. A thorough and accurate contextual perspective of a given post-conflict state is crucial to designing and implementing policies and programs that will effectively extend the authority of the state.
The contextual perspective considers the social, economic and political forces at hand in a post-conflict state from the candid and realistic point of view of how they interact with state authority and its potential expansion. While contextual perspectives remain non-comparable across cases, our analysis illuminates key contextual themes that, when considered, improve strategies and policies aimed at extending state authority across the board. Factors that contribute to a thorough and accurate contextual perspective include an understanding of interethnic relations, majority-minority dynamics, religious traditions, common or conflicting value systems, regional and cross-border dynamics, and historic relationships with permanent UNSC members or former colonizers.

What is the nature of the religious or ethnic polarity in the country? Who are the marginalized groups? What are common social or religious values with the power to help or hinder the process? Who are the spoilers, and what influence do they have? These questions and others are crucial to consider when developing an agenda and policies aimed at extending state authority in post-conflict states. The contextual perspective identifies not only probable roadblocks and challenges, but also key areas of leverage and highly effective potential pressure points to use to expand state authority. It helps narrow the possible options to those most likely to succeed in a given context. It also provides the necessary perspective for innovative and creative new solutions and mechanisms.

Our analysis of UN mandates and reports finds that extending state authority is often considered a functional objective. Activities, or suggested activities, that intend to bolster state authority include building institutional capacity, restoring physical and organizational infrastructure, and expanding and improving justice or government institutions. However, objectives have increasingly included an emphasis on minority voices and local buy-in, which demonstrates that incorporation of the contextual perspective has become more prevalent in UN mandates in recent years. Attempts to extend state authority in post-conflict countries will continue to benefit from a thorough and nuanced contextual perspective. Activities that minimize or ignore contextual factors are less likely to successfully extend legitimate state authority, and often in fact undermine state legitimacy and by extension state authority as a whole. UN activities in post-conflict states must not only consider the questions posed above that make up the contextual perspective, but also actively incorporate those contextual dynamics into mandates from day one.
2.1 Inherent Dilemmas

The UN heavily invested in a ‘state-building’ process that drives towards capacity, accountability and responsiveness of the government. Such ‘state-building’ model shares the perspective taken by the OECD commissioned report in that “‘state-building’ is a national process, a product of state-society relations that may be influenced by a wide variety of external forces (including trade or the media as much as aid), but which is primarily shaped by local dynamics.”\(^{21}\)

However, if it is true that “states do not ‘do’ state-building outside their own borders”\(^{22}\); neither do states ‘do’ restoring or extending state authority outside their own borders. Reviewing past efforts to restore or extend the authority and legitimacy of the state in post-conflict settings reveals four inherent dilemmas where policymakers often find themselves in: 1) pressuring the government to keep up with expectations of the citizens and donors despite that local stakeholders do not see the government as the sole vehicle for their policy; 2) distinguishing sources of internal legitimacy from sources of external legitimacy; 3) balancing the relationship of the center with the periphery; and, 4) anticipating competition between formal and informal forms of authority.

2.1.1 Center vs. Periphery

Central to the task of extending state authority in post-conflict settings, is the extension of the presence of the state in the periphery, particularly in cases where conflict dynamics are characterized by an absence of the state. As discussed in the review of UN mandates in section 1.1, a range of activities have been carried out by the UN focusing on extending the physical presence of the state. These have included quick impact projects aimed at rehabilitating infrastructure, building administrative offices and restoring public services in underserved areas. But in some instances, the particular relationship the center has with its periphery creates a dilemma for the UN in pursuing this objective. A particular challenge is working with a central government that has a historically predatory relationship with its periphery. In those cases, the UN needs to tread carefully and find the ‘right amount’ of centralized authority that populations of the periphery are willing to accept.

The Central African Republic presents a case where the nature of the relationship of the center with the periphery presents a particular challenge in extending state authority. For decades, governments in the CAR have ignored the rural areas, and aside for a brief period early in the regime of Jean Bedel Bokassa, few resources were ever devoted to nation building. Instead, successive regimes built a predatory state apparatus, disconnected from the peasant population outside Bangui, and relied on the backing of foreign powers – France and Chad mostly – to maintain hold on power, further alienating them from the people. The void left by the absence of the state in the rural east was eventually filled by local self-defense forces who in part serve as a means of providing security to local communities. The presence of armed groups threatens the stability of the CAR state and its ability to

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\(^{21}\) Alan Whaites, States in Development: Understanding State-building

\(^{22}\) Ibid.
extend its authority throughout the territory, but the lack of security and distrust of centralized authority has provided little incentive for them to voluntarily disarm. The prevalence of predatory national security forces presents a challenge in Côte d’Ivoire as well. In historically pro-Gbagbo regions of the country, gendarmeries are perceived as unjust, if not dangerous, and are rarely held accountable for their actions. Meanwhile, the central state has been reluctant to empower local police forces, as it sees this as a threat to its monopoly over the means and use of violence.

However, while focusing on extending the center to the periphery, the UN must not lose sight of the local dynamics within the periphery that can hinder those efforts. The strong emphasis on developing a decentralized governance structure to bridge the center-periphery divide in Mali has come at the expense of addressing the divides that exist among the country’s northern communities. This has significantly undermined the success of the peace process. While the physical extension of Mali’s local administration to areas of low population density remains key to increasing the legitimate authority of the state in remote areas, more emphasis should be given to increasing local acceptance levels of government institutions and local governance structures. Strengthening the state’s ability to deliver basic security, justice, education and livelihood services in the country’s periphery will not be sufficient to expand the government’s legitimacy in the eyes of the population, unless such services are embedded in confidence and trust-building measures, both between communities and the state. Only if the government manages to overcome the population’s perception of unequal treatment between the regions of the South and the North and provides access to quality services across the entire population, the state’s legitimate authority can be expected to increase.

Efforts to decentralize government in Liberia present a case where addressing local dynamics have the potential to produce positive results. In addition to poor infrastructural networks, national delays in service delivery have generated questions about the viability of Liberia’s highly centralized system of governance. After the 2005 elections, surveyed Liberians applauded the UN’s role in providing a secure, safe environment but complained about road conditions and logistical inadequacies, including getting from isolated areas to the polls. In 2011, Liberia began building five regional justice and security hubs towards the extension of state authority. This system has attempted to decentralize these traditionally weak and patrimonial sectors by placing armed police officers, immigration units and judges in five regional centers outside of Monrovia. Although more police need to be deployed in rural areas and provided with better equipment, this shift in approach has opened the door to greater administrative decentralization, which the UN can utilize to facilitate political inclusion outside of Monrovia. The first regional hub in Gbarnga was inaugurated in 2013 but faces logistical constraints, as well as challenges in implementing the recommendations of the Truth and Reconciliation Commission. The regional hub system demonstrates that increasing access to services is not enough, as long-term political inclusion requires a high degree of public awareness for comprehensive reform to

occur. Yet, its existence is an alternative to informal security brokers and can be instrumental in enhancing citizen’s positive perception of justice, and thereby increasing the legitimacy of the state.

Our survey of UN activities aimed at extending state authority revealed an emphasis on extending the physical presence of the government in the periphery. But this approach alone may not be sufficient to extend state authority, as bringing government administration to rural areas will not in and of itself change the center’s relationship to the periphery. For this to happen, careful attention must be paid not only to where government is administered, but how.

2.1.2 Government vs. Governance

Restoring state authority inevitably starts from restoring non-violent methods of political competition centered on power distribution; the state authority then extends in the realms of law, service delivery and administration. Although restoration and extension of legitimate state authority can be dealt in parallel, Security Council mandates often do not address the distinction and sequence of the two tasks; moreover, the international community tends to funnel resources towards perceived demands of the citizens and donors prior to making significant contribution in helping to consolidate the understandings between local stakeholders about the conditions to end conflict.

Having said that, in the case studies we found UN ‘Good Governance’ initiatives are better equipped when resolving the divisions of war “outside the realm of the political, in the realms of law, social policy and administration,” but less so when resolving “the problems of political competition”. Secondly, Good Governance will not necessarily extend state authority unless the agreement on conditions to end conflict has been reached, meaning that the restored state authority is legitimate in the eyes of the “losers” and their supporters, and is effective in terms of restoration and redefinition of “rules that facilitate a return to non-violent methods of political competition.” In other words, the case studies illustrate that a balance needs to be struck between establishing structures, which reflect ‘Good Governance’, and what is politically and operationally feasible.

The justice sectors in Côte d’Ivoire and DRC demonstrate limitations of expecting a functioning state in spite of fragile political settlement. In 2010, the Côte d’Ivoire government appointed a Special Investigation Unit to take over all open judicial investigations of crimes and offenses committed during the post-election crisis. To date, trials in process continue to experience debilitating delays and fragmentation. Furthermore, the Ouattara administration has decided to prosecute the high-level perpetrators charged with crimes against humanity through national courts instead of deferring to the ICC (the exception being former president Gbagbo), leaving former Gbagbo supporters with low trust of the post-war justice process, anticipating an agenda that will address alleged criminals unjustly and

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29 United Nations Website, Global Issues, Governance http://www.un.org/en/globalissues/governance/. The UN sees “Good and Democratic Governance” as “the degree in which a country’s institutions and processes are transparent. Its institutions refer to such bodies as parliament and its various ministries. Its processes include such key activities as elections and legal procedures, which must be seen to be free of corruption and accountable to the people.” Efforts to promote good governance include “providing policy advice and technical support and strengthening the capacity of institutions and individuals”, and mechanisms that “strengthen the voice of civil society, promote human rights, and encourage the participation of all groups in democratic processes.”


with bias.\textsuperscript{32} These trends have cast doubt upon the impartiality of Côte d’Ivoire’s transitional justice mechanisms. While initially viewed as a revolutionary, ad hoc mechanism for addressing impunity and partiality, the Special Investigation Unit has proven biased and unbalanced, contributing to perceptions of “victor’s justice” among local citizens, especially disgruntled Gbagbo supporters.\textsuperscript{33}

While judicial reform in DRC has progressed in the judiciary through the establishment of the Constitutional Court, the Cour de Cassation and the Conseil d’Etat, there is still a “lack of a national vision and strategy in the areas of justice and corrections”\textsuperscript{34} in addition to the lack of implementation of tribunals in the 145 territories to adjudicate disputes at the local level.\textsuperscript{35} Despite the large judicial apparatus, the justice system in the DRC is largely considered to be ineffective, contributing to the norm of impunity that continues to fuel conflict.\textsuperscript{36} Throughout the country, the “judiciary remains under-funded, inefficient and corrupt,” as lawyers are frequently given little time to prepare a defense and victims often have to bribe judges if they want prosecution to actually occur.\textsuperscript{37} Thus while the development of a new constitution, national elections, and institution building took precedence, the structures to hold the new government accountable and extend legitimate state authority throughout the territory (such as an independent judiciary and security sector) have received little commitment from the current government.\textsuperscript{38}

On the other hand, political competition can be hardly resolved outside the realm of the political. Some stakeholders may deliberately see state functions as apolitical and technical in order to manipulate political agendas, be it Constitutional review (illustrated by the recent outcry in Burundi), or the composition of the army (Guinea-Bissau and South Sudan).

Prior to the 2012 coup in Guinea-Bissau, the emphasis on reducing the size of the army was predominant. However, failure of the government to pass legislation and develop reintegration programs for demobilized soldiers had been cited by the Guinea-Bissau authorities as a reason why past security sector reform efforts had failed. In other words, the mandate to “promote reconciliation and democratic governance”\textsuperscript{39} was interpreted very narrowly as resolving disputes over the composition of the army.\textsuperscript{40}

The current military of South Sudan (still known as the SPLA) obstructs the evolution of a national ethos through its pre-independence style of divided military units and decentralized command structure. Prior to independence, the SPLA never developed cohesive military units and instead was comprised of a loose alliance of ethnically organized armed groups in the south fighting against the north.\textsuperscript{41} However,

\textsuperscript{32} Ibid.
\textsuperscript{33} Ibid.
\textsuperscript{35} Ibid, Article 12.
\textsuperscript{37} Ibid.
\textsuperscript{38} Séverine Autesserre, The Trouble with Congo (New York: Cambridge University Press, 2010), 232.
\textsuperscript{40} Anonymous interviews with experts on peace-building in Guinea-Bissau (2015).
following independence, instead of national inclusive dialogue, the state of South Sudan sought to reduce conflict by integrating rebel groups into the regular army payroll. The SPLA expanded without efforts to centralize the command structures or reform the ethnic divides within the military units.\textsuperscript{42} The expansion led to the inflation of the defense budget to 55 percent of the national total while failing to establish a centralized force with a unified relationship to the state of South Sudan.\textsuperscript{43}

To identify, restore or redefine non-violent means of political competition requires political compromises and innovative thinking.

Since 2014, army reform has not been referred to as ‘Security Sector Reform’ in Guinea-Bissau. Instead, ‘modernization’ of the army has been emphasized, as the new government understands the intricate interests involved behind a ‘reform’ of the army. Guinea-Bissau has two distinctive advantages in terms of ‘modernizing’ the army: the government has formally identified and listed those who are in the rank-and-file; a bank system has also been installed to pay public salary. Such favorable conditions make army ‘modernization’ more attractive to the soldiers.

In Guinea-Bissau, assassinations have been the default answer to political rivalry. The political deal made between the new government and the former Chief-of-Staff, Antonio Indjai assured other prominent military figures that there are political alternatives to violence. Indjai refused to step down from the illegitimate military junta, but soon agreed to retreat from politics upon accepting a government offer of a piece of land, personal bodyguards and some socio-economic privileges. If such a patronizing deal is attractive enough to a military figure that was accused of large-scale drug trafficking, soldiers may also be convinced by a decent economic alternative. However, in the long run, impunity and payoffs to possible criminals can set a dangerous precedent; efforts to address issues of justice should eventually follow.

Moreover, the review of the business contracts clearly demonstrates to the army that the gains of a coup will always be short-lived and a political re-settlement will be sure to follow. The military junta that staged the 2012 coup signed business contracts that are “not the most beneficial”\textsuperscript{44} to the state economy. The newly-elected government has established a National Technical Commission in the Prime Minister’s office to review the commitments made by the former transitional government\textsuperscript{45}, with particular focus on the extraction of natural resources, such as bauxite, phosphates and heavy sand, and exotic wood.

All of the above-mentioned good practices made steps toward identifying, restoring, and redefining non-violent means of political competition.

\textsuperscript{42} Lauren Hutton, \textit{Prolonging the agony of UNMISS: The implementation challenges of a new mandate during a civil war} (Amsterdam: Netherlands Institute of International Relations Clingendael, 2014), 17.


\textsuperscript{44} Anonymous interview with experts on Guinea-Bissau (2015)

2.1.3 External vs. Internal Legitimacy

The working definition of state authority developed in section 1.2 describes legitimacy and effectiveness as the two essential mutually reinforcing components of state authority. While it is possible to improve state capacity in performing basic functions through technical assistance, building state legitimacy is a trickier proposition. Legitimacy, as noted above, is a social construct, a contract between a state and its people. In a post-conflict setting, international actors interject themselves in that relationship by performing functions the state is unable or unwilling to perform. But when state legitimacy is in part derived from effective service delivery, the role played by international actors in providing services can prevent the state’s capacity to grow its legitimacy. This raises a key question: When does the provision of services by outside sources pose a challenge to the perception that people have of the state as a service provider, and therefore threaten its internal legitimacy? How much space should international actors occupy? Here, the dilemma is in finding the balance between delivering needed services, thus replacing the state in certain areas, while building the internal legitimacy of the state.

