Implementing Effective Justice and Security Sector Assistance in Conflict-Affected Areas

A Justice Sector Training, Research, and Coordination Symposium

U.S. Institute of Peace and the U.S. Department of State
Washington, D.C.
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Stabilization is a political endeavor involving an integrated civilian-military process to create conditions where locally-legitimate authorities and systems can peaceably manage conflict and prevent a resurgence of violence. Interventions within the justice and security sectors, especially within fragile or post-conflict states, are not neutral. Evidence from large-scale interventions like those in Iraq and Afghanistan, to smaller security sector reform efforts in places like Guatemala, demonstrate there can be many unintended consequences from assistance programming, resulting in a waste of resources and effort or worse, contributing to the potential for further conflict. This growing realization has led to the development of practices framed as conflict-sensitive approaches to assistance to better attune practitioners to the relationship between programming and conflict in a variety of areas, including in the justice and security sectors.

The recently completed interagency Stabilization Assistance Review (SAR) sets forward a framework for maximizing U.S. Government (USG) efforts to stabilize conflict-affected areas, moving away from large-scale reconstruction efforts in favor of more measured, politically-sensitive, and adaptable ways of reducing violent conflict. As part of the SAR implementation plan, a key area for development guidance is a thorough examination of how the United States seeks to tailor justice and security sector assistance in fragile and post-conflict environments.

Comprised of experts representing the U.S. government, civil society, and a variety of nongovernmental organizations, this closed-door, invitation-only symposium will seek to inform both pragmatic and substantive guidance for the benefit of the U.S. government in four critical areas of concern for justice and security sector development among fragile and post-conflict states: (1) providing basic security for civilians; (2) increasing local access to justice and dispute resolution; (3) fostering transitional justice to build confidence in the rule of law; and (4) establishing a legitimate state monopoly over the means of violence/enhancing security and the rule of law. Participants will engage in discussion groups and provide feedback based on their experiences.

To accomplish this task, on the first day, the symposium will include both plenary discussions to frame the discourse and working group sessions divided into the four areas of crucial concern identified above. The working groups will be divided to ensure that recommendations are targeted to the specific needs of the different areas of concern, but each will attempt to explore case studies and seek to draw on lessons learned. Invited participants will also address both fundamental programmatic considerations germane to conflict-affected situations and how to conduct justice and security sector assistance with a conflict-sensitive approach. On the second day, U.S. government representatives will discuss the recommendations and conclusions from the day before, synthesizing the information for the benefit of informing the U.S. government in its attempts to effectively craft strategic guidance for justice and security sector assistance in conflict-affected environments.

Day 1:

08:00   **Registration**

09:00   **Welcoming Remarks**

09:10   **Opening Remarks**

09:40   **Panel Discussion**

This panel will set the stage for the day's working group discussions by exploring past successes and challenges in justice and security sector assistance by the U.S. government in conflict-affected area. Panelists will provide concrete examples from previous or current conflict-affected areas and tease out recommendations for how to engage in justice and security sector assistance.

11:00   **Explanation of Working Group Format**

11:15   **Coffee Break and Convene Working Groups**

11:30   **Working Group Session I**
The thematic Working Groups, which will include all symposium participants divided into the four groups, will convene to generate specific recommendations for guidance for U.S. government efforts in justice and security sector assistance. Each group will include experts and professionals in these areas, and participants will be encouraged to discuss both lessons learned and recommended best practices.

> **Working Group A: Providing Basic Security for Civilians**
> The absence of security in conflict zones endangers the very ability of peace to take root and can terrorize the local population. This working group will examine the necessary requirements and approaches to providing basic security for civilians, including the role of military and civilian security forces and armed non-state actors as well as appropriate levels, sequencing, and types of assistance in that context. Discussion will also center on when and how best to transition from the provision of basic security to a civilian-led security force, appropriate roles and responsibilities among various security actors, and how to build trust and accountability.

B: Increasing Local Access to Justice and Dispute Resolution

This working group will examine ways to improve the ability of people to seek and obtain a remedy through formal or informal institutions of justice for grievances. Topics to be addressed include how to effectively provide normative legal protection, legal awareness, legal aid and counsel, adjudication, enforcement, and civil society oversight.

Working Group C: Fostering Transitional Justice to Build Confidence in the Rule of Law

This working group will examine the importance of putting into place a system to seek redress for serious crimes committed during conflict. In addition to the traditional transitional justice mechanisms, the group will explore ways to address serious but non-violent crimes committed such as high-level corruption and address immediate steps that can be taken to reclaim stolen assets, protect evidence, and prevent further pilfering of national assets.

Working Group D: Establishing a Legitimate State Monopoly over Security and the Rule of Law

This working group will examine the role that the reform of the security and justice institutions can play in conflict-affected countries as well as priorities and requirements in developing functioning and legitimate security and justice institutions. Topics include how to target donor assistance to promote legitimacy and prevent spoilers in the process, promote security governance, and identify actual day-to-day service delivery occurs while fostering greater performance accountability.

13:00   **Lunch**

14:00   **Working Group Session II**
Participants will rotate to their second assigned working group and work through the same analysis and discussion questions.

15:30   **Coffee Break**

15:45   **Closing Plenary**
Participants will come together for an opportunity to highlight important, overarching considerations and challenges identified by working group discussions.

16:45   **Day 1 Wrap-Up**

Day 2 – USG Only

This day will offer an opportunity for members of the U.S. government to evaluate the findings of the Working Groups as well as delve into additional gaps and examine pragmatic considerations for programming such as effective coordination, allocation of resources and monitoring and evaluation. Each theme will be considered in turn.

08:30	**Registration**
09:00	**Opening Remarks for Day II**
09:30	**USG-Only Coordination Session** Theme One: Providing Basic Security for Civilians
10:30	**Coffee Break**
10:45	**USG-Only Coordination Session** Theme Two: Increasing Local Access to Justice and Dispute Resolution
12:00	**Lunch**
13:30	**USG-Only Coordination Session** Theme Three: Fostering Transitional Justice to Build Confidence in the Rule of Law
14:30	**USG-Only Coordination Session** Theme Four: Establishing a Legitimate State Monopoly over Security and the Rule of Law
15:30	**Wrap-Up and Next Steps**