

2014

**THE IDEAL SECURITY SECTOR REFORM APPROACH:
HOW DOES SOUTH SUDAN COMPARE?**

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23 July, 2014

Abstract

Security Sector Reform (SSR) is a young, growing field. Many different SSR approaches exist due to the large number of actors active in this field. However, these approaches have not been synthesized in any extensive manner. The first aim of this paper is to synthesize the available information about SSR approaches provided by the academics, practitioners, governments, organizations and past SSR experiences. Based on this information, a new ideal approach is proposed.

Next, the paper sets the context for the South Sudan's case study by providing an overview of the security situation and describing the post-independence SSR initiatives that have been undertaken. The focus is on the major SSR initiatives in the police, defence, justice, and penal sectors undertaken by the main actors - the UN, the US, and the UK.

Lastly, the proposed ideal approach is compared to the SSR approach in South Sudan. The deviations from the proposed approach, as well as other successes and failures, are discussed and analyzed. The major findings of the paper are:

- The literature review demonstrates that there is a certain SSR approach that is respected across the board, although it is never explicitly identified in one place.
- South Sudan's SSR approach is overly focused on the reform of police and defence sectors, whereas the reform of justice and penal sectors is neglected.
- The biggest SSR issue in South Sudan is the reduction of oversized security force. However, although this issue is recognized by the Government, it has also been undermined by the Government's actions.
- The reform is undertaken in several main sectors. However, there are not many inter-linkages between the projects in different sectors.
- Continuous monitoring and evaluation mechanisms for SSR in South Sudan are not present.

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Introduction

Since the end of Cold War, the international community became more actively involved in the amelioration of the post-conflict environments. In particular, the UN and other actors have been actively involved in the improvement of dysfunctional security sectors that often torment post-conflict countries. However, Security Sector Reform (SSR) is a relatively new venture for the international community. It is a complex endeavour on its own and is further complicated by the political realities of the post-conflict country in question. Currently, the limited - and often unsuccessful - experience of the international community with SSR has left many unanswered questions as to what is the best practice when it comes to SSR.

For instance, currently, the international community has not reached a consensus on the ideal approach to SSR.¹ The United Nations, regional organizations, governments, academics and practitioners have made different propositions; yet, the propositions have not been synthesized in any extensive manner. Thus from an academic point of view, further research and field studies are required in order to hone into an ideal approach. At the same time, the field is lacking any extensive efforts at a literature review about the ideal approach to SSR topic. Academics need to make more efforts to combine and analyze the available information in order to create a product that will serve as a useful point of reference for the practitioners and other academics.

This paper will propose an ideal approach to SSR based on the synthesis of information gathered from several sources, and then compare this approach to the South Sudan's approach to SSR. SSR efforts in South Sudan are worthy of examination because they aim to build the security sector from the ground up, after much of it was has been destroyed during 21 years of

¹ Mark Sedra, "Security Sector Reform 101: Understanding the Concept, Charting Trends and Identifying Challenges," CIGI (2010): 20.

conflict. The major efforts began in 2005 when the United Mission in Sudan (UNMIS) was established to support the implementation of the Comprehensive Peace Agreement (CPA) that was signed to end years of conflict between the Government of South Sudan and the Sudan People's Liberation Movement group.² Some of the CPA provisions related specifically to SSR and touched upon the judiciary reform, the development of legislative powers over the security sector, the process for the integration of rebels into the security services, and the creation of a policing plan to complement the ceasefire.³ After a referendum, South Sudan gained independence from Sudan on 9 July 2011, at which point the legal obligations of the CPA have expired.

This paper will focus on the post-independence SSR in South Sudan for three reasons. Firstly, it is beyond the scope of this paper to address all of the SSR efforts since the CPA. Secondly, the SSR efforts prior to independence were minimal as UNMIS was under-resourced and distracted by politics and conflict management of South Sudan's internal conflicts.⁴ Thirdly, the paper aims to evaluate the SSR efforts of South Sudan as an independent country because as such it had more capacity to reform its security sector in its own vision.

In the Section I, I will provide a description of the SSR concept, which will be used for the remainder of the paper. For the purpose of this paper, the provided definition will be more all-encompassing than the definitions used in other places. Then, I will discuss the SSR experiences in Sierra Leone, Burundi, Mozambique and Timor Leste. Next, I will examine the insights into an ideal approach provided by the academics and practitioners, and by the governments and organizations. I will synthesize these insights to produce an "ideal" approach to

² William Durch, "UN Police, Justice and Corrections Programming in South Sudan: A Compact Case Study," Stimson Center (2012): 1

³ Durch 2.