According to sample data sets, the majority of Liberians view UNMIL as the country’s legitimate security provider. These findings demonstrate that the UN’s bolstering of third-party peacekeeping may have indirectly de-legitimized national security forces in the eyes of the public. Comparatively, the inflated nature of UN security forces in Liberia has effectively shifted the axis of authority from the national police, whom Liberians increasingly view as corrupt and inefficient, to UN police. In a sample data set, 92 percent of Liberians state that retaining UN police presence is “very good/good,” as opposed to 58 percent being “somewhat confident” and 13 percent having “no confidence” in Liberian police. It therefore makes sense that 88 percent of respondents express interest in having UNMIL extend its mandate. Some surveyed Liberians also felt that UNMIL should be providing jobs, building infrastructure, and constructing clinics, further revealing that there appears to be confusion about the UN mandate in Liberia. Such discrepancies reveal a public disillusionment with the state’s capacity to rebuild the country, whereby unilateral third-party involvement inherently strips incentives for the state to strengthen security and can spur a cycle of diminishing legitimacy.

In Mali, despite the African lead of the MINUSMA mission and a strong emphasis of the mission mandate to assist and not take over government functions, the high level of violence directed against UN personnel suggests that MINUSMA forces are not seen as impartial actors in the conflict. This perception has been reinforced by MINUSMA’s unauthorized use of excessive force against civilian protesters in April 2015. MINUSMA has increasingly positioned itself in a situation in which it has taken over core governmental functions such as in the security and police sector. Contrary to strengthening the authority of the state, the outsourcing of security services may have undermined local

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49 The largest troop contributors after Bangladesh with a total of 1,474 military staff are all from the West African region including Chad, Togo, Burkina Faso, and Niger. The support of the African Union, Algeria and Burkina Faso during the peace negotiations has been particularly strong. UN Security Council, “Report of the Secretary General on the situation in Mali,” December 23, 2014.
levels of legitimacy of the Malian state authorities. Therefore, while UN’s assistance to the Malian government has bolstered state authority in the eyes of external actors, internal legitimacy remains low. Narrowing the gap between internal and external levels of legitimacy will be crucial for strengthening the legitimate authority of the state in the eyes of the population.

Furthermore, internationally-led efforts to restore state authority can at times prioritize policies that do not necessarily reflect the main concerns of local populations. International efforts to end the conflict in the Democratic Republic of Congo have at times been illustrative of this point. During the drafting of the new Congolese constitution in 2002-2003 and during the first year of the transitional government, the UN and diplomats held regular meetings with their Congolese counterparts to clearly lay out donor expectations. Drafts were corrected if judged too “undemocratic”, making it clear that aid would be cut off if changes were not incorporated. The election of President Kabila in 2006 “provided international financial institutions and bilateral donors with a governmental partner that they perceived as reliable.” Following the contested 2011 elections in which Kabila retained his presidency, international actors witnessed the fruition of their efforts and funds: “a functioning government, legitimate in the eyes of international partners (since it was ‘democratically elected’ [twice]), both willing and able to meet international obligations.” While the 2006 and 2011 elections established a government and formal channels through which international actors can work, certain preconditions (such as freedom of the press, of expression, of the judiciary) must be in place to provide internal legitimacy. When polled in 2008, 86 percent of Congolese living in the eastern region of the country believed that peace and security should be the top priority of the government with the remaining 14 percent prioritizing money or income, education, and food and water. The peace and security situation, particularly in the Northeastern region of the country remains treacherous, as rebel groups and local Mai-Mai groups still control several territories. Furthermore, social indicators are dismal: life expectancy is 51 years (one of the lowest in world), average school attendance is 10 years, the GDP per capita is $648 while 87 percent of the population live on less than $1.25 per day. It is these measures that the government must begin to address in order to increase internal legitimacy.

2.1.4 Formal vs. Informal Institutions

There are two sets of widely researched definitions of informal institutions. The broader definition of informal institutions consists of an array of phenomena, “including personal networks, clientelism, corruption, clans and mafias, civil society, traditional culture, and a variety of legislative, judicial, and bureaucratic norms.” The formal institutions often have shallow roots in the society; the ‘state’ is “not the only repository of traditional authority or focus of traditional loyalties.” A narrower definition of informal institutions refers to “socially shared rules, usually unwritten, that are created, communicated,
and enforced outside of officially sanctioned channels."\textsuperscript{58} The definition emphasizes unwritten rules that are "rooted in widely shared expectations among citizens and public officials."\textsuperscript{59}

Informal institutions often have an inherent authority all their own, which formal institutions can rely on. According to Anke Daude, "if the state is weak and the regulation of societal matters cannot be guaranteed by the state, it is more promising to search for other forms of governance than to question the state’s role in governance."\textsuperscript{60} Identifying other forms of governance often involves specifying the relevant actors and interests behind informal institutions. But moving beyond identifying the informal, the UN also needs to understand the process by which informal rules are created, and how those rules are communicated to other actors in such a manner that they evolve into sets of shared expectations.

In sum, in cases where the regulation of societal matters cannot be guaranteed by the state, whether and how informal institutions can be repurposed to serve in a formal state structure depends on the degree to which formal and informal institutions converge. Some informal institutions emerged to fill in the gap where the formal institutions failed to provide certain services the population expected; other informal institution lay out of the context of capable formal institutions in societal shared values. In the former case, to strengthen the capacity of the state to deliver certain services might be helpful to extend its authority; in the latter case, to modify the design of the formal institutions so as to accommodate the ethnically or culturally formed informal institutions may be a better option.

Particularly telling at the community level in Guinea-Bissau was the issue of land control and the association between territory and identity.\textsuperscript{61} Informal institutions governing land distribution in Guinea-Bissau emerged as a result of cultural and ethnic values, which associate personal identities with geographical locales; people’s spiritual attachment to their homeland defines whom they are. The design of the village committee system accommodates the informal institutions. Village committees consist of locally respected figures, do not meet in the villages; they serve as representatives at the regional administrative level. Shrine priests and lineage heads are the ones who govern locally, largely because they are responsible for performing ritualistic ceremonies associated with land use and cultivation. It will be counterproductive to strengthen state capacity (in this case, the village committees) to formally compete with the informal institution in the policy realm of local land-tenure arrangements, because the issue represents societal shared values that are not products of the state.

On the other hand, other informal institutions emerge as results of ineffective state service delivery. In Liberia, 80 percent of the working population is employed in the informal economy.\textsuperscript{62} Furthermore, the majority of ex-combatants and up to 85 percent of youth are reported as being unemployed and excluded from social benefits.\textsuperscript{63} Without recognizing the legal rights of individuals as business and property owners as well as investors, the economic climate will make it difficult for local economies to push beyond informal activities. For example, Liberia has extensive underdeveloped farmlands that

\begin{footnotesize}
\item[58] Gretchen Helmke, and Steven Levitsky, ibid, 726
\item[59] Ibid, 726
\item[61] Joshua Forrest, Chapter 10, Post-colonial Legacies, Lineages of State Fragility, Rural Civil Society in Guinea-Bissau (Ohio University Press, 2003): 209
\end{footnotesize}
could otherwise act as steady sources of revenue and jobs\textsuperscript{64}. Instead, thousands of rural Liberians are buying imported food because they lack the means to grow and sell their own produce. To facilitate public-private partnerships (a concern of state capacity) are valuable in not only applying such reforms, but also identifying and developing local specializations for macro-level comparative advantages\textsuperscript{65}.

Mali presents a mixed case; informal institutions that rely on traditional or religious leadership remain widespread. On the one hand, due to the missing confidence in past and current state performance, informal institutions have filled gaps where formal institutions failed to provide government services. State capacity has to be strengthened to meet the demand of the society. On the other hand, there has been a lack of trust in public institutions due to poor and illegitimate design of the state. Many Malians are more likely to turn to traditional structures of conciliations and religious authorities rather than to formal government institutions in the event of a conflict.\textsuperscript{66} This tendency has been particularly strong in the northern regions where decades of systematic marginalization of minorities such as the Tuareg have eroded any forms of trust in government institutions.\textsuperscript{67} The history of contestation between the Tuareg and the Malian state and the high levels of mistrust that exist on both sides have created a fertile ground for radical ideologies. In the absence of effective government institutions, some communities agreed to adopted sharia-based courts at a local level in 2012.\textsuperscript{68}

2.2 Design Constraints and Assumptions

Design and implementation decisions have the power to drastically influence the effectiveness of activities conducted for extending and legitimizing state authority. Strategic decisions must be made to consider the design and implementation of activities to extend and legitimate state authority, most notably with regard to the sequencing, scope and financing of these activities. In an environment where limited capacity and funding restricts the ability of agencies to conduct activities, these three considerations are therefore crucial to developing and implementing efficient and effective activities for extending and legitimizing state authority.


\textsuperscript{66} World Bank, “Promoting state legitimacy, stability and cohesion in areas of low population density,” 26 June, 2014.


\textsuperscript{68} World Bank, ibid, 2014.
2.2.1 Financing

Conducting activities to extend and legitimize state authority must occur with financial planning that accounts for realistic expectations of future funding. Failure to consider current and future funding environments and trends can lead to inefficiency and a lack of cost effectiveness in the activities conducted. Agencies must determine realistic funding needs per activity relative to intended duration of each activity and the effectiveness of conducting long-term activities in the instance that funding is reduced.

Large scale and extended duration activities that are not properly funded and are therefore not completed result in wasted resources as their intended results are never reached. As peacekeeping and statebuilding operations are already limited in resources, the activities necessary to extend and legitimize state authority must be prioritized according to their ability to be financed relative to their cost effectiveness.

In South Sudan, to increase state capacity, UNMISS built county support bases in various counties to boost development projects and provide the government with channels for local service delivery outside of the capital. The bases were built under the management of UNMISS using an extensive amount of resources to build infrastructure of the bases and the roads leading to the bases, which were in remote locations. Following the construction of the bases, funding for the development projects to be initiated using the bases was reduced and the government rarely contributed to development projects using these bases. Due to this, the bases then began relying on the support of local NGOs rather than the state, where funding and capacity to implement projects varied across regions. While the bases were successful in providing a space for community development, they did not serve the purpose of extending state authority.

In June 2014, the government of DRC put in place the third national disarmament, demobilization and reintegration plan. The plan has an overall budget of $85 million, of which the government pledged to contribute $10 million, MONUSCO committed $8 million (only for the reinsertion phase) and the World Bank and other donors pledged $35 for the reintegration. By December of 2014, the government indicated it would only be able to provide $2.4 million of its initial phase and has yet to release these funds, which threatens the disbursement of funds from other donors. As a result of this, in March 2014 Human Rights Watch reported the death of over 100 demobilized combatants and their dependents from starvation and disease in the demobilization and reintegration camp in Kotakoli. MONUSCO sent emergency food rations and the Peacebuilding Fund provided $517,000 to fund emergency support. Even if fighters continue to voluntarily demobilize, the current lack of a sustainable livelihood for the former combatants threatens the viability the third DDR plan. Furthermore, only slightly more than half of the funding budgeted for this plan has been pledged. Thus while MONUSCO expects its activities to support the plan to increase in 2015 as the plan moves into the reintegration and reinsertion phase, securing the required funding remains a fundamental challenge.

69 Lauren Hutton, Prolonging the agony of UNMISS: The implementation challenges of a new mandate during a civil war (Amsterdam: Netherlands Institute of International Relations Clingendael, 2014), 20.
71 Ibid.
72 Ibid, Article 37.
73 Ibid.
74 Ibid, Article 27.
Teams are reportedly on stand by to support the DDR plan but funds have yet to be disbursed, jeopardizing the entire program and the security of the citizens of the DRC.

The availability of funding to finance activities in extending and legitimizing state authority is historically difficult to determine given the changing nature of donor and contributing country trends over a short period. However, agencies should consider the availability of funding and the likelihood of availability to finance specific activities that contribute to extending legitimate state authority prior to conducting the activities. By preemptively considering funding restrictions, the amount of funding available can be used to the best of its ability to extend and legitimize state authority.

Furthermore, peacekeeping operations currently include technical assessment missions to determine the levels of troops and staffing needed to conduct peacekeeping operations effectively. However, the technical assessment missions do not consider the levels of funding needed for extending and legitimizing state authority and the staff needed to conduct such operations and activities. As peacekeeping operations are acquiring more and more state building mandates, it is important that these technical assessment missions also include determinations for these additional activities.

2.2.2 Scope

The scope of activities and programs to extend and legitimize state authority is an essential logistical consideration that has bearing on the success of the activities. Scope may refer to geographical reach, demography, duration of programming or other considerations that can have an effect on the type of influence fostered by the activities when implemented. Making strategic decisions regarding the scope of activities prior to implementation can greatly impact the success of the activity in extending legitimate state authority, while failing to consider scope can negatively impact the legitimacy of the state and reduce its ability to extend across the country. Therefore, the scope of activities must be assessed and determined prior to their implementation to increase their level of success in extending and legitimizing state authority.

One type of scope to consider is geographic scope, or the extent to which activities to extend and legitimize state authority reach particular geographical areas. Political activities to extend and legitimize state authority, including rule of law and judicial reform, often begin and end at the national level, while a majority of the population resides in areas outside of the capital and is not able to gain access to the benefits of such activities. The lack of access to the benefits of these activities reduces their effectiveness to extend and legitimize state authority to the populations that may comprise a majority in the country.

In the DRC, MONUSCO is now the largest, most expensive mission in the history of the UN. The mission’s scope has shifted over time, observing several ceasefires (1999-2003), acting as the guarantor for the transitional government (2003-2006), and managing a stabilization program (2010-present). Initially establishing the mission in the capital, Kinshasa, MONUC’s impact was primarily felt where it was located: it was influential in the political processes and transitional government. Its ability to carry out its mandate (in particular the protection of civilians) rarely extended beyond the capital in the vast country approximately the size of Western Europe. Approaching the 2011 elections, President Kabila (not coincidentally) began to insist that MONUC play less of a role in the political process. MONUC complied, changing its mandates to largely focus on stabilization, becoming MONUSCO. In
2014, MONUSCO moved most of its peacekeeping and substantive staff to the eastern region of the country where the violence has persisted. Corresponding with its geographic move, MONUSCO made little headway in its institutional reform, as the government has become a less willing and more distant partner.

A second element of scope is demographic scope, or the extent to which activities to extend legitimate state authority include particular populations and varying demographics. The incorporation of specific demographics in activities can facilitate or undermine the extension of legitimate state authority. Allowing a broad span of populations across demographics to participate and benefit in activities serves to legitimize and extend state authority, while a limited demographic reach in activities may undermine the legitimacy of the state authority.

Liberia’s process highlights the power of demographic scope with regards to women and children. In line with Resolution 1325, UNMIL disarmed and demobilized 22,370 women, for whom separate Interim Care Centers were provided.\textsuperscript{75} Women were given access to reproductive health resources, counseling, and sexual trauma support. In January 2007, the world’s first-ever all-female peacekeeping contingent was deployed to Liberia.\textsuperscript{76} This unprecedented move allowed more women to feel secure in reporting gender-based violence and encouraged the Liberian National Police to recruit more women into its ranks. More representative forces can inspire women and girls to push for their own rights and adopt role models that they can relate to. Together with UNICEF, UNMIL also employed extensive awareness campaigns to prepare children for demobilization and reintegration. Children were not to spend longer than 72 hours in demobilization camps, where they were separated from adult combatants.\textsuperscript{77} Thereafter, child protection agencies in Interim Care Centers assisted children in their long-term recovery, including facilitating access to basic services like education. Costing $6,308,600, the program disarmed and demobilized 10,792 child combatants.\textsuperscript{78}

A third element of scope is durational scope, or the length of time required for activities to have a meaningful impact to extend and legitimize state authority. Activities to extend and legitimize authority often have specific durational thresholds whereby the activities create an impact only if that duration of time has passed. Therefore, the implementation of short-term activities requiring substantial durations of time to reach impact are costly and ineffective.

For example, the lack of consideration for durational scope has negatively impacted the ability of activities to extend legitimate state authority in South Sudan. In this case, UNMISS conducted a variety of short-term human rights trainings with the national army and police forces throughout the country. However, following the training, there was no proven causal link between the training and behavior changes among the army and police forces that received the training.\textsuperscript{79} As behavior change is an impact requiring considerable time, UNMISS should have considered extending the duration of the trainings or finding alternative activities to reduce human rights abuses.

