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Re-establishment of credible governance and public administration institutions and systems after conflict

Note by the Secretariat

The Secretariat has the honour to transmit to the Committee of Experts on Public Administration the paper prepared by Committee member Paul Jackson.

Re-establishment of credible governance and public administration institutions and systems after conflict

Summary

The establishment of a viable public administration is a key part of State-building in the aftermath of conflict and of supporting long-term peacebuilding. At its seventeenth session, the Committee of Experts on Public Administration considered the question of stakeholder engagement in post-conflict countries. It concluded, inter alia, that re-establishing legitimacy and trust were challenges faced by post-conflict societies, where certain groups might have been systematically excluded and military, police and other institutions might be associated with repressive or corrupt practices. At its eighteenth session, the Committee expanded its consideration of the institutional aspects of Sustainable Development Goal 16, with a discussion of the underlying issues in relation to promoting security and access to justice for all and ways to support the institution-building aims of Goal 16 in those areas.

In the present paper, the previous thinking is taken forward by linking State-building with peacebuilding. It is argued that, despite their differences, both require the rebuilding of trust in public institutions, which, in turn, warrants inclusionary post-conflict public administration reconstruction. There are several critical areas that governance, peace and development practitioners could consider in post-conflict public administration reconstruction.

One such area is the role of local government. Unlike decentralization, the role of local governance in post-conflict public administration reconstruction has been scantly examined. One reason for this is the multiplicity of issue areas, which range from urbanization, unemployment and crime to demobilization, conflict-sensitivity and ethnicity. Local governments have served as channels for intercommunal peacebuilding and for economic revival. Coordinated and well-planned efforts to boost the capacity of local governments is thus necessary in post-conflict contexts.

Another critical area in post-conflict public administration reconstruction is the adoption and maintenance of a balanced approach to State- and peacebuilding. Short-term security needs, focusing on the immediate stabilization and top-down rebuilding of the central State, are certainly important. Equally critical, however, are longer-term considerations such as conflict prevention, community inclusion, multitrack diplomacy and local capacity development. In this regard, it is important that the elite political settlements are inclusive, and that non-State actors and local elites are engaged from early on so that legitimacy can become the central plank of State-building.

The role of external actors is contested in post-conflict reconstruction of public administration. Their effectiveness as external advisers can be limited if the State itself lacks autonomy, capacity and legitimacy. Moreover, external actors, including those from among the diaspora, are often brought in on international salaries, which may cause tensions between them and career civil servants.

The sequencing of public administration reform is also paramount. Prioritization of needs and strategic planning processes about the appropriate timing and scope of security, legal and transitional justice reforms are needed. The inclusion of local actors, mechanisms and practices in planning is key. Other types of reform involving accountability and anti-corruption measures are also vital, given that corruption has been known to undermine development efforts in post-conflict settings in the absence of effective oversight.

Public institutions play an important role in promoting integrated approaches to achieve long-term development goals in the face of the multiple immediate challenges faced by post-conflict countries. The principles of effective governance for sustainable development, endorsed by the Economic and Social Council in its resolution 2018/12, could serve as an important guide for public institutions in post-conflict settings in efforts to balance short-term needs for security with longer-term objectives of sustainable development.

I. Re-establishing public institutions after conflict

1.   In the 2030 Agenda for Sustainable Development, particularly Sustainable Development Goal 5, on achieving gender equality and women's empowerment, Goal 10, on reducing inequality within and among countries, and Goal 16, on promoting peaceful societies, providing access to justice for all and building strong institutions, it is recognized that building and sustaining peace is vital to achieving sustainable development. There is a large and growing gap in levels of development between countries that have experienced conflict and those that have not. Conflicts reduce gross domestic product by an average of 2 per cent per year and affected populations are less likely to be educated, have access to basic services and enjoy sustainable livelihoods. The 10 countries with the highest rates of maternal mortality are all conflict-affected or in post-conflict situations, while gender-based exclusion and violence are a persistent residual effect of conflict.[1]

2.   It is further emphasized in the 2030 Agenda that strengthening institutions is critical to securing long-term peace and inclusive development in line with the Sustainable Development Goals. Public administration and public institutions play a central role in developing integrated approaches to the achievement of long-term goals in the face of the multiple challenges that countries emerging from conflict must address, not least in balancing the short-term needs of security with bold and transformative ambitions in relation to the economic, social and environmental dimensions of sustainable development.

3.   The pressures of short-term needs, in the form of survival functions of the State such as security, rule of law, fiscal competence and basic administration, compete with functions that are expected to serve the State in the longer term, such as economic planning and the delivery of public services across all areas of government administration. This can lead to decisions being taken in an immediate post-conflict context that have unintended and not necessarily desirable consequences in the long term.

4.   Government, public administration and governance of public institutions are more complex in conflict-affected countries than in countries that have not known conflict for a long time. Achieving the targets of the Sustainable Development Goals, for example, is more difficult because these issues tend to be exacerbated by conflict: in conflict-affected countries, politics is more divided, corruption tends to be more prevalent, health problems may be more acute and resources are scarcer.