⁴ Nahuel Arenas-García, "The UNMIS in South. Sudan: Challenges and Dilemmas," Iecah (2010): 15.

SSR. In Section II, I will examine the security situation and the SSR activities in South Sudan. In the last section, I will compare the proposed ideal approach to how SSR unfolded in South Sudan by point out any deviations and explore other SSR related issues that prevent South Sudan from achieving a professional security sector. The purpose of this paper is to shed light on the issues in South Sudan's SSR approach that prevent the establishment of a professional security sector.

Section I

SSR Definition

This paper will adhere to a broad definition of SSR. According to the OECD's Development Assistance Committee (OECD-DAC), the security sector includes core security actors (armed forces, police, paramilitaries, intelligence and security services, etc.), executive and legislative authorities with security management and oversight responsibilities, justice and law enforcement institutions, and non-statutory security forces.⁵ The overall objective of the reform is to ensure that the security sector performs within the internationally accepted norms. More specifically, SSR aims ensure that the security sector is able to deliver security by preventing political violence and providing physical security via proper functioning of the criminal justice system and the state security system.⁶ Furthermore, it aims to ensure that certain norms are respected by the security sector, such as good governance, human rights and the rule of law. Lastly, SSR aims to establish accountability via democratic civilian oversight over all of the security institutions.⁷ All of these reforms need to be sustainable and locally owned, because

⁵ OECD, "Security System Reform and Governance Guidelines," DAC Guidelines and Reference Series (Paris: Organisation for Economic Co-operation and Development, 2005): 21

⁶ Micheal Brzoska, "Introduction Criteria for Evaluating Post-Conflict Reconstruction and Security Reform in Peace Support Operations," *International Peacekeeping* 13.1 (March 2006): 2-3.

⁷ Brzoska 2-3.

without these characteristics SSR will stall shortly after the termination of foreign assistance and/or foreign leadership.⁸

In order to reach all of the objectives, a range of activities is performed in SSR that can be organized into five broad categories: overarching activities (evaluations, strategies, policy development); reform activities related to security and justice providing institutions; activities related to civilian management and democratic oversight; and activities related to SSR in post-conflict environments (Disarmament, demobilisation and reintegration (DDR)), small arms and light weapons (SALW) control, mine action and transitional justice).⁹ All of these activities make SSR a very broad and complex endeavour, which is further complicated by the political realities of the donors and the country in question.

This paper will focus on the following dimensions of SSR: SALW awareness and control, DDR, and the reform of defence, police, justice, and penal sectors. In order to highlight the difficulty of SSR in a post-conflict situation, it is worth briefly mentioning the ideal environment for the SSR activities: all of the relevant actors should agree on the reform priorities and the reform process should be nationally owned; stakeholders should be committed for the long term; parties in conflict should be willing to disarm and compete peacefully; security institutions should be willing to adopt the reforms; civil society should be actively involved; and the executive and parliament should exercise their oversight responsibilities.¹⁰ Thus it is important to keep in mind that the actual post-conflict environment is usually not conducive to the SSR activities and that the SSR practitioners have to work with the reality of the situation.

⁸ OECD, "Training Module on Security System Reform and Governance," DAC Guidelines and Reference Series, (Paris: Organisation for Economic Co-operation and Development, 2008): 6.

⁹ Heiner Hänggi and Vincenza Scherrer, "Recent Experience of UN Integrated Missions in Security Sector Reform," *Security Sector Reform and UN Intergraded Missions: Experience from Burundi, the Democratic Republic of Congo, Haiti, and Kosovo*, eds., Heiner Hänggi and Vincenza Scherrer, DCAF (Münster: LIT, 2008): 15.

¹⁰ Albrecht Schnabel, "Ideal Requirements versus Real Environments in Security Sector Reform," *Security Sector Reform in Challenging Environments*, eds., Albrecht Schnabel and Hans Born, DCAF (LIT, 2009): 13.

Lastly, one important trend should be highlighted: the SSR actors tend to focus on the reform of defence and police sectors. The reform of defence sector is often most successful due to “the universal quality of norms regarding civil-military relations”.¹¹ The police reform record tends to be a bit more uneven, while the justice sector reform tends to be overly focused on formal state capacity – largely ignoring the non-state justice system.¹²

Insights from other SSR Experiences

This section will discuss the lessons learned from the SSR experiences in different countries.