\textsuperscript{78} Ibid.
\textsuperscript{79} Lauren Hutton, Prolonging the agony of UNMISS: The implementation challenges of a new mandate during a civil war (Amsterdam: Netherlands Institute of International Relations Clingendael, 2014), 18.
In Mali, the French-led intervention in 2013 led to a rapid success in driving back the Islamist insurgents who had taken control over major urban centers. The success was, however, short lived and since then rebel fighters have been able to increase their incursions further south. The lack of human and logistical resources of the MINUSMA peacekeeping mission after the French withdrawal has significantly hampered the mission’s effectiveness in consolidating a situation of long-term stability. As a result, the security situation in Mali has become increasingly more volatile. This indicates that short-term stability has been prioritized at the expense of long-term planning favoring measures of cohesion and inclusiveness that are intrinsic to the consolidation of peace in northern Mali.

As these cases have shown, a minimum duration of activities necessary to reach a justifiable impact should be defined prior to the initiation of the activity and alternative activities should be considered if the duration is not able to be reached.

### 2.2.3 Sequencing

The strategic sequencing of activities and programs to extend and legitimize state authority is a crucial factor in establishing their success. Properly sequencing activities to extend and legitimize state authority in fragile and post-conflict countries can lead to greater achievements of the individual activities conducted while contributing the extension of legitimate state authority. Contrastingly, the lack of consideration for sequencing of activities can have considerable effects on the success of the activities conducted, including voiding the impact of the activities or negatively impacting the extension and legitimization of state authority. Therefore, analyzing activities with respect to sequence is an essential element in developing a strategic plan to extend and legitimize state authority.

One example is the sequencing, and thereby prioritization, of post-conflict mediation and reconciliation efforts at the national level, which has proved problematic in most cases. Mediation activities refer to the organization of key leaders and groups to collectively overcome past and current disagreements leading to conflict. Reconciliation refers to the processes that seek to restore confidence between conflicting actors and communities to the extent that their divided past is replaced with a common future. Activities to extend and legitimize state authority must first and foremost prioritize interventions focused on mediation and reconciliation to build a basis for legitimate state institutions. In the absence of mediation and reconciliation, activities aimed at extending state authority often have had the negative effects of contributing to the ethnic and political divides that exist as they support the extension of party authority over state institutions.

For example, in the Central African Republic, the Libreville II Agreement of January 2013, brokered by the Economic Community of Central African States (ECCAS), created a three-year power sharing agreement between the government of François Bozizé and the Seleka rebellion, as a transition framework for the creation of a more inclusive CAR state. Within two months, however, the agreement had collapsed and the Seleka took power in a coup. This happened because neither side was fully committed to working with the other, and backed away from the agreement almost as soon as it was

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signed. As per the agreement, Bozizé was to give representatives of the Seleka cabinet-level positions in his government, dominated by his family and close allies. While the president did hand the Seleka a handful of portfolios, he kept them out of most key ministries. ECCAS, perhaps assuming the parties were committed to the transition framework, failed to properly monitor its implementation. While the framework also had provisions for DDR, SSR, reforms of the judiciary and of local government that could lead to long-term stability in the CAR, it was impossible to successfully implement these policies without first addressing the deep mistrust that prevailed between the parties.\textsuperscript{82} MINUSCA, however, seems to have learned that lesson as it has prioritized the political process and community dialogue.\textsuperscript{83}

Moreover, technical and formal legal processes that are prioritized over mediation and reconciliation often strengthen the dominance of the current political elements in power and have no immediate or real impact in extending or legitimizing state authority. In South Sudan, various legal reforms and constitutional reviews were conducted to strengthen the legal system and improve government procedures. However, these technical and formal processes were often prioritized over mediation and reconciliation and further strengthened the dominance of the SPLM in government.\textsuperscript{84} In Côte d’Ivoire, the limited attempts at reconciliation that were put in place were established well after the implementation of transitional justice activities across the country, as opposed to being incorporated into them. This sequence negatively impacted these justice mechanisms’ contributions to extending state authority, as they were never viewed as legitimate or just by a significant portion of the population.\textsuperscript{85}

Considering the sequencing of mediation and reconciliation can additionally have a strong impact on the effectiveness of security sector activities. At times, these security sector activities may have limited long-standing impacts without mediation and reconciliation because they assist the current ruling party in monopolizing power and marginalizing groups not aligned to the current ruling party. In Guinea Bissau, army reform activities have had little impact in extending legitimate authority, as reconciliation has not yet occurred. Therefore, it has been counter-productive to prioritize army reform without first solidifying progress in reconciliation, as the army remains predatory in nature to groups non-aligned with the ruling party.

However, depending on the context, security sector activities occurring prior to reconciliation may provide opportunities for transitioning to a more secure environment within which to pursue reconciliation. In Liberia, a 2006 survey of 590 ex-combatants revealed that those who registered with the national DDRR program and completed a training course have reintegrated more successfully than their counterparts.\textsuperscript{86} Former fighters who registered but have yet to receive formal training benefits are the least successfully reintegrated class, faring, on average, about 9 percent worse than those who completed all phases of the program. 54 percent of this latter group also lives on less than two dollars per day. Only 2.2 percent of all surveyed participants who concluded the disarmament/demobilization phase believed that small arms were a problem in their respective

The implementation of disarmament, demobilization, and reintegration separately and prior to that of the Truth and Reconciliation Commission (TRC) in Liberia succeeded in boosting the effect of the TRC as it allowed for an initial secure space to pursue reconciliation.

A second common sequence-related issue is the relegation of human rights to an afterthought in most post-conflict agendas. Conducting security sector and other activities in the absence of a basis of human rights recognition often has the negative impact of delegitimizing the state authority conducting the activities. Security sector activities conducted by police and army units not versed in human rights standards or are unable to enforce human rights and hold abusers to account can very likely lead to human rights abuses of citizens within the country. The human rights abuses caused by the activities therefore lead to the delegitimizing of the security element conducting the activities, as citizens are not able to trust and rely on them for security.

In South Sudan and Democratic Republic of Congo, DDR campaigns were conducted prior to establishing a basis of human rights recognition within the army. The campaigns led to human rights abuses by the army, as the army was not compliant with human rights standards prior to conducting their demobilization activities. These human rights violations that occurred at the hands of the army led to distrust and animosity from citizens within the country, which led to the belief that the army and its commanding entity, the state, was illegitimate.

The European Union training mission for armed forces (EUTM) in Mali that was launched in 2013 upon the request of the government to support the country’s SSR process and provide training for the Malian military forces provides another example. As Malian security forces have been accused of severe violations of human rights law, the training has included human rights awareness campaigns. This approach represents a positive illustration indicating a greater recognition of the need to integrate human rights into SSR programming at an early stage of the reform process. As a consequence, a decrease was documented in the overall number of cases of violations of the right to life attributable to Malian armed forces. However, more has to be done to strengthen the fight against impunity and to facilitate the population’s access to judicial bodies, particularly in the northern regions, to hold perpetrators of human rights atrocities accountable.

Furthermore, sequencing within DDR programs, particularly regarding the reintegration element, has proven problematic. Across UNSC mandated activities, DDR programs are some of the most prevalent. These processes consistently sequence their activities according to this acronym - first disarm, then demobilize, and finally, reintegrate. This sequencing proves problematic time and time again, as it asks armed groups to trust the state, often represented by former military enemies, to disarm them now and reintegrate them later. Often, the reintegration element is never fully realized due to limited funding or administrative burn out, diminishing the trust of armed groups in the DDR process and ultimately hindering the ability of the state to gain control over the means of violence throughout its territory.

A UN Peacebuilding Fund initiative in Côte d’Ivoire demonstrates the powerful potential of sequencing reintegration programs earlier in the post-conflict process. As the national DDR program in Côte d’Ivoire began to stall, the UN Peacebuilding Fund developed a “1,000 micro villages” program, which reintegrated former combatants into society without disarming them, considering the UNPBF had neither the mandate nor authority to disarm them. Although these soldiers were not demobilized, violence decreased significantly in these communities and former combatants began to voluntarily disarm as they built trust in their new communities.\textsuperscript{91}

Prior to conducting activities, implementing agencies should determine, based on contextual and functional analyses of the country, if there are prerequisite conditions necessary for each of the activities to be conducted. Without the necessary prerequisite conditions established, activities that attempt to extend and legitimize state authority may be ineffective or counter productive to extending and legitimizing state authority. To ensure this does not occur, implementing agencies must make strategic decisions that properly sequence activities in order to create an environment for these activities to have a meaningful and lasting impact on extending and legitimating state authority.

In fragile and post-conflict settings, the restoration and extension of legitimate state authority necessitates that new bonds be forged between the citizen and the state. The extension of legitimate state authority in post-conflict countries can be best understood as a set of tailored policies that look to accommodate both public perception and the international community. Tensions naturally arise as outside actors attempt to influence and shape deeply internal matters. That these tensions exist should not lead to the abandonment of international involvement but rather, a deeper awareness of these issues so that international actors can design programs that facilitate state functions and their legitimacy. While the focus on clearly delineated processes can support the transition of post-conflict states, viable internal capacity necessitates more research on the distinctive historical patterns among said countries and the design constraints that affect long-term endeavors. From this analysis, we developed a series of lessons learned, which are detailed below.

- The significance of extending state authority has risen in UN mandates and reports, though its purpose and definition remain unclear. The UN should devise a working definition of state authority with an emphasis on local legitimacy founded in the political purpose the UN hopes to see extended state authority serve in the world order.

- Prioritizing the international legitimacy of the state can be counterproductive if the elements that contribute to domestic legitimacy are ignored or actively undermined. The understanding of legitimacy by international actors needs to be broadened to include the legitimacy bestowed on a state by its constituents.
• Good Governance will not necessarily extend state authority unless the restored state authority is *legitimate* in the eyes of the “losers” and their supporters, and is *effective* in terms of restoration and redefinition of “rules that facilitate a return to non-violent methods of political competition.”

• In cases where the central state is absent in the periphery, decisions must be made on whether to prioritize strengthening the central government or working to extend its presence in the periphery. In cases where the central state represents a perceived predatory presence in the periphery, bolstering that central state may contribute to extending the authority that people perceive as illegitimate or predatory. This is also inherently going to challenge local politics and power dynamics in unpredictable ways.

• When informal institutions lay out of the context of formal institutions as a result of shared societal values, extending the authority of state institutions may yield more inflammatory results than designing or revising the capacity for those formal institutions to accommodate informal counterparts.

• Security sector reform often receives significant attention upfront, while mediation and reconciliation initiatives occur well after they would be most useful, instead of being sequenced so that they influence the post-conflict renegotiation of state structures and functions. Similarly, human rights considerations often appear as an afterthought, which hinders their inclusion in state structures being built.

• Failure to preemptively consider the current and future funding environment and trends yields inefficiency and a lack of cost effectiveness in the activities conducted. Programs that run out of funding prior to completion not only fail to yield effective results, actively undermine the state authority they were designed to build.
APPENDIXES
Application of contextual perspective

In a world where a state always exists in a relationship with its constituents, legitimate state authority is a dynamic concept. As its importance and influence in the UN agenda grows, the UN must explore not only what legitimate state authority means, but also why it is important and what it will contribute to the existing order. These questions are difficult to answer when considering post-conflict states, but their answers are crucial to influencing the direction of efforts aimed at extending legitimate state authority and developing activities that are cost-effective and sustainable. Such questions to consider when applying a contextual perspective include:

- Is the state in question religiously or ethnically multipolar? Bipolar? Unipolar?
- Does it have marginalized minorities or marginalized majorities?
- Do its societies and cultures value justice? Forgiveness? Efficiency? Consensus?
- Are traditional leadership positions elected, inherited, or charisma-based?
- What role do regional or neighboring nations play? Do they have an interest in a given status quo? Do they have the ability to spoil state authority extension mechanisms?
- What are the societies’ perceptions of the UN, permanent members of the Security Council, foreign interveners and/or former colonizers?
- Who has money, and where does it come from?
The use of state authority in UN mandates

<table>
<thead>
<tr>
<th>Mandates considered</th>
<th>Central African Republic</th>
<th>Cote d’Ivoire</th>
<th>Dem. Republic of Congo</th>
</tr>
</thead>
</table>

| “State authority” mentions | 3 | 1 | 4 |

| Definition of “state authority” | Not defined | Not defined | Not defined |

| “Legitimacy” mentions | None | None | None |

<p>| Activities associated with “state authority” (UNSC Res and Sec Gen reports) | Community and ethnic dialogue; service delivery; infrastructure rehabilitation; sports and culture; building local civil service capacity. | Peace processes; judiciary and rule of law; local conflict resolution; security and sensitization; early warning; border control; monitoring; public/fiscal administration | State administration; police and judicial and corrections security, justice and civil administration; reintegration of IDPs and refugees; DDR, socioeconomic reconstruction; infrastructure development; boosting agricultural activities; rural electrification micro-industries, microfinance |</p>
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<tr>
<th></th>
<th>Guinea-Bissau</th>
<th>Liberia</th>
<th>Mali</th>
<th>South Sudan</th>
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<td>2203 (2015)</td>
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<td>“functioning administrative structure at both the national and the local levels”</td>
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<td>None</td>
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<td>None</td>
<td>None</td>
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<td><strong>Activities associated with “state authority” (UNSC Res and Sec Gen reports)</strong></td>
<td>Not applicable (National dialogue and reconciliation is absolute priority)</td>
<td>Security reform; national legal framework and judicial and correctional institutions; proper administration of national resources; restoration of relations with neighbors and the international community; sovereignty; territorial integrity</td>
<td>SSR/DDR, justice sector reform, local administration, mine action; tribunals; access to health and education</td>
<td>Consolidating peace, state building and economical development; secure access to roads; police and judicial infrastructure; water points and boreholes; community support bases; human rights; conflict reduction; rebuilding trust with minorities.</td>
</tr>
</tbody>
</table>
COUNTRY ANNEXES
ANNEX 1: Central African Republic

1.1 Background

When President François Bozizé was removed in a coup in March 2013, after his government had lost control of much of the national territory to the Seleka rebellion, it marked the failure of the Libreville Agreement. Signed in January 2013, the agreement had called for the creation of a government of national unity. But Bozizé, who had been in power for a decade, would not give up political monopoly, and kept the control of government in the hands of his family and close associates. But the Seleka rebellion is more a consequence than a cause of the political crisis in the CAR; an amalgam of various armed groups formed in the context of a state that has been completely absent in most of the territory.¹

The Central African Republic did not inherit much of a public administration upon independence. French colonists had not invested much in building a viable state, using the territory mainly for rubber exploitation. Post-independence, few resources were ever devoted to nation building, aside for a brief period early in the regime of Jean Bedel Bokassa. Instead, successive regimes built a predatory state apparatus, disconnected from the peasant population outside Bangui, and relied on the backing of foreign countries – France and Chad mostly – to maintain hold on power, further alienating them from the population.²

The ambivalent and often predatory relationship of the center with its periphery is one of the leading factors for the prevalence of armed groups in the CAR. Most armed groups initially form as self-defence forces responding to a need for security in their communities, and do not always have a clear political character.³ Most rebellions have started in response to mistreatment by state forces, bringing lingering grievances to the fore. Marginalized politicians would then declare themselves leaders of these groups to pursue their own political objectives.⁴ International efforts to address armed conflict in the CAR often misunderstand this and assume that armed groups are representative of a set constituency. This false assumption hurt both the peace process and disarmament activities.