5.   At its sixteenth session, the Committee of Experts on Public Administration recognized the important role of local government in resolving conflicts, bringing together work on the relationship between local government, decentralization and the post-conflict environment (see E/2017/44, chap. III, sect. C). While decentralization is frequently included in peace agreements, the role of local government is far less frequently discussed by those involved in the post-conflict reconstruction of governance. Local government and post-conflict reconstruction sit at the intersection of several interrelated research areas, notably conflict prevention and mitigation, peacebuilding, governance and the political economy.

6.   At the same time, the relationships are far from simple and there have been significant developments in specific subfields, particularly urban conflict and municipal governance, the incorporation of traditional authorities, and hybrid systems and ideas around the "post-liberal peace", in which agencies and customs are

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[1] Valentina Resta and others, "Realizing the SDGs in post-conflict situations: challenges for the state", in *Working Together: Integration, Institutions and the Sustainable Development Goals – World Public Sector Report 2018* (United Nations publication, Sales No. E.18.II.H.1).

acknowledged and given space, as opposed to liberal institutions being imposed. The intersecting concerns of demobilization, communities and service delivery, for example, or ethnicity, conflict-sensitivity and political participation, make it even more surprising that more work is not done in the area of local government in post-conflict contexts.

7.   What is clear is that local government is directly affected by, and can directly affect, interventions that commonly take place in post-conflict environments. The construction of a road, for example, or repairs to infrastructure, create foundations for later governance interventions and build capacity within local government.

8.   In most cases, conflict causes severe physical damage to infrastructure and to governance systems. In Sierra Leone, virtually all local government offices and several central government buildings were destroyed during the war, as were most government records. Many civil servants became victims of the conflict or fled. In such a situation, public administration must be completely rebuilt.[2]

9.   Public administration may itself foster exclusionary policies that contribute to the root causes of violent conflict. Care needs to be taken to avoid re-establishing policies and institutions that risk contributing to a perpetuation of conditions that lead to the renewal of violent conflict.

II. Public administration, State-building and peacebuilding

10.   The importance of effective public administration in post-conflict environments cannot be overestimated. Weak States drive conflicts through a mixture of alienation, perceived unfairness, corruption, a failure to deliver services, exclusion and, frequently, prejudice. States may also be a direct source of conflict through predatory behaviour, control or appropriation of natural resources for illicit gain or the use of State institutions such as nationalized industries to turn public goods into private benefits.

11.   A fully functioning public administration is necessary for the coordination of competing priorities and the development of a long-term vision beyond the immediate stabilization of the country and improvement of the effectiveness of institutions. Building a long-term vision, however, is a political process that can impinge on existing power structures. Considerable power often rests with those who control State institutions and the reconstruction of existing structures may renew the original drivers of conflict and reduce trust in public institutions. Coalition-building and inclusion are therefore critical to building institutions ready to pursue long-term strategies to achieve the Sustainable Development Goals.

12.   Without political development, State-building may essentially amount to implanting models of State-building from developed country experiences to conflict-affected developing countries. This approach risks building empty institutions that exist on paper but not in reality. The security sector is a key example of one in which the maintenance of institutions can be expensive and vulnerable to retrenchment once international support is withdrawn.

13.   While peacebuilding and State-building are often linked, reconstruction processes and the role of a multitude of actors at different stages of development are often contested. Specifically, the sequencing and prioritization of reforms are recognized as important, but there is no accepted order. In addition, development

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[2] For more on institutional capacity and public management in Sierra Leone, see the Chairperson's summary of the discussion at the Peacebuilding Commission ambassadorial-level meeting on Sierra Leone held on 22 January 2019.

trajectories are complex and non-linear, and the post-conflict environment adds to these complexities. Conflicts are different, and so are post-conflict environments. As a result, post-conflict reconstruction is heavily contextual, which is one reason why there is no "one-size-fits-all" solution.

14.   External actors from the international community may further complicate efforts. Such actors rarely speak with one voice, may have contrasting aims and objectives, and may adopt different approaches to institutional development and support. When a State lacks legitimacy and support, there is a limit to the effectiveness of external advisers. Most donors lack the financial resources or the political will to implement State-building fully, and any donor is usually one among many. This has led to some observers arguing that donors should limit their interventions, even though there may be constant pressure on them to "do something".

15.   An oft-cited example of the effect of "not doing something" is the case of the self-administering area of "Somaliland", where a lack of external assistance appears to have been beneficial to the emergence of a political settlement. Isolation and limited financial assistance from the international community led to a situation in which reforms were financed domestically and by the diaspora. As a consequence, reforms did not follow international templates, had greater local legitimacy and were found to be sustainable. Local elites had to collaborate in developing, and had the time to develop, local solutions that have led to long-term stability.