Sierra Leone

SSR in Sierra Leone is often cited as a successful endeavour, especially in the context of post-conflict interventions. However, this success was not easy to achieve. When the civil war ended in 2002, the security environment was quite grim: “unstable borders, the lack of an overall security infrastructure and discredited security institutions”.¹³ Furthermore, Sierra Leone lacked the capacity to oversee the armed forces, coordinate responses to security threats or gather and analyze intelligence.¹⁴

The UK was a SSR leader in Sierra Leone and its involvement can be categorized into two stages. From 1997 to 2002, the conflict was still active as any ceasefires quickly reverted back to conflict. During this time, SSR mainly consisted of emergency programs that were shaped as solutions to ongoing flare ups of crises.¹⁵ However, at this time, the UK did also focus

¹¹ Oya Dursun-Ozkanca and Antoine Vandemoortele, "The European Union and Security Sector Reform: Current Practices and Challenges of Implementation," *European Security* 21.2 (2012): 144.

¹² Dursun-Ozkanca and Vandemoortele 144.

¹³ Paul Jackson, “SSR and Post-Conflict Reconstruction: The Armed Wing of State Building,” *The Future of Security Sector Reform*, eds., Mark Sedra, CIGI (2010): 125.

¹⁴ Jackson 125.

¹⁵ Jackson 126.

on establishing a functional police force.¹⁶ It developed conceptual foundation for the police reform, focused on improving the image of the police force, and undertaken a range of activities to build the capacity and skills of the police force.¹⁷ Furthermore, during this time, the UK created a conceptual overview of the police sector and began consulting actively and widely with the police reform stakeholders and high-level political officials.¹⁸

Within the first few months of their arrival, they sought and secured presidential approval with the publication of a government policing charter.¹⁹ The charter was a major achievement as it described “government’s expectations of the police, its role in developing the institution and affirmed the importance of equal opportunities and human rights, and the rights of the public to have an input into policing.”²⁰ In addition, a police mission statement was developed in order to show a new vision for the future.²¹ More tangibly, the UK focused on providing medicines to the force and equipping it, as well as repairing the police training school.²²

After a major setback created by an attack on police forces in January 1999, the UK had to restart much of its efforts from scratch. They began with launching the *Local Needs Policing* (LNP) project, with a “major operational precept – that decisions on police work should devolve to local stations” in contrast to previous highly centralized policing.²³ The UK also focused on improving basic skills, internal accountability, and the relationship between media, community and police.²⁴

¹⁶ Jackson 126.

¹⁷ Adrian Horn, Funmi Olonisakin, and Gordon Peake, “United Kingdom-led Security Sector Reform in Sierra Leone,” *Civil Wars* 8.2 (2006): 112.

¹⁸ Horn 113.

¹⁹ Horn 113-114.

²⁰ Horn 114.

²¹ Horn 114.

²² Horn 115.

²³ Horn 116.

²⁴ Horn 116.

In the summer of 1999, the UK launched the *Sierra Leone Security Sector Reform Programme* (SILSEP) that aimed to bring the armed forces under democratic control via dual civil/military command model.²⁵ Under the programme, the UK was first focused on training the defence forces to repel the Revolutionary United Front (RUF) rebel group. Then, it refocused on the implementation of legal and structural reforms and the creation of oversight institutions, while continuing the training programmes.²⁶

The end of the war in 2002 ushered a new phase for the SSR in Sierra Leone. Unfortunately, the DDR was abandoned as soon as the war ended.²⁷ Instead, the UK began focusing on increasing local ownership.²⁸ At this time, the police force was concentrated on policing elections, with the help of the UN Mission. Although the elections were held relatively peacefully, the security situation was still very fragile: rivalry between ministries, political instability, many non-demilitarized former combatants, non-existent military and under-developed police force.²⁹ In 2005, the SSR stakeholders worked on a security strategy for the state that linked security and development and clarified the functions and roles of the security sector institutions.³⁰ Then the focus switched from “the reconstruction of security services into a wider approach to the governance of the security and justice system”.³¹ However, Sierra Leone was soon forced to downsize its security sector due to the inability to pay all of the salaries.³²

Although SSR in Sierra Leone is qualified as a success, it is still quite incomplete. The services of police, military and justice sectors are available to most people and the prior violence

²⁵ Horn 119.

²⁶ Horn 119.

²⁷ Jackson 126.

²⁸ Horn 113.

²⁹ Horn 113.

³⁰ Horn 113.

³¹ Horn 113.