³ This is not to say that these groups are always benevolent, many are road-cutters who extort money from poor rural populations.
1.2 Evolution of UN Mandates

**MINURCA**
The UN Security Council\(^5\) established the United Nations Mission in the Central African Republic (MINURCA) on 15 April 1998,\(^6\) a peacekeeping mission with a mainly security-focused mandate that included:

- Maintaining and enhancing security and stability in Bangui
- Assist national security forces in maintaining law and order and the protection of key installations in Bangui
- Monitor disposition of weapons obtained during disarmament process

MINURCA was also tasked with assisting in the preparation of legislative elections by providing technical support to national electoral bodies. In October 1999, MINURCA began a transition from a peacekeeping to a post-conflict peacebuilding function.\(^7\)

**BONUCA**
The UN Security Council established the United Nations Peace-Building Support Office in the Central African Republic (BONUCA) to take over from MINURCA on 15 February 2000.\(^8\) Its mandate included:

- Support the Government’s efforts to consolidate peace and national reconciliation
- Strengthen democratic institutions and facilitate the mobilization at the international level of political support and resources for national reconstruction and economic recovery in the CAR
- Monitoring developments in and promoting public awareness of human rights issues

**BINUCA**
The United Nations Integrated Peacebuilding Office in the Central African Republic (BINUCA) was established in April 2009 to succeed BONUCA.\(^9\) Specific language on extending state authority was included for the first time in the context of the CAR, and has been included in every subsequent mandate:

- Assist national and local efforts in implementing outcomes of political dialogue
- Assist in successful completion of DDR process, SSR and support promotion of rule of law
- Support efforts to restore State authority in the provinces
- Support efforts to enhance national human rights capacity
- Support for Peacebuilding Commission and implementation of Strategic Framework for Peacebuilding

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\(^5\) The UN has led several political and peacekeeping missions in the CAR since the late 1990s. For the purposes of this report, we have reviewed those in the current ‘post-conflict’ phase.


The 2013 crisis underscored the need to prioritize the political process in the CAR, and in October of that year, the Security Council extends BINUCA’s mandate in response to cover these areas:  

- Support implementation of the transition process  
- Support for conflict prevention and humanitarian assistance  
- Support for stabilization of security situation  
- Promotion and protection of human rights  
- Coordination of international actors

**MISCA**

In response to the collapse of the CAR state, and the ongoing threat posed by armed groups, the Security Council authorizes the deployment of MISCA, a French military operation, in December 2013, and asks that it contribute to:  

- The protection of civilians and the restoration of security and public order, through the use of appropriate measures  
- The stabilization of the country and the restoration of State authority over the whole territory of the country  
- The creation of conditions conducive to the provision of humanitarian assistance to populations in need  
- The DDR or DDRRR process led by the Transitional Authorities and coordinated by BINUCA  
- National and international efforts to reform and restructure the defence and security sectors led by the Transitional Authorities and coordinated by BINUCA

**MINUSCA**

After the success of the French operation, the UNSC authorized the transition from MISCA to a UN peacekeeping operation, the UN Multidimensional Integrated Stabilization Mission in the Central African Republic, in April 2014, which was mandated to:  

- Protection civilians  
- Support the implementation of the transition process, including efforts in favour of the extension of State authority and preservation of territorial integrity  
- Facilitate the immediate, full, safe and unhindered delivery of humanitarian assistance  
- Protection of the United Nations  
- Promotion and protection of human rights  
- Support for national and international justice and the rule of law  
- DDR and DDRR

While the mandates did not list specific activities the mission should undertake under the rubric of extending state authority, the Secretary-General highlighted the following: restoration of service delivery in the areas of security, basic rehabilitation of administrative buildings and other key infrastructure, and community dialogue.

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1.3 Assessment of Activities

1.3.1 Security

Successive DDR programs have failed in part because they approach the problem of disarming armed groups as a technical exercise, while failing to address political questions. While these programs have been plagued with technical issues in implementation, the underlying assumptions of the DDR approach itself makes it ineffective to address the problem of armed conflict in the CAR. Most armed groups in CAR were created as a means of providing security to local communities, particularly in the rural east, in the absence of state security forces. DDR programs are based on the notion that armed groups challenge the monopoly of the state on the use of violence, and thus threaten stability. But the state in CAR never had such a monopoly. Its absence throughout most of the territory created a security vacuum that armed groups seek to fill. Therefore, without first addressing the absence of security in the country’s periphery, these groups will have little incentive to voluntarily disarm.\(^{13}\) In addition, disarmament efforts have also been hindered by a lack of representativeness of certain groups in the process, the lack of political will from the CAR government, and the lack of pressure from international actors.\(^{14}\)

1.3.2 Governance

Holding presidential elections is a policy international actors have often tried to implement early in the post-conflict phase, based on the notion that a democratically elected leader is essential to bringing political stability, and promote ‘good governance’. François Bozizé won the 2005 election with 64.6 percent of the vote, in a contest generally seen as fair. The elections were meant to legitimize Bozizé’s rule, which he had seized two years earlier through a foreign backed coup. The way in which Bozizé exercised power, however, undermined the domestic legitimacy of his regime, and contributed to future political crises. Instead of promoting democracy, Bozizé used the democratic process to consolidate power for himself, his family and his close associates, who were mostly from his own ethnic group.\(^{15}\)

In 2011, several members of Bozizé’s family, including his wife, were elected to parliament while he was re-elected president. Results of those elections were hotly contested, but complaints led nowhere as the president’s cousin was at the head of the Constitutional Court.\(^{16}\) Bozizé’s centralizing approach to governance and refusal to share power created the current crisis and produced few positive results: “In ten years, the government did not promote development, the life expectancy remained the same as 30 years ago, national gross per capita income fell and the average number of years of schooling per person is now less than seven years.”\(^{17}\)

The National Political Dialogue (known under its French acronym of DPI for Dialogue politique inclusif), held in Bangui in December 2008 and backed by the international community, was meant to bring the opposition and the regime together and lead to a power-sharing arrangement. Bozizé created two new ministerial positions that he gave to members of the rebellion, but this was only a superficial measure that did nothing to change the balance of power.18

1.4 Lessons Learned

Understanding the relationship of the capital with the periphery in the Central African Republic is essential for the extension of state authority. The state has never been present outside the capital, and has generally treated the periphery with contempt. The CAR state has not invested in establishing a relationship with its own population, and interventions by international actors that have focused solely on the technical aspects of statebuilding have failed to address this: “Such a political contract is something international aid has proven inept at facilitating. The structures that donors fund are in the main technical rather than political – at best they displace such a contract from forming, and at worst they actively prevent it.”19

Another key lesson is that having government structures in place is not the same as exercising good governance. In the case of the CAR the way government has been administered has deepened the chasm between center and periphery.

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ANNEX 2: Cote d’Ivoire

2.1 Background

Cote d’Ivoire, a resource-rich former French colony in West Africa, erupted into civil war in 2002 following disputed presidential elections. While President Laurent Gbagbo and his “young patriots” maintained control over the Capitol, opposing rebel forces called the “Forces Nouvelles” seized control of major central and northern towns until a stalemate and a de facto military and political partition ensued. Drivers of this violence included xenophobic-based political stifling of minority party presidential candidates throughout the 1990s.\(^{20}\)

French, UN, and African attempts to broker an agreement to end the conflict continued to fail until the Ouagadougou Political Agreement, led by Burkinabe President Compaore, was signed in 2007. When the 2010 elections, pronounced free and fair by multiple international observers, named Ouattara president with 54 percent of the popular vote, Gbagbo supporters once again took up arms and violence ensued.\(^{21}\) With international assistance, the Forces Nouvelles, now representing the national army, took control of Abidjan (the economic Capitol), then Yamoussoukro (the political Capitol), and eventually arrested and expedited Gbagbo to the International Criminal Court to await trial for committing crimes against humanity.\(^{22}\)

2.2 Evolution of UN Mandates

In 2004, the United Nations passed UNSC Resolution 1528 and established the UN Operation in Cote d’Ivoire (UNOCI) under Chapter VII. Assuming authority from the UN Mission in Cote d’Ivoire (MINUCI), UNOCI included 6,240 United Nations personnel, among them 200 military observers, 120 staff officers, and up to 350 civilian police officers. Its mandate covered monitoring the ceasefire and armed group movements, DDR activities, UN protection, supporting humanitarian assistance, supporting and implementing a peace process, and assisting human rights, public information, and law and order.\(^{23}\)

UNOCI’s establishing mandate mentions state authority once. It gives UNOCI the authority “to facilitate, in cooperation with ECOVAS and other international partners, the re-establishment by the Government of National Reconciliation of the authority of the State throughout Côte d’Ivoire” under its peace process section.\(^{24}\) It provides no definition of state authority, and none of the major mandate revisions throughout the past eleven years refers to state authority. State authority as a term is more


\(^{21}\) Ibid, 204.

\(^{22}\) Ibid, 205.


\(^{24}\) Ibid.
prevalent, although sporadic, throughout the Secretary General’s reports on Cote d’Ivoire. The most recent SG Special Report, for example, includes a section headed “extension of state authority” which discusses the capacity of local administrations, the redeployment of fiscal administration, and public administration reform.\textsuperscript{25}

In the years following the 2010 elections and post-electoral crisis, the government of Cote d’Ivoire has proved somewhat uncooperative with UN monitoring forces. Deadlines for information regarding SSR reform and the transfer of local security issues to police forces have passed with no reports, and calls for data remain unheeded. The UN has received little transparency or support from the national government regarding statebuilding and peacebuilding indicators.\textsuperscript{26} Documentations have been slow, behind deadline, or incomplete, leaving UN actors on the ground with a sense of mistrust towards the Ouattara government.

2.3 Assessment of Activities

2.3.1 Security

Cote D’Ivoire has seen a slow but steady decrease of violence since Ouattara’s election. Lack of equipment and public order maintenance has hindered the operational efficiency of security forces.\textsuperscript{27} While attempts to decentralize security structures and institute civilian oversight continue, national-level security forces, particularly gendarmeries, remain in control of most local security sectors.\textsuperscript{28} Local authorities were empowered to contribute to the establishment of security committees in all five regions of Côte d’Ivoire in order to facilitate information-sharing and the coordination of security sector reform implementation at the local level.\textsuperscript{29}

The Peacebuilding Fund rehabilitated eight police stations and gendarmeries.\textsuperscript{30} The Ivorian government has yet to endorse UNDP and UNOCI terms of reference for police vetting.\textsuperscript{31} One key challenge to restoring the public trust of the police is the overlapping security roles and responsibilities between the police and the gendarmeries.\textsuperscript{32} Moreover, the influence of former zone commanders remains a lingering challenge, affecting public trust.\textsuperscript{33} These factors reduce the legitimacy of these security sector institutions in the eyes of a significant portion of the Ivorian population, particularly former-Gbagbo supporters.

UN and government programs have disarmed over 44,000 combatants and expect to reach 67,460 by June 2015. However, DDR enrollment has decreased due to limited reintegration opportunities. Former Gbagbo supporters remain particularly hesitant to disarm.\textsuperscript{34}

\textsuperscript{25} Special report of the Secretary General on the United Nations Operation in Cote d’Ivoire S/2013/197.
\textsuperscript{26} S/2014/892, 76.
\textsuperscript{27} Ibid, 18.
\textsuperscript{28} Ibid, 30.
\textsuperscript{29} Ibid, 27.
\textsuperscript{30} Ibid, 29.
\textsuperscript{31} Ibid, 29.
\textsuperscript{32} Ibid, 30.
\textsuperscript{33} Ibid, 30.
\textsuperscript{34} Ibid, 8.
2.3.2 Governance

In 2010, the government appointed a Special Investigation Unit to take over all open judicial investigations on crimes and offenses committed during the post-election crisis. To date, the Unit has tried only one member of the Forces Nouvelles.\(^{35}\) Pro-Gbagbo investigations have included a 15-year prison sentence of the former commander of the Garde republicaine, General Bruno Dogbo Ble, and the rearrest of Gbagbo’s Minister of Defense Lida Kouassi for allegedly undermining State Security.\(^{36}\) Trials in process continue to experience debilitating delays and fragmentation.\(^{37}\) Furthermore, the Ouattara administration has decided to prosecute the high-level perpetrators with crimes against humanity through national courts instead of deferring to the ICC (the exception being former president Gbagbo).\(^{38}\)

These trends have cast doubt upon the impartiality of Cote d’Ivoire’s transitional justice mechanisms. While initially viewed as a revolutionary, ad hoc mechanism for addressing impunity and partiality, the Special Investigation Unit has proven biased and unbalanced, contributing to perceptions of “victor’s justice” among local citizens, especially disgruntled Gbagbo supporters.\(^{39}\) Delays and fragmentation call the credibility of the Unit into question in the minds of the public and the international community. Ouattara’s insistence on trying those accused of crimes against humanity in national courts despite the disapproval of the ICC further demonstrates questionable motives and loyalties in the eyes of the international community.

Reconciliation processes have been particularly lacking in Cote d’Ivoire in the post-conflict context. President Ouattara, advised by such reconciliation advocates as Archbishop Desmond Tutu, Mary Robinson, and Kofi Annan, identified reconciliation as one of the major focuses of his administration following the post-election crisis.\(^{40}\) The framework for the Dialogue, Truth and Reconciliation Commission in Cote d’Ivoire drew inspiration from South Africa’s TRC and Rwanda’s Gacaca courts. Ouattara named Charles Konan Banny, former Prime Minister and fellow PDCI member, as the chair – his first mistake. Banny, with presidential ambitions of his own, used the Commission as a platform to undermine and denounce Ouattara, announcing his own presidential candidacy in 2013.\(^{41}\) He has since renounced his candidacy.

The written mandate of the CDRV was “to seek the truth and determine responsibility for the country’s past and recent sociopolitical events… to listen to the victims… and to obtain the acknowledgement of the facts by the perpetrators of the alleged violations and subsequent forgiveness”.\(^{42}\) Programming began with hearings before the president and public prayers for victims. Regional and local commissions were established, advisors were recruited, and the chair of the CDVR appeared in the media, but the action programme was left pending. Not until late into its second year were national consultations even planned, to be implemented in 2013.\(^{43}\)

\(^{35}\) "Ivory Coast: The fight against impunity at a crossroad,” Report: FIDH, MDH, LIDHO, 16.
\(^{36}\) S/2014/892, 9.
\(^{37}\) FIDH, MDH, LIDHO Report, ibid, 16.
\(^{38}\) Ibid, 9.
\(^{39}\) Ibid, 23.
\(^{40}\) Ibid, 20.
\(^{41}\) Ibid, 21.
\(^{42}\) Ibid, 20.
\(^{43}\) Ibid, 21.
The general local consensus is that the CDVR has not addressed the need for justice for victims on all sides. Key issues have included a lack of a clear strategy, manipulation of the CDVR for political purposes, a bloated administration, a lack of resources, and a lack of civil society involvement.\textsuperscript{44} What was envisioned on paper was not implemented in actuality, and what was implemented had little impact.

2.4 Lessons Learned

Functional attempts to expand the authority of the Ivorian state have grossly ignored the importance of building legitimacy for these sectors in the eyes of the local people. The armed forces are predominantly Ouattara supporters, and control the majority of the security structures through aggressive, top-down mechanisms. Both the security and justice structures continue to act with impunity while former Gbagbo supporters are discriminatorily tried for and convicted of crimes during the war. This paints the government as partial in the eyes of its population, weakening its claim on legitimate state authority.

The strongest barrier by far to expanding the authority of the Ivorian state has been the demonization of nearly half of the population. National governance processes and security structures inequitably target former Gbagbo supporters to answer for crimes while simultaneously systematically excluding from these sectors. Such unequal treatment negatively affects the legitimacy of the Ivoirian state throughout half its territory and citizen base. Future programming should move forward with the understanding that Cote d’Ivoire is a politically and culturally bipolar society, and that any functional Ivorian state cannot ignore or demonize one party and expect to maintain authority.

Transitional justice and reconciliation mechanisms remain particularly problematic in post-conflict Cote d’Ivoire, and UN attempts to rectify their shortcomings often fall on deaf ears. The initial prioritization of elections yielded a military victory for one side, backed by the international community, which allowed the reigning national government to erect structures and processes at the expense of the “losers”. Had transitional justice and reconciliation been prioritized from the outset, and not as an afterthought, the growth of such toxic and ineffective mechanism would have been prevented.