16.   A fundamental distinction can be made between bottom-up peacebuilding approaches and top-down institutional approaches to State-building. Peacebuilding approaches focus on conflict prevention, multi-track diplomacy, civil society and community involvement and the creation of local capacities for dialogue. An issue that has been downplayed in these approaches, however, is the need for functioning governance institutions in the transition from conflict to peace.

17.   State-building approaches, by contrast, have focused on the institutions of the central State and on stabilization and security. These approaches have been criticized for being too State-centric and ignoring inclusivity, community and, frequently, areas and population groups outside urban centres, particularly the capital city.

18.   At the same time, there appears to be convergence between the two approaches, with it being recognized in State-building that transformation requires a far more responsive approach to local community needs and a more representative approach to public administration in order to contribute to a society in which no one is left behind and one that, in turn, will contribute to peacebuilding. Meanwhile, it is recognized in peacebuilding that governance and Government are both critical in maintaining peaceful societies in the long term. In both approaches, it is also recognized that changes in their own activities directly affect the relationships between State and society.

19.   Despite a trend towards a convergence, tensions between peacebuilding and State-building remain. For example, where State-building reproduces the kinds of inequalities and issues that contributed to the conflict in the first place, a further cycle of conflict may result. Peacebuilding efforts can also create tensions that undermine State-building. For example, peace settlements can contribute to social divisions or fragmentation as a result of power-sharing arrangements. While there may be evident short-term gains in keeping the peace, long-term challenges can arise when social divisions are enshrined in a country's constitution. Lebanon is an interesting example

of fragile stability founded on the division of power among confessional communities on the basis of a 1932 census.[3]

III. Contested hierarchies of State functions

20.   All Governments face choices when prioritizing activities. In post-conflict situations, dilemmas can be acute as a result of the urgency of the conflict itself and the need to establish comprehensive systems with limited time, capacity and resources. Decisions about the sequencing of public administration reforms can therefore make up a critical part of a broader prioritization that is part of a strategic planning process.[4]

21.   While the terminology is open to interpretation, there is broad agreement that every State emerging from conflict must develop or reconstruct: (a) the capacity to secure the safety and well-being of the population; and (b) legitimacy, so that citizens accept the State's right to rule and exercise authority over the territory and population, including by ensuring a monopoly over the legitimate use of force and instituting and safeguarding the rule of law.

22.   Peacebuilding is the long-term, underlying process of developing State-society relations. Its relationship to State-building forms the underlying strategic approach to the prioritization of reforms. Therefore, early long-term planning to supplement immediate activities is critical in preventing unintended consequences of reforms instituted in haste, or in preventing long-term neglect of reform that can make it difficult to introduce further reforms later.

23.   The role and importance of non-State actors is an area that is typically underappreciated. In Afghanistan, external actors sought to disband the informal financial system of hawala, attempting to replace it with conventional banks. This led to a potential missed opportunity that a fully fledged hawala system could have brought in terms of increasing access to finance.[5] The early neglect of the justice sector in Sierra Leone is another example where later reform was found to be complicated by decisions made very early in the process about immediate peace, in particular reconstituting the justice role of the chiefs rather than reforming the local court system.[6]

24.   There is significant disagreement over the actual functions that need to be prioritized in post-conflict environments. Some literature splits these functions into two groups: survival functions, which include the political settlement, security, justice and basic administrative capacity; and expected functions, which are public services that the State should provide, in principle. Such public services may include economic management, health, education, water-related services, infrastructure, employment-

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[3]   There is significant literature on political governance in Lebanon. See, for example, Waleed Hazbun, "Assembling security in a 'weak state:' the contentious politics of plural governance in Lebanon since 2005", *Third World Quarterly*, vol. 37, No. 6 (2016); and John Nagle, "Between entrenchment, reform and transformation: ethnicity and Lebanon's consociational democracy", *Democratization*, vol. 23, No. 7 (2016).

[4]   See Siân Herbert, "Sequencing reforms in fragile states: topic guide" (Birmingham, United Kingdom of Great Britain and Northern Ireland, University of Birmingham, 2014).

[5]   Edwina A. Thompson, "The nexus of drug trafficking and Hawala in Afghanistan", in Doris Buddenberg and William A. Byrd, eds., *Afghanistan's Drug Industry: Structure, Functioning, Dynamics, and Implications for Counter-Narcotics Policy* (United Nations Office on Drugs and Crime and World Bank, 2006).

[6]   Peter Albrecht and Paul Jackson, *Securing Sierra Leone: 1997–2013 – Defence, Diplomacy and Development in Action*, Whitehall Papers, No. 82 (Abingdon, United Kingdom, Routledge, 2015).

related programmes, social protection, anti-corruption mechanisms, and voice and democratic accountability, among other things.

25.   These groups are contested, and there is little agreement about exactly where the boundary is between these sectors and focus areas, or even if there should be a boundary at all. In the New Deal of the Group of Seven Plus, five core areas of prioritization in post-conflict environments are proposed that have a direct implication on public administration: (a) legitimate politics; (b) security; (c) justice; (d) economic foundations; and (e) revenues and services.

26.   The hierarchy of functions is also reflected in the neglect of local government within post-conflict environments.[7] Local government has been poorly prepared and resourced in many States experiencing conflict, at least partly because many local administrations tend to have been highly centralized or authoritarian.

27.   Evidence from Lebanon and Uganda illustrates the experience of municipalities responding to war needs in terms of recovery of services, local planning and decision-making, and community reconciliation and peacebuilding.[8] International actors commonly assume that local government is incapable of delivering services and therefore avoid local government structures entirely and rely on non-governmental organizations to deliver services. Decisions over peace agreements are frequently centralized and exclude local government officials, yet it is these local officials who are expected to bear the burden of small arms control, the reintegration of former combatants and associated social issues.

28.   There are several ways that local government structures have served as channels for post-conflict relief and development assistance, including rubble removal, rehabilitation of key municipal infrastructure, assessment of post-war damage and restoration of livelihoods. Local governments have also served as channels to revive economic activity and encourage intercommunal peacebuilding. They are particularly significant in processes that directly affect local communities, including the resettlement of former combatants and displaced civilians and the management of land. The associated movements of people tend to result in depopulation in some municipalities and rapid urbanization in others, particularly in capital cities. This may exacerbate crime, unemployment and illegal building and may put pressure on local services, including water and planning.

29.   Lack of capacity may also be exacerbated by the deliberate targeting of local government officials during some conflicts. The fighting in Nepal was partly characterized by the regular kidnapping of local government officials to degrade local government, something mirrored in the widespread targeting of government figures in wars in Uganda and West Africa. Staff shortages may be worsened by an unwillingness of staff to relocate from capital cities to those regions in need, particularly if reconstruction is accompanied by severe financial crisis.[9]

30.   In coordinated and well-planned efforts to boost the capacity of local government to resolve these issues, it must be recognized that it is the local government that is best placed to do this. A local conflict-resolution plan would not only act as a means of including those groups who feel excluded but would also be able to take local conflicts over land into account, unlike a national plan or system for the same purpose. Conflicts are frequently driven by local issues within post-conflict environments that can eventually accumulate into widespread violence.

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[7] See, for example, Paul Jackson and Gareth Wall, eds., *Post-Conflict Reconstruction and Local Government* (Abingdon, United Kingdom, Routledge, 2019).

[8] Ibid.

[9] Paul Jackson, "Local government and decentralization in post-conflict contexts, *Third World Thematics: A TWQ Journal*, vol. 1, No. 6 (2016).

IV. Legitimate politics

31. The nature of the post-conflict political settlement is critical to the success or otherwise of peacebuilding and State-building efforts and to the development of public administration. Exclusive political settlements may be positive for short-term post-conflict gains because settlement is finally reached, but longer-term sustainable development requires a more inclusive approach, as excluded groups tend to harbour resentment.

32. The objective of being inclusive implies the need for constant transitions within the political settlement process, rather than a one-time pact. Elite political settlements could gradually become more inclusive, although working with elite political settlements provides the external community with an intervention dilemma, since the elites may not be aligned to the values of development actors. In much of sub-Saharan Africa, a key question is whether the new ruling political party or parties can overcome legacies of social fragmentation and establish " inclusive elite bargains" that may incorporate some elements of social representation.[10]

33. Legitimacy is perceived to be a critical element of peacebuilding and State-building as it is seen to contribute to reducing violent conflict by reducing grievances and decreasing the willingness of individuals and groups to violently challenge public authorities. There is also an assumption that legitimacy improves State service provision through strengthening the bargain between the State and citizens, thereby improving the performance of the State and the fairness of service provision.

34. Despite sound theoretical and empirical grounds for seeking to strengthen the legitimacy of State institutions, there are several key challenges to making the building of legitimacy a central plank of State-building policy:

(a) Legitimacy is a social concept that is permanently contested and not subject to measurable, agreed benchmarks. Different groups within society will have different judgments about legitimacy and in a deeply divided post-conflict society, these may be mutually exclusive;

(b) There is a significant causal problem relating to legitimacy as a cause or consequence of a harmonious society. Many historical processes would suggest that legitimacy is built on the back of security and stability rather than the other way around. This endogenous relationship between legitimacy and security has implications for the broader prioritization of development and governance objectives;

(c) The State-citizen contract is not a straightforward one. State actions are frequently mediated through networks, and individuals may not attribute positive features to the State at all. Improvements in service delivery may not necessarily or directly translate into improved legitimacy.

35. While legitimacy is subject to severe problems in implementation, it clearly remains important: effective public administration tends to be far more legitimate than ineffective or corrupt public administration. Effective governance and public administration are at the centre of State legitimacy.