A Peacebuilding Fund quick impact project in Cote d’Ivoire calls the sequencing of DDR programming into question. On a small scale, it is possible to reintegrate soldiers before disarming them, and in the case of Cote d’Ivoire, economic and social reintegration led to disarmament of some soldiers. Considering UN activities often experience significant challenges in progressing through DDR programs, the potential of this finding should be explored further.

\textsuperscript{44} Ibid, 22.
ANNEX 3: Democratic Republic of Congo

3.1 Background

The Democratic Republic of Congo (DRC) has a long and tragic history of plunder, predation and violence beginning under the Belgians and continued through the rule of President Mobutu Sese Seko. Following independence in 1960, Mobutu carried out a 31 year reign in which he created a parasitic state that served as a mechanism to maintain his personal wealth and power and was “enormously ineffective…in providing the sort of basic institutions—administration, judiciary, public services—[needed] to confer a semblance of legitimacy.”1 The current conflict in the DRC began in earnest in 1996 when regional powers ultimately deemed Mobutu’s misrule to be a threat to the entire region as his poorly governed territory had become a base for armed groups from at least four neighboring countries, of particular consequence the genocidaires of the 1994 Rwandan genocide.2 Various militia groups backed by Rwanda and Uganda eventually joined together to form the Alliance of Democratic Forces for the Liberation of Congo (AFDL) under the leadership of Laurent Kabila and overthrew a then very isolated and weak Mobutu in 1996. After the victory, Kabila was named president of the DRC.

By 1998 Kabila failed to expel the Hutu genocidaires from the country and consequently lost the backing of Rwanda and Uganda. During this time he had gained support from Zimbabwe, Namibia and Angola as the six countries plunged into a proxy war. In 1999, the UN drafted and mediated a ceasefire agreement signed by all parties which requested the deployment of UN peacekeeping forces resulting in UNSC Resolution 1291 and establishing the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). In 2001, with violence still raging throughout the country, Laurant Kabila was assassinated and his son, Joseph Kabila, assumed the presidential post. Joseph signed the Comprehensive Peace Agreement in 2002, which established a transitional government and culminated in the 2006 elections.

The peace agreement, however, was poorly enforced as violence continues to rage in various pockets of the country, especially in the Kivu region. Despite this, the 2006 elections funded by MONUC (costing $100 million) resulted in the election of Joseph Kabila, leading the country to be termed “post-conflict.” Gaining the trappings of a nominal state during the 2003-2006 transitional period, “the Congolese political space continued, and still continues, to be defined by those who bear arms and money, and violence plagues much of the country’s eastern region.”3 From 1998 to the present, “persistent violence in the DRC [resulted from] ‘welters of complex struggles’ that have local, national and regional dimensions, giving rise to conflicts within conflicts,”4 resulting in the death of approximately 5.4 million people5 and making it the deadliest conflict since World War II. Despite the on-going violence, the UN agreed to end its mission in the DRC in compliance with the request of

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4 Paddon and Lacaille, “Stabilising the Congo,” 5.

The absence of a functioning state or at a minimum, state presence, throughout much of the country beyond the capital has left communities to fend for themselves in a volatile conflict environment. The DRC is one of the world’s richest countries in terms of natural resources including minerals (cobalt, copper, niobium, tantalum, industrial and gem diamonds, gold, silver, zinc, manganese, tin, uranium, coal) as well as petrol and timber. It is believed that 80 percent of the world’s coltan is in DRC, and the overall underground reserves of its minerals have been estimated at $24 trillion.6 The lack of state presence in this environment has facilitated the emergence of nearly 24 armed groups and local militias throughout the territory, particularly in the eastern region. Throughout the country’s existence, porous borders have enabled the free flow of people and goods, including arms, from around the region, compounding pre-existing tensions.7 Rwanda has become the most prominent outside actor in the conflict, funding a series of rebel groups and participating in illicit mineral trading for its own revenue.8

A fundamental though often unaddressed contributor to the conflict is the long history of tensions regarding issues related to identity and belonging, containing a strong ethnic dimension of fueled mutual suspicions and nuanced power dynamics. Land has played a major role in driving and sustaining these tensions between those who consider themselves to be “indigenous” versus those considered to be “migrants” (regardless of their legal recognition). The decades of conflict within the country and region have exacerbated these tensions as millions of internally displaced persons and refugees fight over the land they have fled to and the land they have fled from.9 Furthermore, the proliferation and manipulation of legal ambiguities of citizenship and subsequently land rights by the state has made resolution of these local conflicts incredibly difficult.

3.2 Evolution of UN Mandates

On February 24, 2000 the UN Security Council (UNSC) passed Resolution 1291 which led to the creation of the United Nations Organization Mission in the Democratic Republic of the Congo (MONUC). MONUC was mandated to:

- Monitor the implementation of the 1999 Ceasefire Agreement;
- Ensure the protection of civilians, including humanitarian personnel, under imminent threat of physical violence;
- Facilitate the demobilization and voluntary repatriation of the disarmed foreign combatants and their dependents, and contribute to the disarmament portion of the

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national program of disarmament, demobilization and reintegration (DDR) of Congolese combatants and their dependents;
• Contribute to the successful completion of the electoral process stipulated in the Global and All Inclusive Agreement, by assisting in the establishment of a secure environment for free, transparent and peaceful elections to take place.\textsuperscript{10}

MONUC was placed under Chapter VII of the United Nations Charter. Its mandate authorized the mission to use all means deemed necessary, within the limits of its capacities and in the areas of deployment of its armed units, to protect civilians under imminent threat of physical violence and to contribute to the improvement of the security conditions.

In 2010, President Kabila asked MONUC to end its mission in the DRC and the UN transformed MONUC in July 2010 into a stabilization mission United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO) through Resolution 1925. MONUSCO is currently operating in the country to carry out two primary tasks: the protection of civilians and the stabilization and consolidation of peace. It is mandated to:

• Complement the government’s efforts to pursue perpetrators of human rights and humanitarian law violations;
• Strengthen the capacity of the FARDC military justice system, assisting in the return and resettlement of refugees and internally displaced persons;
• Support the efforts of the government of the DRC to bring the ongoing military operations against FDLR, LRA and other armed groups to completion;
• Support the demobilization, disarmament, reintegration, resettlement and repatriation activities;
• Work with the government of the DRC to:
  o Strengthen its security sector (justice, police, army and correction services) as a way of re-affirming state authority;
  o Implement the national stabilization and reconstruction plan;
  o Curb the illegal exploitation and trade of natural resources;
  o Provide technical and logistical support for the organization of national and local elections.\textsuperscript{11}

As of February of 2015, there are 21,067 total uniformed personnel: 19,453 military personnel, 507 military observers, 1,107 police (including formed units), 895 international civilian personnel, 2,784 local civilian staff, and 429 United Nations Volunteers.\textsuperscript{12}

3.3 Assessment of Activities

3.3.1 Security

The existence of a weak state is most evident in the security sector and the country’s endemic inability to secure its own territory. Soldiers in the Congolese national army, the Forces Armées de la République Démocratique du Congo (FARDC), are largely unpaid and poorly trained. The army’s current strength is estimated to be between 144,000-150,000 and is composed of roughly 50 different rebel groups following various peace deals. Due to a lack of funding from the government, soldiers continue to live off the population even though the FARDC remains one of the greatest threats to civilians, routinely terrorizing civilians, extorting protection money, looting villages, raping and killing civilians. Additionally, while security sector reform is taking place, approximately two-thirds of the Congolese National Police (CNP) lack basic training and 55 percent of police deployed along priority roads in North and South Kivu are not on the government payroll. Paired with the proliferation of armed groups throughout the country, the poor state of the DRC’s security sector enables forces to remain the principal means of attaining power in the Congo.

3.3.2 Governance

The UN has played a central role in establishing the current government and state institutions in the DRC. The development of the new constitution (and various legislative processes) and the organization of elections were closely monitored and supervised by UN staff and diplomats. As a result the DRC has an impressive formal state structure with executive, legislative and judicial branches and held national elections in 2011. The extensive nature of formal institutions largely due to international stabilization programs includes “police stations, prisons and courts; but the government has been slow to put officials in them or pay the officials that are there,” further driving the gap between government and governance in the DRC.

An examination of the judiciary illustrates this well. While reform has progressed in the judiciary through the establishment of the Constitutional Court, the Cour de Cassation and the Conseil d’Etat, there is still a “lack of a national vision and strategy in the areas of justice and corrections” in addition to the lack of implementation of tribunals in the 145 territories to adjudicate disputes at the local level. Despite the large judicial apparatus, the justice system in the DRC is largely considered to be ineffective, contributing to the norm of impunity, which continues to fuel the conflict. Throughout the country, the “judiciary remains under-funded, inefficient and corrupt,” as lawyers are frequently

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16 Oxfam, “For Me, But Without Me, Is Against Me.” July 2012: 3.
given little time to prepare a defense and victims often have to bribe judges if they want prosecution to actually occur. Thus, while the development of a new constitution, national elections, and institution building took precedence, the structures to hold the new government accountable and extend legitimate state authority (such as an independent judiciary and security sector) have received little commitment from the current government. President Kabila’s government currently ranks 154/175 on the Corruption Perceptions Index having appointed highly corrupt officials to top positions, extending a government closer to a competitive autocracy than democracy and illustrating the crucial imperative to bridge the divide between “good governance” standards and performance. Without adequate attention and commitment to governance, it is highly unlikely that the investment in government infrastructure will increase confidence in the state.

3.3.3 Development

As of 2014, the DRC ranked fourth highest on the Failed State Index. In 2011, over 50 percent of the state’s budget was supplied by the IMF, World Bank and African Development Bank. Furthermore, the provision of social services to the country’s population continues to be a task left to the humanitarians and international development agencies that are present in large numbers throughout the country, rather than a function of the state. However, the informal economy continues to dominate the DRC as resource extraction makes up much of the economic activity in the country. While the country has experienced 12 years of economic growth (as of 2014), little of this growth has resulted in the government assuming a dominant role in public service delivery. Thus the population still has not felt much if any of the economic growth and the social indicators are simply dismal: life expectancy is 51 years (one of the lowest in world), school life expectancy is 10 years, the GDP per capita is $400 while 87 percent of the population live on less than $1.25 per day.

3.4 Lessons Learned

Address localized conflict. The local conflict that has persisted for decades in the DRC must be addressed by the UN if there is any hope to attain a cessation of violence, particularly in the eastern region of the country, has typically been dismissed as “private and criminal...a normal feature of life in a ‘peaceful’ Congo.” This will require not only forceful action by international actors but also a combination of increased state capacity to draft and enforce laws which address the long standing tensions of citizenship and land. Unless this micro-level violence is brought to an end, the country will continue to exist in an environment which facilitates insecurity and violence rather than stems it.

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26 Paddon and Lacaille, “Stabilising the Congo,” 5.
27 CIA World Factbook, “Democratic Republic of Congo.”
29 Sèverine Autesserre, The Trouble with Congo, 59.
Secure funding for DDR Programs. In June of 2014, the Congolese Government put in place the third national disarmament, demobilization and reintegration plan. The plan has an overall budget of $85 million, of which the Government pledged to contribute $10 million, MONUSCO committed $8 million (only for the reinsertion phase) and the World Bank and other donors pledged $35 for the reintegration. Even if fighters continue to voluntarily demobilize, the current lack of a sustainable livelihood for the former combatants threatens the viability of the third DDR plan. Thus while MONUSCO expects its activities to support the plan to increase in 2015 as the plan moves into the reintegration and reinsertion phase, securing the required funding remains a fundamental challenge. Teams are reportedly on stand by to support the DDR plan but funds have yet to be disbursed, jeopardizing the entire program and the security of the citizens in the DRC.

Counter-balance the state for internal legitimacy. Past efforts related to statebuilding have been particularly dangerous in the Congolese context because it remains a predatory state, which President Kibala rules through patronage. Rather than reforming, the state’s current efforts are sustaining the current system, which continue to undermine citizen-state relations and internal legitimacy. Funding should be focused on civil service training and competitive wages in order to undermine the current clientele and fragmented system. Lastly, there must be a prioritization to bolster civil society and reform the judicial system. This requires the weeding out of corrupt officials in the judicial branch and investing in the necessary training and for a strong justice system. A strong civil society will additionally act as a means to hold the state accountable.

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ANNEX 4: Guinea-Bissau

4.1 Background

During years of colonization, Portuguese colonizers lacked means and resources to establish effective institutions within the country, let alone reinvest in the country’s economic and social development. As a result, the postcolonial state of Guinea-Bissau did not emerge with some sort of political, administrative or bureaucratic foundations. The African Party for the Independence of Guinea and Cape Verde (PAIGC) led the armed struggle for independence and soon established a one-party state in Guinea-Bissau, one of the most underdeveloped countries.

Against the backdrop of ineffective government institutions, ambitious militants and politicians rely on unconstitutional means to resolve political dispute. No elected president has served a full term due to coups and assassinations carried out by, or with critical support, of the army. Coups d’état took place in 1980, 1998-1999, 2003 and 2012, attempted coups took place in 1985 and 1993, and alleged attempts took place in 2009, 2011 and 2012. As a result, political-military mistrust has deepened; powerful figures, most of whom are former combatants who have never been disarmed, prey on fragile state institutions to capture special socio-economic privileges, including drug trafficking and access to the underground economy in Africa.

4.2 Evolution of UN Mandates

The United Nations Peace-building Office in Guinea-Bissau (UNOGBIS) was established in 1999\textsuperscript{32}, with the task to “provide the political framework and leadership for harmonizing and integrating the activities of the United Nations system in Guinea-Bissau during the transitional period leading up to general and presidential elections and will facilitate, in close cooperation with the parties concerned, ECOWAS, ECOMOG as well as other national and international partners, the implementation of the Abuja Agreement.”

In 2004, the UNOGBIS mandate expanded to include eight tasks\textsuperscript{33}. The major tasks were to ensure “full restoration of constitution normalcy” through elections, to enhance political dialogue, to promote reconciliation and respect for the rule of law, to reform the security sector. ‘State authority’ was not used in the Resolution; instead, ‘national stakeholders’, ‘national mechanisms’, ‘national efforts’, and ‘the Government’ were used to indicate the recipient of UN support.

In 2009, United Nations Integrated Peace-building Office in Guinea-Bissau (UNIOGBIS) succeeded UNOGBIS with ten tasks at hand. Among them was an ‘inclusive political dialogue and national reconciliation process’ which remains a key component, as was coordination of international

\textsuperscript{32} S/RES/1216 (1999)
\textsuperscript{33} S/RES/1580 (2004)
assistance. UN capacity-building supports were given to ‘national institutions’ in the realm of law and security; the UN also assisted ‘national authorities’, the civilian and military leaders of the country, to reform the security sector and combat drug trafficking. The ‘mainstreaming of gender perspective’ was introduced for the first time to the work of UNIOGBIS.

The 2014 renewal of UNIOGBIS reduced its tasks to nine. While ‘mainstreaming of gender perspective’ was removed from the tasks, ‘inclusive political dialogue and national reconciliation’ became the top concern with the specific purpose ‘to facilitate democratic governance’. A new task was introduced, “assisting in strengthening democratic institutions and enhancing the capacity of State organs to function effectively and constitutionally”, which seems to indicate UN’s understanding of ‘restoring and extending State authority’ in Guinea-Bissau. Others tasks remained largely the same.

The strategic assessment of the situation in Guinea-Bissau found the root causes of instability in the country lie in a ‘complex interrelation of four main factors: a) political-military dynamics; ineffective State institutions and the absence of rule of law; c) poverty and lack of access to basic services (particularly for women and youth); and d) impunity and human rights violations’. In response to the findings, S/RES/2203 (2015) singled out three tasks as priorities to UNIOGBIS: a) Support an inclusive political dialogue and national reconciliation process to strengthen democratic governance and work towards consensus on key political issues particularly with regards to the implementation of necessary urgent reforms; (b) Provide strategic and technical advice and support to national authorities and relevant stakeholders in implementing the national security sector reform and rule of law strategies, as well as developing civilian and military justice systems that are compliant with international standards; (c) Support the Government of Guinea-Bissau towards the mobilization, harmonization and coordination of international assistance.