V. Security and justice

36. Security, justice and the rule of law are critical areas, both in the basic functioning of the State and as prerequisites for longer-term activities such as basic economic and social development. Reconstructing security in post-conflict

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[10] Herbert, "Sequencing reforms in fragile states".

environments is frequently the most pressing issue, yet there is very little agreement about the fundamental core elements of rebuilding security and justice. Typical areas of intervention incorporate security sector reform, legal reform, legal aid, transitional justice and anti-corruption mechanisms. Within security sector reforms, activities may range from war fighting to training military, police and the judiciary, and reconstituting security governance mechanisms from the village level to the national security committee level.

37. The breadth of security and justice interventions makes them subject to difficulties related to focus and prioritization. Donor interventions have been criticized for being inadequately coordinated. In Sierra Leone, the United Kingdom of Great Britain and Northern Ireland was the dominant post-conflict actor in government reconstruction and expected other members of the international community to step in and fund expected functions.[11] However, this did not happen. As a result, there was an overemphasis on early security and State-building at the expense of longer-term community peacebuilding, service delivery and economic reform.

38. There is an inherent dilemma in post-conflict environments relating to the extent of the balance between the need for security with the need for access to justice and respect for human rights norms. In many situations, the State itself may be a source of conflict and violence, and supporting such a State may exacerbate the underlying factors that lead to conflict. International practice has evolved to take a holistic approach to security and justice to avoid an overemphasis on security without the accompanying justice reform.

39. An overemphasis on State justice systems may also result in overlooking informal or traditional systems that may provide some services, usually relating to land, security and justice, although they may be broader, and enjoy legitimacy. There is a critical role for public administration within this system in that not all traditional systems are perceived to be either fair or to meet international human rights standards, particularly when it comes to gender.

40. The arbitration and oversight role of public administration is critical in re-establishing legitimacy with the population. For example, in terms of security in post-conflict areas of Ethiopia, the establishment of State police forces that were sympathetic to local communities in the form of community policing overcame older rivalries between State security forces and traditional authorities but also greatly increased access to justice for those who had been excluded by traditional systems, such as young women.[12]

VI. Economic foundations

41. Economic development is frequently cited as one of the most difficult elements of post-conflict governance. However, while most donors recognize the central importance of providing economic activity, including employment, for people in such contexts, there is very little literature on the subject.

42. Economic opportunity rates very highly in terms of importance in surveys of populations in conflict-affected areas, implying that lack of economic opportunity

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[11] Ibid. See also Albrecht and Jackson, *Securing Sierra Leone*.

[12] Paul Jackson, Demelash Kassaye and Edward Shearon, "'I fought the law and the law won': evidence on policing communities in Dire Dawa, Ethiopia", *British Journal of Criminology*, vol. 59, No. 1 (January 2019).

could lead to further conflict and that lack of economic survival could exacerbate violence, alongside other contributory factors such as migration.

43. Economic reforms are highly political as they involve removing power and access to resources from some groups, whether criminal or part of the grey economy, or part of the State system, and handing it to others within a legitimate State. Such reforms can lead to conflict and "spoiler activity", meaning the use of violence by those parties and individuals who believe the emerging peace threatens their power in order to undermine attempts to achieve it.

44. Economic growth involves a series of risks, including a significant risk of reversion to conflict. This reduces investment in long-term industries such as manufacturing and tends to concentrate economic activity in trading and primary resource extraction. In addition, economic policy also tends to focus on formalizing economic activity through licensing, regulation and taxation rather than working with, for example, the significant informal enterprises that can grow on the margins of conflict.

45. The evidence shows that economic management is critical, although results may not be seen for some time. The State is needed for such a long-term vision and this requires a public administration workforce that understands and is willing to work with the private sector to develop a long-term strategy.

VII. Revenues and services

46. Managing State revenues and building capacity for effective and accountable service delivery are core areas of public administration. Public financial management is considered a core area of public administration and incorporates reforms and reconstitution of taxation, the treasury function, budgeting, accounting, financial accountability and reporting. Together, these reforms underpin the payment of the salaries of public sector employees, the redistribution of goods and services and the improvement of transparency of the State.

47. While the provision of some services can be contracted out, at least in the short term, these basic public financial management functions are far more difficult to contract outside the public administration and require the rapid development of the capacity of public servants.

48. Post-conflict reconstruction may provide an opportunity to enact reforms that may be more difficult in peacetime, but this is partly offset by the lack of capacity in public administration in what is already a difficult context. A central dilemma here is how to mobilize sufficient resources to enact reforms in a system starved of capacity, sometimes over a long period of time. In many post-conflict contexts, external advisers may be brought in as a short-term solution, or members of the diaspora may be employed as advisers. However, such external advisers are usually brought in on international salaries, which may cause a rift between them and career civil servants.

49. One of the critical functions of the State bureaucracy is the collection of taxation, which allows all other State activity to take place. Any aspiration for sustainability requires a State tax system that can mobilize revenues and spend them adequately. This is another example of the core dilemma of balancing short-term visible impacts and long-term change as part of the return to politics and legitimacy.