In short, from 2009 to 2015, although ‘state authority’ has never been mentioned nor defined in mandates, the task of enhancing ‘political dialogue and reconciliation’ received more attention and has been defined and elaborated in these years.

4.3 Assessment of Activities

4.3.1 Security

SSR programs prior to 2012 did not bring fruitful results, otherwise the 2012 coup could not have happened. Following parliamentary and presidential elections in April/May 2014, a new government took office in July 2014. The restoration of constitutional order under AU, ECOWAS, EU, CPLP (Community of Portuguese-speaking Countries), and UNIOGIBS supervision produced a ‘fragile stability’, which allowed modest progress to be made with regard to SSR.

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34 S/RES/2125 (2014)
Since 2014, the army reform has not been referred to as ‘Security Sector Reform’ in Guinea-Bissau. Instead, ‘modernization’ of the army has been emphasized as the new government understands the intricate interests behind a ‘reform’ of the army. Guinea-Bissau has two distinctive advantages in terms of ‘modernizing’ the army: the government has formally identified and listed those who are on the rank-and-file; and a bank system has also been installed to pay public salary. Such favorable conditions make army ‘modernization’ more attractive to the soldiers.

The elected president and parliament showed “decisive leadership” by replacing the Chief of the General Staff of the Armed Forces, General Indjai, who had staged the 2012 coup. The new Chief of General Staff of the armed forces, Lieutenant-General Biagué Na N’tan, appointed by the elected president, has gradually reshuffled the commanding officers of various military units. Part of the SSR program submitted by the government to the parliament emphasized salary payment to the civil servants and the updating of the members of the armed forces retirement roster. Additionally noteworthy steps include a revision of key legislation as well as the adoption of the Code for Military Justice and the Code of Discipline of the Armed Forces.

ECOWAS is the leading partner in guaranteeing the implementation of SSR in Guinea-Bissau. The presence of ECOMIB played an essential role in the implementation of these reforms. On 15 September, the ECOWAS-Guinea-Bissau joint cell in the Permanent Secretariat of the National Security Sector Reform Steering Committee presented to the Minister of Defense a draft proposal for retirement packages for military and police personnel. “The draft indicates the number of military and police beneficiaries and provides details on their future benefits, including housing, medical and transportation benefits, based on their rank and length of service. It reiterates earlier plans that a one-time lump-sum payment be made on retirement, followed by a monthly pension over a five-year period.”

Personal rivalry over power and wealth gave rise to countless government breakdowns in the history of Guinea-Bissau. Continuation of personal politics could disrupt the reform agenda if the elected leader once again invites the army to help him get rid of his political rivalry. SSR is still at a preliminary stage and requires international funding. The five-year SSR program proposed by the government and ECOWAS costs more than $270 million, including a special pension fund to finance the retirement of hundreds of armed forces personnel.

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37 Ibid.
38 S/2015/37
39 “Summary of the visit by H.E. Mr. Antonio de Aguiar Patriota, Chair of the Peacebuilding Commission and of the Guinea Bissau Country-Specific Configuration, 29-30 October 2014,”
4.4 Lessons Learned

4.3.1 Security

The historical timing and the strength of leadership of the government are important to SSR implementation. The civilian oversight of the military will not be possible if the dynamic persists in which disaffected members of the civilian political elite, “in order to bolster their own positions and agendas, make alliances of convenience with the armed forces.” Since the 2012 coup, and especially after 2014, the political context of the country has shifted, producing a benign environment and valuable chances for moving forward on SSR agenda. The army lost credibility as a result of the 2012 coup which drastically deteriorated the socio-economic conditions of the country, irritating the population; sanctions, travel bans, and cut of foreign aid pressured the military junta to cooperate; the 2014 elections brought to power politicians who are less dependent on the military because of their strong electoral legitimacy and the support of international partners.

The availability, the strength and the legitimacy (in the eyes of the local stakeholders) of the ‘guarantor of peace’ will determine the progress of SSR. Firstly, there should be a guarantor of peace at all times. The stabilizing role of ECOMIB in Guinea-Bissau cannot be underestimated in this regard. Secondly, the guarantor of peace should not be seen as partial to one domestic political force over the other. The 2012 coup has been widely seen as prompted by the introduction of Angolan military trainers to oversee SSR. The deposed president, though elected, was accused by the military to be an Angolan puppet, who would serve Angolan ambition of extending political influence in Portuguese speaking states in West Africa, a region it does not belong to. The AU, the ECOWAS, the EU and the CPLP, all being multi-lateral organizations, will ease the distrust of the local forces.

4.3.2 Governance

The political deal made between the new government and the former Chief-of-Staff, Antonio Indjai assured other prominent military figures that there was a way out of the security dilemma. Indjai refused to step down from the illegitimate military junta, but soon agreed to retreat from politics upon accepting a government offer of a piece of land, personal bodyguards and some socio-economic privileges. If such a patronizing deal is attractive enough to a military figure who was accused of large scale drug trafficking, the soldiers will likely also be convinced by decent economic alternatives.

Moreover, the review of the business contracts clearly demonstrates to the army that the gains of a coup will always be short-lived and a political re-settlement will be sure to follow. The military junta that staged the 2012 coup signed business contracts which are “not the most beneficial” to the state economy. The government has established a national technical commission in the prime minister’s

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48 Anonymous interviews with experts on Guinea-Bissau
office to review the commitments made by the former transitional Government, with particular focus on the extraction of natural resources. The Government also proposed a contingency plan (‘plano de contingência’) focused on analyzing and clarifying the terms of commitment regarding the extraction of mineral resources, such as bauxite, phosphates and heavy sand, and the exploitation of natural resources, such as exotic wood, undertaken by the transitional government.

The former Chair of the PBC, when incumbent, mentioned that the PBC has come to regard the review of contracts relating to the exploitation of natural resources as a common experience and priority among the countries on its agenda. PBC now will seek to facilitate discussion among potential partners, notably the PBF, UNDP and the World Bank Group, with a view to the timely mobilization of technical assistance and the strengthening of national capacity.

Lessons Learned

The military of Guinea-Bissau does not act alone to disrupt order; there are non-military groups backing the military out of political and economic concerns. The pace of army reform should not be rushed by the peace-building missions if the idea of reconciliation of all sides has not been solidified. SSR thus cannot stand alone without compromise made by all sides in the sphere of state politics.

It is necessary that the newly elected president strengthen his alliance with the main opposition party, which is seeking to redefine its exclusive and troublesome links with the Balanta community. The SSR program should not include the ethnic rebalancing of the army, a feature of some previous programs, unless historical ethnic inequalities in other areas have been addressed.

The political dialogue should be understood by all stakeholders in a way that: firstly, the international community and the guarantor of peace will withdraw all funding if the negotiation collapses, thus they will be worse off in terms of benefiting from foreign aid; secondly, it is only through the government of unity that they share the fruits of development. This means that the guarantor of peace should follow-up closely with DDR/SSR program in sync with the locally driven political dialogue on development agenda. The design of the village committee system should accommodate the informal institutions in the policy realm of local land-tenure arrangements, because the issue represents societal shared values that are not products of the state. Informal institutions governing land distribution in Guinea-Bissau emerged as a result of cultural and ethnic values, which associate personal identities with geographical locales; people’s spiritual attachment to their homeland defines who they are. Shrine priests and lineage heads are the ones who govern locally, largely because they are responsible for performing ritualistic ceremonies associated with land use and cultivation.

4.3.3 Development

51 Ibid.
52 Joshua Forrest, Chapter 10, Post-colonial Legacies, Lineages of State Fragility, Rural Civil Society in Guinea-Bissau (Ohio University Press, 2003): 209
The new Government’s Strategic and Operational Plan for 2015-2020 defines a vision aimed at “a politically and stable country through inclusive development, good governance and preservation of biodiversity by developing infrastructures, tourism and agro-industry, amongst others.”

Correspondingly, international development partners pledged on March 25, 2015 over 1 billion Euros to support Guinea-Bissau’s social and economic development.

Lessons Learned

The presence of state institutions to collect revenue or enforce business laws in the rural area/shrine based communities has to be negotiated and accepted locally, which probably means the traditional leaders continue to practice informal institutions that represent societal values (i.e. land distribution).

Efficient service deliveries (water, electricity, infrastructures) depend on: firstly, whether the international pressure on non-disruption of constitutional order is unified and continuous; secondly, whether the elected leaders can continue to mobilize domestic and international support to rally around their reform agenda; thirdly, whether potential spoilers explicitly understand that holding onto their guns and benefit from sustainable socio-economic opportunities with a potential of more economic gains is an either-or choice.

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http://uk.reuters.com/article/2015/03/25/uk-bissau-economy-donors-idUKKBN0ML2CK20150325
ANNEX 5: Liberia

5.1 Background

In the decades following Liberian independence, hostilities between Americo-Liberean communities and indigenous tribes spurred political and social unrest.¹ For faction leaders, ethnicity became a dependent variable through which to achieve personal goals. A coup d’état in 1980 saw Liberia’s first indigenous leader, Samuel Doe, who promoted his fellow Krahn tribesmen while limiting the rights of other ethnic groups.² The recurring abuse of power by ruling elites, as well as historic tribal animosities, served to fuel the uprising led by Charles Taylor’s National Patriotic Front of Liberia (NPFL), initiating the First Liberian Civil War.

Members of groups victimized by Doe’s regime, namely the Gio and Mano, joined Taylor’s forces, in a fight that increasingly targeted ethnic Krahn sympathetic to the state.³ NPFL forces led by Prince Johnson splintered in July 1990, forming the Independent National Patriotic Front of Liberia (INPFL), and quickly took parts of Monrovia. Doe was captured and killed. Consequently, the NPFL and INPFL turned on each other to gain control of the capital.

In August 1990, the 16-member Economic Community of West African States (ECOWAS) agreed to a joint military intervention force, Economic Community Monitoring Group (ECOMOG), citing humanitarian abuses and regional instability. Specifically, ECOMOG’s objectives included: protection of civilians and safe evacuation of foreign nationals, imposition of a ceasefire, and establishment of an interim government until organized elections. Taylor’s troops tried to prevent the landing of the UN-backed ECOMOG, which came to include troops from non-ECOWAS countries.⁴

ECOWAS engaged in a number of resolution processes, including the 1993 Cotonou Peace Agreement in Benin, after which the UN established the UN Observer Mission in Liberia (UNOMIL) as support. UNOMIL deployed 368 military observers and civilian personnel in anticipation of the spring 1994 elections. Armed hostilities continued, however, and several international personnel were captured. Humanitarian conditions too rapidly deteriorated, with 1.8 million Liberians in need of immediate assistance. By October 1994, the Security Council decided to reduce the number of UNOMIL observers, citing the lack of will by combatants to honor signed agreements.⁵

Heavy fighting in Monrovia finally concluded in August 1996, when parties signed the Abuja Accord, effectively agreeing to demobilize. Over 200,000 lives were lost and one million civilians displaced during the First Liberian Civil War. Taylor won the presidential vote in the elections of July 1997.

² Ibid., 66.
³ Ibid., 137.
⁵ Ibid., 718.
Extending Legitimate State Authority in Post-Conflict Countries: A Multi-Case Analysis

Thirteen political parties protested the election climate, citing obstructions to free movement and security of persons, but the UN did not investigate such reports.\(^5\)

In November 1997, the UN established a Peacebuilding Support Office in Liberia (UNOL), to be headed by a Special Representative of the Secretary General, who would be tasked with assisting the elected government in consolidating peace. UNOL’s initial mandate included promotion of good governance, as well as international resource mobilization for reconstruction and development programs. However, the absence of security sector reform, as well as accusations of state-sponsored cross-state insurrections, continued to fuel bloodshed. Former supporters of Doe regrouped as Liberians United for Reconciliation and Democracy (LURD), which began fighting in Lofa County gain control of local diamond fields – revenues from which were being used for arms purchases.\(^7\)

The Second Liberian Civil War began in 1999 when LURD, backed by supporters in Guinea, took control of northern Liberia and besieged Monrovia. By 2003, the Movement for Democracy in Liberia (MODEL) had become active in the south and began staging attacks from Cote d’Ivoire. The indiscriminate use child soldiers marked this phase of the war.\(^8\) The warring parties signed the Accra Comprehensive Peace Agreement (CPA) in August 2003, beginning Liberia’s democratic transition under a transitional government. The CPA stipulated power sharing arrangements, as well as the resignation of Taylor, who was exiled to Nigeria. 200 American soldiers supported the ECOWAS Mission in Liberia (ECOMIL), the Nigerian-led peacekeeping force, as it took over Monrovia.

### 5.2 Evolution of UN Mandates

In September 2003, the Security Council passed Resolution 1509, which authorized the deployment of the UN Mission in Liberia (UNMIL) under Chapter VII of the UN Charter. The mandates included: support for the transitional government in implementation of the CPA; extension of state authority; provision of security at key government installations, as well as towards the free movement of people and humanitarian goods; support for the safe return of refugees and internally displaced persons (IDPs); and protection of civilians under imminent threat of violence. The multidimensional operation comprised 15,000 military personnel – including 250 military observers, 160 staff officers, 875 civilian police officers, and five armed units of 120 officers\(^9\) – who, among demobilization and reintegration programs, were to train law enforcement and judicial agencies. In addition, a senior gender adviser with distinguished staff, as part of the Office of the Special Representative, would support gender mainstreaming throughout the mission’s tasks.

In October 2003, UNMIL took over the duties of ECOMIL, whose members were reassigned as UN peacekeepers. In September 2012, the Security Council issued a decision for gradual withdrawal of

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military personnel – a decrease of 4,300 personnel between August 2012 and July 2015, after which
the number would stand at 3,750.10 However, the Security Council simultaneously authorized a ceiling
of 1,795 for the number of authorized police units. The approved budget from July 2014 to June 2015
stands at $427,319,800.

5.3 Assessment of Activities

5.3.1 Security

UNMIL’s mandate includes the development and implementation of a DDRR strategy for ex-combatants
in coordination with a National Commission for Disarmament, Demobilization, Rehabilitation and
Reintegration (NCDDRR). Benefits included medical screening and treatment, a “Transitional Safety
Allowance” of $300, a month-month food ration from the World Food Program, and transportation for
relocation to home communities.11 This phase was completed in October 2004 with 101,496
combatants. 90,000 also participated in the program’s rehabilitation and reintegration phase, which
afforded training opportunities. $71 million was raised for these programs.

In line with Resolution 1325, UNMIL also disarmed and demobilized 22,370 women, for whom
separate interim care centers were provided. Women were given access to reproductive health
resources, counseling, and sexual trauma support. Still, women were largely absent for the DDRR
planning process. Some challenges that presented themselves include the lack of childcare facilities for
participants and limited scheduling options for women interested in taking training courses.12

A 2006 survey of 590 ex-combatants in Liberia reveals that those who registered with the national
DDRR program and completed a training course have reintegrated more successfully than their
counterparts.13 Former fighters who registered but have yet to receive formal training benefits are the
least successfully reintegrated class, faring, on average, about 9 percent worse than those who
completed all phases of the program. Still, only 2.2 percent of all surveyed participants who concluded
the disarmament/demobilization phase believed that small arms were a problem in their respective
communities. And across the board, there was a sense of positive resettlement into their home
communities.