50. There is an unclear relationship between service delivery and State legitimacy, even though it is assumed that improving service delivery will improve the legitimacy of the provider. The evidence shows that service provision has a non-linear relationship with legitimacy that is influenced by expectations, subjective

assessments, ease of attribution and the characteristics of the service. Lack of access to services, or lack of access to workable services, can be a critical element in increasing alienation and conflict, particularly when it is perceived that it is for ethnic or regional reasons and, specifically, when urban areas such as the capital city receive adequate services but other areas do not. In addition, the establishment of quality services such as water, electricity and justice can have a positive effect on the way that the State is perceived, although it may not be quite that simple.

VIII. Conclusions and recommendations

51. In post-conflict environments, the establishment of a viable public administration is a key part of rebuilding governance and supporting long-term peacebuilding. The core element of public administration is a cadre of effective public servants who can provide public services. Capable public administrations at the national and local levels play a more important role than simply delivering services and allowing aid to be delivered in an effective manner. International interventions need effective local administrations to provide networks, local knowledge and support that continue long after the end of international involvement and form the backbone of longer-term peacebuilding and recovery.

52. Peacebuilding requires rebuilding trust in public institutions. This requires the public administration to be rebuilt in such a way as to overcome any previous record of political involvement in the conflict itself, and to evolve into a representative, inclusive service. The reconstruction of the public service is one of the key elements in how States interact with their populations. How the public service is structured, how it functions and who is able to work inside it become critical elements of State-building and peacebuilding. That is why the principles of effective governance for sustainable development are particularly important in post-conflict contexts.

53. Public administrations are frequently active participants in conflicts. Some may have contributed, but all are victims in some way. Typically, public servants are targeted during conflicts, and reconstructing damaged institutional structures and staff structures may be daunting. Nevertheless, this does provide an opportunity for the reconstruction of the public administration to be transformative. A public administration based on the principles of effective governance for sustainable development can provide a model for and leadership in inclusive decision-making, social cohesion and peacebuilding more broadly, as well as differentiating the public administration from that during the conflict. It should be noted, however, that not all contexts are the same and the level of mistrust of the public service will vary from one post-conflict environment to another.

54. Public administration, at its heart, is about people. Capacity is about how well public servants are able to carry out their roles. Training is a fundamental aspect of this, but it needs to be supplemented by additional capacity factors including hiring and firing, flexibility in work methods, the internal culture of the institution itself and a mixture of policymaking and technical and political skills. In post-conflict environments, there are likely to be significant challenges to hiring and retaining sufficiently motivated and capable staff beyond the usual issues of pay, conditions and capabilities. Such challenges include improving gender representation in services to facilitate access by women.

55. Reformed public administrations following the principles of effective governance for sustainable development should also be transparent and accountable organizations. One of the core underlying causes of conflict is the exclusion felt by particular groups within society and perceived unfairness, lack of transparency, lack of access to services and the benefits enjoyed by public officials, as well as

corruption. Conflict makes corruption easier as there is an absence of effective oversight; it is well known that corruption is common in post-conflict environments in which large external contracts are offered for reconstruction projects. This is therefore a critical time for all public administrations, their ethics and their professionalism, just at the time when the administrations are at their weakest.

56. Maintaining professional integrity takes more than regulations and laws: it is closely related to culture, and culture comes partly from effective leadership, and vice versa. Leadership comes partly from within the public administration and partly from political oversight mechanisms that must be seen – by the public and by the rest of the administration – to be able to deal effectively with those who transgress regulations and laws. In line with the principles of effective governance for sustainable development, values and culture are critical in maintaining authority, legitimacy and the capacity of the public administration.

57. The deliberations of the Committee of Experts on Public Administration on public governance for results in post-conflict situations need to account for results in both the short and long terms. The Committee could focus its work on this area and on providing guidance on the re-establishment of credible governance and public administration institutions and systems after conflict, specifically on how governance and public administration can make a positive contribution to peacebuilding. The annex to the present paper contains examples of specific instances where the principles of effective governance for sustainable development could be relevant.

Annex

Principles of effective governance for sustainable development and post-conflict situations

Principle	Rebuilding public administration	Example
Competence	Competence requirements are very wide-ranging in post-conflict situations. Civil servants are required to take political and technical decisions in difficult circumstances, with a wide variety of trade-offs between decisions. They are also required to work with international and regional agencies and local partners and provide a key link between the Government and the local context and populations. Hiring and retaining competent civil servants is difficult during and after conflicts.	Short-term competence shortage in service delivery may be tackled while a State develops core competency. In Mozambique, an international firm was contracted to manage customs operations and to train new national customs officers. The contract allowed for a gradual return of control back to the national Government in a staged way, with clear responsibilities and targets. Such a combined management and capacity-building programme allowed core competence to be developed while a service was delivered.
Sound policymaking	There are multiple trade-offs for development in post-conflict situations. A balance between the following must be taken into account: (a) using imported examples and developing local capacity; (b) spending on rebuilding functions and restoring immediate service delivery; (c) speed gained through centralized provision and slower participation using a decentralized model; (d) rebuilding previous services and creating new ones; (e) increasing legitimacy and democracy and establishing government authority; and (f) the authority of central and local government.	Long-term planning cannot be contracted out, and yet, the public administration needs to weigh short-term pressures against long-term aims through national development plans. Several countries in post-conflict situations (such as Chad, Colombia and Sierra Leone) have used the Sustainable Development Goals as a way of linking their own national development pillars to long-term targets underlying the Goals.[a] To enhance this, the United Nations has called for the coordination of external actors through multi-donor approaches that combine different sectors and different actors in one overarching plan.
Collaboration	Public administrators need to collaborate with each other, with external development agencies, with external security agencies and with the non-State sector. One of the most difficult areas, apart from aid coordination, is economic development in partnership with the private sector.	In South Sudan, political instability and lack of access to electricity, land and sources of finance are all regarded as critical constraints to private sector development.[b] With support from the World Bank, South Sudan established a public-private dialogue mechanism, the South Sudan Business Forum, with the aim of developing a strategic enabler for private sector economic development. The Forum brings together Government and the private sector and feeds directly into policy development, improving the design of reforms, developing a wider understanding of business, improving accountability and transparency and prioritizing and sequencing reforms. It also acts as an external monitor of the reform process itself.

Principle	Rebuilding public administration	Example
Integrity	Corruption can be a difficult and intractable problem in post-conflict environments. This may be linked to overall accountability, such as codes of conduct and remuneration and equitable pay scales for public servants, as well as control over who is able to access corrupt areas to maximize private gain.	Nepal institutionalized anti-corruption and transparency approaches in its post-conflict reconstruction efforts by establishing a commission for investigations into abuse of authority, with the power to investigate any public servant. Liberia has a comprehensive national anti-corruption strategy based around identifying causes and attitudes to corruption, measures to reduce opportunities, mapping the current state of corruption and breaking with corrupt practices. In the mid-1990s, customs officials in Georgia were limited to set time periods of duty on the border and rapid rotation to maximize access to corruption for a wide spread of officials to facilitate their loyalty.
Transparency	Information is at a premium in post-conflict environments and accurate evidence may not be available to allow decisions to be taken on the basis of good-quality data. In the restoration of Government following conflict, it may also have to be taken into account that the previous regimes may have lacked transparency in developing policy; there is also the underlying issue of the difficulty of measuring transparency. In post-conflict countries, procurement is a particularly high-risk area in terms of the transparency of the process and the potential for corruption.	Independent audit institutions working in collaboration with civil society can be powerful providers of information to enhance transparency. As well as ensuring fairness in, for example, procurement, audit institutions can publish audit reports on public institutions and act as intermediaries between Government and the population, providing data and analysis to both. A critical area relating to post-conflict reform is land registration. In post-conflict Cambodia, the Government provided an accessible means of registering land ownership that also included community participation and donor interest. It found, however, that while this was important from the point of view of transparency and legitimacy, it took a long time to reform the land registry. The Cambodian system concentrated on democratic ways of registering land rights, public awareness of rights and a transparent and accessible registry that everyone had the right to study and appeal against information contained in it if required. Additional assistance was provided for marginalized groups (persons with disabilities and persons unable to read) and the end result was an accurate and generally legitimate register of land rights.[c]
Independent oversight	In many post-conflict societies, oversight from outside Government is weak; civil society organizations either no longer exist or concentrate on immediate issues such as transitional justice. Independent oversight may be carried out by the international community, which may also become involved in creating public service commissions, for example.	A very real problem with the creation of independent oversight agencies is how to hire suitable, trusted staff to lead them. In Sierra Leone, this was a real problem with public sector commissions as many senior civil servants were not trusted. The United Kingdom of Great Britain and Northern Ireland worked with the Government to create oversight institutions led by people with integrity, many of whom, such as the National Security Coordinator, were distrusted by both main political parties.[d]