However, widespread indiscipline and corruption compromise equal and impartial justice. Police
officers routinely demand bribes and participate in extortion schemes. More alarmingly, members of
the Emergency Response Unit and Police Support Unit are known to engage in armed robbery during
patrols.14 Although the Professional Standards Division (PSD) receives and processes both public and

10 Ibid.
13 James Pugel, “What the Fighters Say: A Survey of Ex-combatants in Liberia February-March 2006,” UNDP Joint Implementation Unit,
accessed 1 February 2015, http://www.operationspaix.net/DATA/DOCUMENT/904-v-What_the_Fighters_Say_A_Survey_of_Ex-
combatants_in_Liberia.pdf.
chapters/liberia?page=1.
internal complaints against officers, many Liberians are unaware of its existence. Serious logistics shortages also compromise operations. The latest Liberian draft budget earmarked only $20 million for police operations. Specifically, no money appears to be going towards capacity building. The Liberian National Police (LNP) suffers from shortages in uniforms among other resources. The recruitment process in particular is a source of concern, as gaps in the system allow for unqualified candidates to infiltrate their way into the force. The challenge of recruitment poses a security risk in that existing members of the LNP may themselves be responsible for wartime atrocities. Until this process is reformed, scaling up recruitment and training risks destabilization of the police academy.

There exists no comprehensive national strategy to address the issue of mercenaries and foreign combatants. Reports of alleged training and recruitment of armed groups on Liberian soil, particularly in Grand Gedeh County, is a destabilizing force that requires deployment to the Cote d’Ivoire border area. Although national forces have cooperated with their Ivoirian counterparts, namely through Operation Restore Hope which targets cross-border insurgency, decreasing funds for the police training academy threaten the capacity of emergency response units. Transition-focused joint workshops, for example, would require as much as a 26 percent increase in allocations.

Technical assessment missions show that national security agencies may not be able to maintain national stability without the support of UNMIL. Previously agreed measures to place national police in refugee camps and at locations screening asylum-seekers have not yet materialized.

5.3.2 Governance

The justice sector suffers from several constraints, including poor management, inadequate funding, understaffing, and a lack of coordination between police and courts. Prolonged pretrial detention is prevalent, as the judiciary is able to conclude only a small number of cases each year. Corrupt practices by judges, jurors, and ministry administrators threaten any process made on the legal level.

In 2008, the Liberian government established the Liberia Anti-Corruption Commission, empowered to investigate and prosecute on its own initiative. In June 2013, however, the Liberian Senate rejected the bill submitted by President Sirleaf to give it more freedom. Liberia’s independent auditing agency General Auditing Commission (GAC) has likewise detailed mismanagement and corruption, yet the Ministry of Justice has pursued very few related cases. The government has generally failed to pursue investigations into crimes committed by high-ranking officials, opting to dismiss without scrutiny.

In 2009, the Truth and Reconciliation Commission made several recommendations, including a call for prosecutions of those responsible for war crimes committed during Liberia’s two armed conflicts. The

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16 Wade C.L. Williams, “Police Budget vs. Road to UNMIL Drawdown, Gol Investment Millenium,” 1.
18 Ibid.
20 Ibid., 2.
21 Ibid.
Liberian government thereafter established the Independent National Commission on Human Rights, empowered to investigate and consider human rights complaints. Though it dispatched some field monitors, it too remains largely ineffective and weak. The Ministry of Gender and Development has also documented hundreds of cases of gender-based violence. Again, prosecutions remain low due to systematic level deficiencies.

In June 2013, the government released a plan for promoting national peacebuilding and reconciliation, which advocates for reparations but not accountability for war crimes. Four months later, it launched the National Palava Hut Program, designed to foster reconciliation through community and grassroots dialogue. Under this initiative, ex-combatants and perpetrators of wartime crimes can seek forgiveness. In parallel, the Liberian government has invested into civilian subcomponents like the Gbarnga regional security hub.

The delays in constructing regional justice and security hubs, however, have generated questions about the viability of the still highly centralized system of governance. Further reform would open the door to greater administrative decentralization, possibly increasing access to services, and by extension facilitating political inclusion, but comprehensive constitutional reform requires a high degree of public awareness. Referendums will otherwise only enable the five-person constitutional review committee to pass simple amendments.

5.3.3 Development

Respondents to a 2005 field survey did not see peacekeepers as functioning in as great of a humanitarian role. Instead, deployment units were seen as stimulants to local labor and commercial markets; evidence does not show, however, that quick impact projects actually transformed local economies. Likewise, there is little to suggest that deployment areas were hubs of activity that had significant impact on inter-ethnic cohesion. In fact, evidence suggested that public cultural practices were less frequent in communities closer to deployment.

With no concerted action on educational reform, the Liberian educational system is too severely handicapped to counter gaps in development. Reportedly, not a single high-school student passed the entrance exam to national university in 2013. Liberia houses largely unemployed, disaffected youth. Without a rising generation to assume Liberian leadership, elections in 2017 and beyond will merely maintain the status quo. These observations suggest that UN missions can maximize their contribution to consolidating peace by focusing on the reintegration of newly resettled households, fostering community cohesion, and providing electoral assistance to sustain political interest.

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22 Ibid.
5.4 Lessons Learned

Regional involvement may be necessary, but as the second phase of ECOWAS intervention in Liberia demonstrates, it is most effective when properly directed. Peacekeeping forces require specialized training that targets the intricacies of the conflict at hand. Liberia demonstrates that a suitable timeframe can ensure that post-conflict countries are not vulnerable to reversals. However, inabilities to consolidate the security sector can minimize the effect of efforts to address the underlying causes of past conflict. The UN must continue to complement the government’s efforts in security sector reform, simultaneously targeting border control and national reconciliation efforts that address the role of ex-combatants in Liberian security agencies. Given both the physical proximity and demographic similarities of Liberia and Cote d’Ivoire, sustained peace in this region may require joint planning structures.

Generally considered a success, the DDRR process in Liberia demonstrates that implementing disarmament, demobilization, and reintegration separately and prior to a TRC allows for a more secure environment within which to pursue transitional justice. In post-conflict settings, power sharing is important, as groups with political power are more likely to disarm and engage in productive discussions about the country’s future. Institutional reform initiatives with accountability objectives should be enacted alongside the DDRR process, particularly those criminalizing gender-based violence. As field surveys reveal, the biggest challenge to Liberia today appears to be the reintegration of repatriated Liberians and ex-combatants.

It follows that judicial reform goes hand-in-hand with strengthening public administration and, by extension, service delivery. Since the founding of Liberia, foreigners have controlled the majority of the national economy, leaving governmental institutions as the only viable channels for distributing wealth. Hence, the economy has been vulnerable to exploitation by ruling elites. While shifting the focus of reintegration programs toward education and agriculture may be long-term endeavors, courts must recognize the legal rights of business owners and investors in order to stimulate local economies. In order to foster public space within Liberia, interventions must simultaneously help build nonpolitical institutions. Enacting legislation to guarantee equal access to land use and organizing development projects in communities with ex-combatants can ease the pressure on a struggling economy.
6.1 Background

Ranked 176 out of 184 on the Human Development Index, Mali represents one of the poorest countries in the world. Despite the country’s severe lack of development, Mali was considered a stable democracy and a ‘poster child’ of good governance, secularism and tolerance since the early 1990s. Mali’s decades-long stability as a majority-Muslim country gained particular recognition after the 9/11 terrorist attacks and the country became known as “a bulwark against radical Islam.” This changed in 2012 when several armed groups rose up against the Malian Government, demanding greater autonomy in the country’s northern region and the creation of a separate Tuareg homeland called Azawad.

Shortly after, the rebellion led to a military coup d’état when mutineering soldiers seized power over the presidential palace and deposed President Amadou Toumani Touré ahead of the planned April 2012 presidential elections. With no central government in charge and the national security forces lacking the capacity to regain control, the security situation deteriorated rapidly. Shortly after, Islamist insurgents were able to expand their control and Mali became a “second Afghanistan.” This led to a French-led military intervention in the beginning of 2013; with the support of troops of the African Union, the French-led forces succeeded in restoring control over the north under the Malian government’s leadership by the end of the year. In June 2013, the MNLA and the Malian government entered into peace negotiations under the lead of Burkina Faso’s President Blaise Compaoré. Two weeks later, the Ouagadougou Agreement was signed by the Government, the National Movement for the Liberation of Azawad (MNLA) and the High Council for the Unity of Azawad (HCUA), calling for an immediate ceasefire and for government troops to return to formerly rebel-held areas.

Despite initial security improvements in 2013, the situation further deteriorated in 2014. Efforts to reach a more comprehensive peace agreement resumed in July 2014. With the facilitation of the

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2 Freedom House’s Freedom in the World Index rated Mali as ‘free’ for most of the 1990s and early 2000s until violence broke out in 2012. This represents a rare exception in the West African context.
5 Three previous Tuareg rebellions (1964, 1995 and 2009) had been based on similar demands as the 2012 rebellion. All rebellions involved demands for more local authority and funding for schools, roads and other infrastructure. However, the call for a separate state in 2012 was new. Although the Malian government has often agreed to meet these demands since the 1960s, it has never kept these promises; Good Governance Africa, “Mergers and insurrections,” 1 February 2015, http://gga.org/stories/editions/aif-30-broken-ranks/mergers-and-insurrections.
Algerian Government, a roadmap was signed on 24 July 2014 in which the parties agreed to a cessation of hostilities and to engage in further negotiations. The resumptions of the second round of peace talks in September 2014 led to a renewed series of deadly attacks against UN personnel. Since then, multiple rounds of UN-sponsored peace negotiations have been held in Algiers, but the deep mistrust of the Tuareg-led rebel groups and the recent intensification in the level of fighting between armed rebels and government-allied militias has hampered prospects to reach a comprehensive peace deal.

Since the beginning of 2015, the level of violence directed against MINUSMA and UN personnel increased significantly. MINUSMA and international NGOs continue to be targeted by Al-Qaeda affiliated terrorist groups that have been able to increase their reach further south. On 19 February, the Malian government signed a ceasefire agreement with a number of armed groups that are more closely aligned with the government position; others declined the agreement. On 18 March, the Malian government announced that it would not participate in further talks with rebels seeking autonomy for northern Mali. The crisis that erupted in 2012 dismantled Mali’s facade of political and economic stability, revealing the country’s severe underlying ethnic, religious and socio-economic tensions.

6.2 Evolution of UN Mandates

To counter the offensive launched by terrorist, extremist and armed groups in the north of the country, the Security Council adopted Resolution 2100 on 25 April 2013, establishing the United Nations Multidimensional Integrated Stabilization Mission in Mali (MINUSMA) for an initial period of 12 months. Acting under Chapter VII of the UN Charter, the Resolution mandated the MINUSMA peacekeeping force to use “all necessary means” to restore the territorial integrity, democratic governance and constitutional order of Mali. It further stressed the need to hold elections as soon as possible and to facilitate an inclusive political dialogue while consolidating the country’s stability. The

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11 UN News Centre, 17 October, 2014.
13 Since July 2013, at least 29 attacks have targeted MINUSMA personnel, resulting in at least 33 peacekeepers killed and more than 109 injured.
14 Four of these groups – the Mouvement pour l’Unification et le Jihad en Afrique de l’Ouest, Ansar Dine, Al-Mourabitoun and Al-Qaeda in the Islamic Maghreb – are listed under the 1267/1989 Al-Qaeda sanctions regime.
15 The armed groups currently active in Mali are organized in two coalition groups the “Platform”, representing the coalition of armed groups considered to be more closely aligned with the government, and the ”Coordination”. The Coordination consists of the MNLA, HCUA and the Mouvement Arabe de l’Azawad (MAA). The Platform consists of the Coordination des Mouvements et Fronts Patriotiques de Résistance, the Coalition du Peuple pour l’Azawad (CPA) and another MAA faction; Security Council Report, “April 2015 Monthly Forecast – Mali,” March 31, 2015, http://www.securitycouncilreport.org/monthly-forecast/2015-04/mali_16.php.
operation comprised 11,200 military personnel that would cooperate with the French troops already stationed inside the country since January 2013.

On 25 June 2014, the Security Council passed Resolution 2164, which extended MINUSMA’s mandate until 30 June 2015 and outlined a framework for long-term peace and stability in Mali. The Resolution highlighted in particular the need to advance national political dialogue and the reconciliation process and support the Malian authorities in its protection of civilians and human rights obligations. A central element in the MINUSMA mandate is to support the re-establishment of state authority of the central government. According to the Resolution, this includes the extension and re-establishment of local state administration, the provision of state services and the deterrence of previous sources of destabilization to prevent the return of armed groups to the north of Mali. The large number of tasks included in the mandate makes MINUSMA a central player in the Malian state-building project. However, MINUSMA remains ill-equipped to carry out its mandate and perform tasks related to the civilian reconstruction of the country.

6.3 Assessment of Activities

6.3.1 Security

A key priority of MINUSMA’s intervention in Mali has been the rebuilding of the security sector by bringing security forces under civilian and democratic control and restoring the state’s monopoly on the legitimate use of force. Efforts of SSR have been largely led by the MINUSMA intervention force with important elements in the police training mission carried out by the European Union. MINUSMA has predominantly focused on operationalizing and expanding the Mixed Technical Commission on Security and the joint observation and verification teams. On 16 December 2014, the Commission convened its first meeting, during which parties agreed to set up joint observation and verification teams to monitor compliance with the ceasefire agreement.

On 18 February 2013, the European Union launched the training mission for Malian armed forces (EUTM) at the request of the Malian government to assist the state with the creation of conditions for lasting peace. So far, the mission has focused on training three different internal security forces including the police, the gendarmerie and the National Guard; still, it remains questionable to what extent the re-building of three separate security structures is necessary. The EUTM training mission...
attempts to build cohesion among Malian soldiers who are of different ages and ranks and ethnically mixed. In total, four Malian battalions of 700 soldiers each will be trained in weapons handling, logistic support, healthcare, and close combat. The training also includes human rights awareness, as Malian security forces have been accused of violating human rights, and training regarding historical or cultural locations such as libraries, mosques and monuments. The Tuareg rebellion in 2012 exposed that the main weaknesses of the Armed Forces of Mali (FAMA) were poor training and out-of-date ammunition and weapons. Mali’s army continues to be a key employer and remains over-staffed. Long-serving, low-ranking soldiers remain in the force well past the age at which troops in other countries retire. Moreover, previous governments have promoted officers to high grades in order to forestall coups. Overall, the army continues to be ill-equipped. In light of these deficiencies, MINUSMA has become the primary guarantor of Mali’s domestic security.

Since December 2014, there has been no significant advance in the deployment of the Malian security forces including the national police, civil protection, gendarmerie or National Guard. Amid increased levels of violence, rebel groups have been able to reposition their forces, leading to an increase in episodic clashes between armed groups and the Malian government. Overall, the recent proliferation of violence directed against the Malian security and MINUSMA forces has undermined efforts of SSR, which have been largely focused on reestablishing national control over the situation.

6.3.2 Governance

National Dialogue and Reconciliation: Towards the end of 2014, the Malian Government came under increased criticism and public pressure regarding its handling of the peace process. Various media outlets and civil society representatives from southern Mali criticized the inter-Malian dialogue for engaging in discussions on potential decentralization, which they fear could lead to the partition of the country. Allegations of corruption by some senior officials and criticism regarding a lack of Government effort to inform the population on the negotiation process further undermined the success of the negotiations. On 19 November 2014, more than 40 civil society groups jointly protested against the content of the draft peace agreement.

Good Governance and Corruption: Corruption and the disbursement of public funds remain key concerns in Mali’s post-conflict transition period. Allegations of corruption prompted the International Monetary Fund (IMF) to review the Government’s economic program supported under the IMF Extended Credit Facility. In May 2014, a bribery scandal over the purchase of a presidential aircraft

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30 Ibid.
and military equipment valued at $14 million led to the widespread suspension of foreign aid.\textsuperscript{31} As a consequence, the IMF, World Bank and European Union froze their financial support.\textsuperscript{32} Even though President Ibrahim Boubacar Keïta has made fighting corruption a priority, the scandal led to an increase in criticism that not much has changed since the ouster of the administration of former President Amadou Toumani Touré. The country’s high levels of corruption have helped create parallel economies that are controlled by people who would lose out financially under any other political arrangement.