Principle	Rebuilding public administration	Example
Leaving no one behind	Post-conflict reconstruction is frequently focused on rebuilding institutions and structures; less attention is paid to people who may have been directly affected by the conflict. In such circumstances, as they perhaps wait for a transitional justice mechanism that could take years, this leaves out those who have lost out the most.	Successful programmes in this area include housing programmes in Rwanda and South Africa and, particularly, the cattle restocking programme in north-eastern Uganda, where the conflict had removed the main source of livelihood.[e] The restocking of livestock provided the economic means for a marginalized region to recover, without reliance on international aid, and kick-started the economy.
Non-discrimination	Discrimination is a frequently cited source of conflict, which makes inclusion a critical element of public administration, particularly if public administration is seen as a microcosm of the society it serves. Institutions should be inclusive and accessible and contain staff who are representative of their populations. In addition, public institutions should be seen as being non-discriminatory in their behaviour towards users. Promotion and performance management should be based on merit.	Inclusive institutions are a key means of building peace and sustainable development in the long term. Key institutions such as public administration, the military and police frequently have hidden prejudices built into their recruitment practices that require reform. Prejudices may be exacerbated in recruitment patterns in those institutions that mirror historical bias or, in the case of multi-ethnic countries such as Burundi, an ethnic bias that needs to be overcome.
Participation	Participation is important in environments where groups have not felt represented in public service. Non-State actors and civil society groups in particular can play an important role in overcoming underlying drivers of conflict, but also in promoting dialogue and even economic development and justice.	Women face specific issues when entering public administration in post-conflict environments. Despite the leading role played by many women in civil society as mediators, leaders and combatants, and at the local level in peacebuilding, post-conflict environments are frequently associated with the emergence of traditional gender roles. External interventions rarely have accurate gender data available to them, making it difficult to implement the call of the Security Council, in its resolution 1325 (2000), to adopt a gender perspective when negotiating and implementing peace agreements. In his 2010 report on women's participation in peacebuilding (A/65/354–S/2010/466), the Secretary-General proposed an action plan on women and peacebuilding, highlighting that the United Nations must facilitate gender-responsive peacebuilding by ensuring that the capacity of external agencies includes the expertise necessary to make operations accessible to women and girls and that women's participation as decision-makers in public administration is promoted. Training institutions and quotas are key here.

Principle	Rebuilding public administration	Example
Subsidiarity	Local government is frequently forgotten in discussions of post-conflict reconstruction; however, conflicts are frequently driven by local issues, such as access to land within post-conflict environments, that can eventually accumulate into more widespread violence. Local knowledge is invaluable in peacebuilding.	Post-conflict reconstruction in Timor-Leste highlights the importance of participatory reconstruction planning and local democratic structures.[f] Reconstruction was undertaken using a trust fund approach, primarily drawing on community groups, non-governmental organizations and private sector actors alongside local government to facilitate local reconstruction on the ground, including credit for the private sector (such as public-private financing) and community-managed irrigation for agriculture. However, it was noted that earlier attention should have been paid to capacity-building before the withdrawal of the international actors.[g]
Intergenerational equity	Exclusionary public administrations are not only frequently subject to unequal gender balances, but also tend to be dominated by staff from a particular age group, with only limited access for other qualified staff. Inclusion also involves addressing intergenerational inequality through creating opportunities and career development for younger staff members.	Young people are frequently "othered" in post-conflict reconstruction. Alternating between demonization and infantilization, they rarely have their own voice, even though the ranks of rebel movements are full of young people, and others play multifaceted roles. Youth should be conceptualized and studied as agents of positive peace in terms of more than the challenges of physical violence, incorporating structural and cultural violence and the social changes necessary for the transformation of violent, oppressive and hierarchical structures and public administration into participatory and inclusive institutions. The Security Council, in its resolution 2250 (2015), on youth, peace and security, recognized the positive contributions of youth to peace and established an overall framework to support their efforts. The report of the Inter-Agency Network on Youth Development entitled *Young People's Participation in Peacebuilding: a Practice Note* contains a number of policy and programme examples from different conflict-affected countries that would facilitate such participation.

[a] Valentina Resta, "Realizing the SDGs in post-conflict situations: challenges for the state", in *Working Together: Integration, Institutions and the Sustainable Development Goals – World Public Sector Report 2018* (United Nations publication, Sales No. E.18.II.H.1).

[b] Stephen Commins and others, *Pooled Funding to Support Service Delivery: Lessons of Experience from Fragile and Conflict-Affected States* (London, Department for International Development, United Kingdom, 2013).

[c] Mika-Petteri Törhönen and David Palmer, "Land administration in post conflict Cambodia", paper prepared for the Symposium on Land Administration in Post Conflict Areas, Geneva, April 2004.

[d] Peter Albrecht and Paul Jackson, *Securing Sierra Leone: 1997–2013 – Defence, Diplomacy and Development in Action*, Whitehall Papers, No. 82 (Routledge, 2015).

[e] For more on Uganda, see, Jamie Boex, Deborah Kimble and Juliana Pigey, "Decentralized local governments as a modality for post-conflict recovery and development: an emerging natural experiment in northern Uganda", IDG Working Paper, No. 2010-01 (Washington, D.C., Urban Institute Centre on Development and Governance, 2010).

[f] Paul Jackson, "Local government and decentralization in post-conflict contexts", *Third World Thematics: A TWQ Journal*, vol. 1, No. 6 (2016).

[g] Klaus Rohland and Sarah Cliffe, "The East Timor reconstruction programme: successes, problems and trade-offs", CPR Working Paper, No. 2 (Washington, D.C., World Bank, 2002).