\textbf{Local Administration:} One of the main challenges to strengthening the authority of the state in Mali has been the government’s effort to increase its control over hard-to-access areas, particularly in the country’s northern areas. The strong emphasis on developing decentralized governance structures to bridge the center-periphery divide has come at the expense of addressing the divides that exist among the country’s northern communities.\textsuperscript{33} While the physical extension of Mali’s local administration remains key to increasing the legitimate authority of the state, more attention should be given to local acceptance levels and the legitimate extension of local governance. The physical expansion of the central government to the periphery is a highly politicized process that commonly challenges local power balances in post-conflict countries. Strengthening the state’s ability to deliver key security, justice, and livelihood services in the periphery will therefore be insufficient to expand the government’s legitimate authority, unless such services are embedded in confidence and trust-building measures, both between communities and in the state.

\textbf{Elections:} The Security Council Resolution 2100 (2013) urged the transitional authorities of Mali to hold elections “as soon as technically possible”.\textsuperscript{34} Following the suspension of the constitution after the military coup, elections were held in 2013 and President Ibrahim Boubacar Keïta, former Prime Minister from 1994-2000, was elected President. The elections were considered free and fair\textsuperscript{35} and passed without significant violent disturbances, which was seen as exceptional considering the country’s recent experiences.\textsuperscript{36} The tentative consolidation of the government since 2014 and the appointment of a former opposition member as the country’s new prime minister on 5 April 2015 has improved the governance situation in Mali.\textsuperscript{37}

6.3.3 Development

Since the outbreak of the conflict, there has been no significant improvement in the access to basic public services in northern Mali. Even though 92 percent of health centers are operational, they continue to depend on the support of humanitarian organizations.\textsuperscript{38} In the northern areas, 58 percent

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\textsuperscript{34} UN Security Council, “Resolution 2100,” 25 April, 2013.


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of water infrastructure remains non-functioning and 67 schools have closed. According to a survey conducted by the Malian Institute of Research for Peace (IMRAP), between November 2013 and March 2015, the structural imbalances and deficiencies in the provision of public services regarding justice, education, health and security continue to nurture feelings of inequality. Although Mali has benefited from debt relief, its public resources remain minimal while high levels of corruption discourage international investors. In December 2014, the Immediate Response Facility of the Peace-Building Fund (PBF) announced funding for four projects totalling $7.6 million as part of the country’s early recovery and development initiative. In January 2015, MINUSMA launched a regional stabilization and recovery plan for the Gao region, which foresees the implementation of concrete actions concerning the economic recovery of the region and the provision of basic social services. Rendering economic growth profitable for all Malians will be key to creating further incentives for stability and economic inclusivity. Tensions concerning access to natural resources and economic opportunities continue to lead to friction in inter and intra-community relations and the erosion of trust in public institutions remains widespread.

6.4 Lessons Learned

Prior to the outbreak of the crisis in 2012, the relationship between the citizens and the state in northern Mali was characterized by extreme levels of mistrust. Limited access and structural imbalances in the provision of public services nurtured feelings of inequality and unjust treatment. Rather than being too weak, Mali’s state has been too localized and constrained to the south to have a real impact in the north. MINUSMA’s multidimensional and complex mandate to reestablish government authority in a region where state authority barely existed before is particularly challenging. Therefore, ambitions to increase state authority in Mali have to, above all, target the geographic expansion of its administration and cater more strongly to the needs of local populations.

Since the outbreak of the rebel insurgency, there has been a strong focus on reestablishing stability and security by eliminating potential threats to the state’s authority through SSR and DDR efforts. Other challenges that are not related to the security sector, such as economic growth and a reduction in poverty – which represent key concerns of the population – have been insufficiently addressed. The strong level of support provided for SSR and military training by MINUSMA have come at the expense of responding to more social needs. As a consequence, early military successes in driving back the rebel groups have been short-lived and Islamist fighters have been able to increase their reach further south since the beginning of 2015.

The lack of confidence in the state remains a major obstacle to peace in northern Mali. Widespread levels of corruption have undermined the government’s efforts to increase its legitimacy in the eyes of

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39 Ibid.
42 The projects target in particular women and youth, returnees, and education and will be implemented by various UN agencies and MINUSMA from early 2015 to mid-2016.
the population. Due to the lack of law and order in northern Mali, extremism and organized criminal networks continue to thrive.\textsuperscript{45} The Malian government still has to realize that there can be no military solution to the crisis and that threats of violence and extremism can only be effectively countered through a viable political process. Consequently, eliminating destabilizing factors will be insufficient to increase the legitimate authority of the state unless structural imbalances and deficiencies are equally addressed. As long as the peace process does not translate into tangible gains for the people of Mali, peace in Mali continues to be fragile.

ANNEX 7: South Sudan

7.1 Background

Conflict between the north and south in Sudan has existed in various dimensions since independence from British and Egyptian rule in 1956. In 1983, the Sudan People's Liberation Army/Movement (SPLA/M) in the south led an armed rebellion against the Sudanese government that lasted for 22 years, ending with the signing of the 2005 Comprehensive Peace Agreement (CPA) by the SPLA/M and the Government of Sudan. The peace deal provided guarantees for regional autonomy, national power-sharing and a referendum to determine independence in the south.

The Comprehensive Peace Agreement in 2005 that set up the state of South Sudan failed to address democratization and governance issues, which reinforced the unequal power relations within the state and promoted the dominance of the SPLM. Therefore, the dominance of the SPLM in most government institutions makes it impossible to separate the activities of the state from the governing party of the SPLM.\(^1\) UNMISS was set up to address state capacity building in the absence of a basis of democratization and state legitimacy that led to difficulties in extending state authority without resorting to extending the power of the SPLM itself rather than the state.\(^2\)

Party leaders within the SPLM have continuously held divergent views on domestic and regional policies even prior to independence. Within the SPLM, the group since its inception in 1983 from a purely militaristic structure of the SPLA has continually failed to establish and develop party rules and agendas for leadership. Prior to independence, the SPLM never established institutions for developing programs and social welfare plans for those under its authority in the south like other liberation movements. Instead, the SPLM was subsumed with one goal – to fight for independence from the north.

In the referendum that followed in January 2011, an overwhelming majority of South Sudanese voted to secede from Sudan. In July 2011, South Sudan officially gained independence from Sudan and became the world’s newest nation. Since independence, the new nation has been mired in struggles due to power disputes and rivalries within the governing party of the SPLM, strained ties with Sudan over oil concessions and border lines, and slow and uneven economic development throughout the country. In addition, ongoing inter-ethnic feuds over local resources have left hundreds of people dead and hundreds of thousands displaced since independence.

Internal disputes within the SPLM reached a critical point in July 2013 when President Salva Kiir dismissed his Vice President Riek Machar and a majority of his cabinet. These actions led to infighting that paralyzed government institutions and divided its leadership even further. The SPLM was not experienced nor equipped with an institutional capacity to run the new emerging nation. At first

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\(^2\) Lauren Hutton, “Prolonging the agony of UNMISS: The implementation challenges of a new mandate during a civil war,” Clingendael Netherlands Institute of International Relations, http://www.clingendael.nl/sites/default/files/Prolonging%20the%20agony%20of%20UNMISS%20-%20Lauren%20Hutton.pdf.
nonviolent, the wrangling eventually erupted into armed conflict after heated arguments in an SPLM political meeting on 14 December 2013. The conflict, which continues to date, has killed thousands and forced over 800,000 people into displacement.

In addition, political leaders within the SPLM have often relied on support along ethnic lines to consolidate their power and the current conflict is partially fueled by the historically ethnic divides within the SPLM/A. In the early 1990s, after relying heavily on support through ethnic and racial solidarity, the SPLM split along ethnic lines leading to massive infighting and violence within the movement. As the south rallied against the Sudanese government, internal conflict led to the deaths of thousands and famine for tens of thousands in the south. As the war against the north continued, a coalition of Sudanese and African civil society organizations attempted to conduct internal peace-building activities among the various leaders and armed groups comprising the SPLM/A in the south. However, when the CPA was signed in 2005, these internal processes were sidelined and the peace-building and reconciliation needs within the SPLM/A and the greater south were forgotten.

Furthermore, the current military of South Sudan (still known as the SPLA) obstructs the evolution of a national ethos through its pre-independence style divided military units and decentralized command structure. Prior to independence, the SPLA never developed cohesive military units and instead comprised of a loose alliance of ethnically organized armed groups in the south fighting against the north. Following independence, the SPLA expanded to offer membership to armed groups in the south formerly not aligned with the SPLA in efforts to quell civil conflict in that region. However, the SPLA expanded without efforts to centralize the command structures or reform the ethnic divides within the military units. The expansion led to the inflation of the defense budget to 55 percent of the national total while failing to establish a centralized force with a unified alignment towards the state of South Sudan.

### 7.2 Evolution of UN Mandates

On 8 July 2011, the United Nations Security Council (UNSC) passed Resolution 1996 leading to the establishment of the United Nations Mission in South Sudan (UNMISS). Welcomed by the ruling SPLM party in South Sudan, UNMISS became effective immediately after independence and continues to operate as a peacekeeping and peace building mission in the country to date. At inception in 2011, the main mandates for the mission included:

- Consolidating peace through state-building and economic development.
- Preventing, mitigating and resolving conflict at the county, state and national levels.
- Strengthening security, rule of law and justice mechanisms through reform.
- Protecting civilians and ensuring humanitarian access and relief support.
- Monitoring the flow of personnel and arms at border points with Sudan.

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On 27 May 2014, the UNSC revised the UNMISS mandates through Resolution 2155 due to the outbreak of violence in December 2013 as well as repeated concerns of human rights abuses at the hands of the state of South Sudan. The revised mandates in Resolution 2155 focused solely on the protection of civilians, the safeguarding of humanitarian access, and continued monitoring of military flows at the borders with Sudan (mandates 4 – 5 above) while removing all other mandates and tasks (mandates 1 – 3 above) for the mission.6

7.3 Assessment of Activities

7.3.1 Security

Instead of national inclusive dialogue, the state of South Sudan would often reduce conflict by integrating rebel groups into army payroll. The rebels would remain within their units, but would be paid as part of SPLA membership in the national army. The budget for the army grew to unsustainable levels to manage the delicate peace agreements between the government and rebel forces. This caused problems when demobilizing as there was no true mediation and reconciliation and demobilizing removed the only incentive to cooperate with the SPLM government. DDR campaigns disarmed and demobilized, but failed to reintegrate ex-combatants with viable alternate economic options. SPLM membership is the only viable option for most combatants whom had been fighting for years. Tradeoff: Improved security vs. inflated defense budget.

Furthermore, DDR campaigns were conducted prior to reconciliation or establishing a base of human rights recognition. Anti-government communities were targeted first to weaken their rebellions and remove threats by removing their arms to counter government forces. Pro-government supporters would then raid their areas after their arms were removed, causing more conflict. In addition, the DDR campaigns led to human rights abuses by government forces as forces were not versed in human rights standards prior to conducting their demobilization activities. Tradeoff: Improved security and extension of state authority vs. decreased legitimacy.

With the assistance of UNMISS, a variety of short-term human rights trainings were initiated with the national army and police forces throughout the country. However, following the trainings, there was no proven causal link between the trainings and behavior changes among the army and police forces that received the trainings. Instead, the human rights violations at the hands of the army and the police forces continued against citizens within the country creating animosity against the army and the police force. Tradeoff: Increased external legitimacy vs. no effect on internal legitimacy, lack of cost-effectiveness.

7.3.2 Governance

Various legal reforms and constitutional reviews were conducted in South Sudan to strengthen the legal system in attempts to improve government procedures and expand access to justice and effective governance. However, these technical and formal processes were often prioritized over mediation and

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reconciliation and further strengthened the dominance of the SPLM in government. The reforms had no immediate or real impact to communities in South Sudan and the processes were often centralized at the national level. As the SPLM began with weak internal institutions itself, the reforms at the national level only attempted to formalize processes the SPLM were already conducting informally.

At the sub-national level, there were limited activities conducted in the justice sector although mediation and reconciliation across communities in South Sudan was greatly needed. Infighting and south-on-south conflict was extremely high in the 1990s, yet prioritization was on mediation with Sudan. A mediation process began during this time, led by African governments and southern Sudanese civil society members; however, the Comprehensive Peace Agreement in 2005 took priority and the mediation process was set aside following independence. The lack of redress and mediation in the South continued to fuel conflict and ongoing ethnic clashes continue to divide and destabilize South Sudan. Furthermore, as political leaders at the national level continue to draw power rom their respective ethnic bases, reconciliation and healing processes at the grassroots level must be prioritized. Tradeoff: Increase of external legitimacy vs. no effect on internal legitimacy.

7.3.3 Development

The SPLM itself was never a fully functioning political party prior to leading the government of South Sudan. Instead, they were a movement with limited formal decision-making processes with little interest in developing a social agenda for the areas under its control. In fact, most local service delivery pre-independence was managed by international organizations that conducted humanitarian relief operations during the war with Sudan. Following independence, the SPLM continued in this manner with the assistance of UNMISS and NGOs as the main service delivery entities throughout Sudan. By outsourcing local service delivery, the SPLM and the government of South Sudan missed opportunities to extend and legitimize state authority.

To increase state capacity, UNMISS mandates included a “co-location” element where they would operate within the same offices of their government counterparts. This co-location included the roll out of community bases in various counties that would provide a space for peace building and development programming in areas outside of the capital, both for UNMISS and the government. The community bases were an attempt to boost development projects and provide the government with channels for local service delivery. The community bases were built under the management of UNMISS using an extensive amount of resources to build infrastructure of the bases and the roads leading to the bases, which were in remote locations. Tradeoffs: Increased external legitimacy, extension of state capacity vs. decreased internal legitimacy, lack of cost-effectiveness, increased tensions between international and national elements.

Following the construction of the community bases, funding for the develop projects to be initiated using the bases was reduced and the government rarely contributed to develop projects using these bases. The bases were considered by the government of South Sudan to be more of an UNMISS project than a state capacity building project. During the building of the community bases, President Kiir likened UNMISS to a parallel government because the UNMISS presence was felt strongly in areas with limited state authority or presence. Due to this, the community bases then began relying on the support of local NGOs, where funding and capacity to implement projects varied across regions, rather than the government. Tradeoffs: Increased external legitimacy, extension of state capacity,
increased development and civil society activity vs. decreased internal legitimacy, lack of cost-effectiveness.

7.4 Lessons Learned

Prioritization of Activities. In the absence of mediation and reconciliation, activities aimed at extending state authority contribute to the ethnic and political divide that exists as they support the extension of party authority over state institutions. The Comprehensive Peace Agreement of 2005 failed to set up a system of democratization and state building in South Sudan, leading to state building activities without a legitimate party operating in the state authority as a basis for the activities. State building activities must first and foremost prioritize grassroots interventions focused on mediation and reconciliation to build a basis for state institutions.

Clarification of Internal and External Legitimacy. Many activities aimed at extending state authority and legitimacy in South Sudan served the purposes of extending external legitimacy without contributing to the internal legitimacy of the state in the country. For example, legal reforms were conducted at the national level that formalized many government processes and created regulations in efforts that they would translate to meaningful extension of the state at the community level. However, the legal reforms instead increased external legitimacy as the state had increased formal institutions and mechanisms for conducting its activities in line with other states around the world. However, the reforms had no impact on the majority of its population throughout the state because the general population lacked access to these new mechanisms and procedures.

Surrogacy of State Activities. Activities aimed at extending state authority in South Sudan often had the reverse impacts of decreasing state authority while extending the authority of other elements operating in South Sudan. Such activities led to surrogacy of state activities, as non-state actors (to include civil society and the international community) take over certain functions of the state. This was seen in the case of the community bases that were created in South Sudan because local service delivery was extended through an increase in activities by local and international NGOs. Rather than using the community bases to increase the capacity of the state to conduct local service delivery activities, which could have extended the legitimacy of the state in doing so.