³² Madeline England and Alex Boucher, “Security Sector Reform: Thematic Literature Review on Best Practices and Lessons Learned,” *Security Sector Reform in Stabilization Environments: A Note on Current Practice*, Stimson Center (2009): 13.

is over, but the lack of civilian and political control over the security institutions still persists.³³ Since civil control over the security institutions is weak and “key control mechanism over the security services remains the international staff”, it raises questions about the sustainability of SSR in the long term.³⁴ Similarly, UK’s withdrawal is a concern for the ability of the government to take ownership of the security sector and its reform. Lastly, although the relationship has improved, the public is still very distrustful of the armed forces.³⁵

What lessons could be learned from Sierra Leone when it comes to SSR? The most important lesson is the need for a continuous and complete DDR programme. An excessive number of militias is a common source of insecurity in post-conflict countries. Thus DDR needs to begin as soon as possible and continue until all of the armed groups are disarmed and rehabilitated. The issue in Sierra Leone was that DDR stopped with the formal end of hostilities rather than continuing in full-force. Since it is difficult to convince the combatants to give up their arms during an active conflict, DDR should continue as a priority after the cessation of hostilities. It is also important to note that even though it underwent the most successful SSR process to date, the security sector of Sierra Leone still has many issues. Thus SSR must be viewed as a very long-term endeavour in order to achieve a reform that is successful and sustainable.

Burundi

Burundi’s security strategy was drafted at the very beginning, as part of *the Arusha Peace and Reconciliation Agreement for Burundi* that was adopted in August 2000.³⁶ The agreement laid down the grounds for SSR by establishing the principles and the roles of the military, police,

³³ England 127.

³⁴ Horn 127.

³⁵ Horn 121.

³⁶ Laurent Banal and Vincenza Scherrer, “ONUB and the Importance of Local Ownership: The Case of Burundi,” *Security Sector Reform and UN Intergraded Missions*, eds, Heiner Hänggi and Vincenza Scherrer, DCAF (2008): 32

and intelligence services.³⁷ The security forces were to act in a professional, non-partisan manner with full respect for the international humanitarian law, Burundi's law and Burundi's Constitution.³⁸ It also specifically stated under Article 11 Defence and security forces that "not more than 50% of the national defence force shall be drawn from any one ethnic group, in view of the need to achieve ethnic balance and to prevent acts of genocide and coup d'état".³⁹ Furthermore, the *Forces Technical Agreement between the Transitional Government of the Republic of Burundi and the National Council for the Defence of Democracy – Forces For the Defence of Democracy*, signed on 16 November 2003, provided further detailed arrangements, such as a detailed description of the role of military and police institutions; command, control and supervision structures; description of size, composition, and organization; a ranking structure; and etc.⁴⁰

However, after these agreements, SSR was put on the backburner as the government was preoccupied with the elections and the economic state of country. Still, by the end of 2006, DDR was moving forward, and the security services were mostly functional.⁴¹ Defence forces' main problems were small salaries and the lack of common training and basic logistics.⁴² The national police service was not established until 2004. It integrated former rebels, members of different policing services, former members of the *Forces Armées Burundaises* and the gendarmerie. It fell under the control of the Ministry of the Interior and Public Security.⁴³

Similarly to the defence forces, the police service lacked common training/skills/education and the knowledge of rules and procedures. Furthermore, it was seen as

³⁷ Banal 32.

³⁸ Burundi, *Arusha Peace and Reconciliation Agreement for Burundi*, (21 June 1998), Web: 37-38.

³⁹ Burundi, *Arusha Peace and Reconciliation Agreement for Burundi*, (21 June 1998), Web: 37-38.

⁴⁰ Burundi, *Forces Technical Agreement between the Transitional Government of the Republic of Burundi and the National Council for the Defence of Democracy – Forces for the Defence of Democracy*, 16 November 2003.

⁴¹ Banal 33.

⁴² Banal 37.

⁴³ Banal 38.

a corrupt force and was frequently accused of human rights abuses.⁴⁴ The authorities admit that they were lacking the funding for proper training, human resource management and security infrastructures.⁴⁵ As is usually the case in SSR in post-conflict countries, the justice system has made the least progress out of all the SSR areas. In addition to being corrupt, it was excessively slow due to frequent executive interference. It lacked financial, material and human resources, which created a backlog of cases.⁴⁶

Burundi's SSR experience shows that even with a clear SSR strategy, SSR can still be painfully slow and disheartening. Burundi still has weak, corrupt and unprofessional security and justice services.⁴⁷ Similarly to the case of SSR in Sierra Leone, SSR in Burundi was not fully complete as democratic oversight and accountability are still an issue.⁴⁸ Security forces often commit human rights abuses.

Another lesson from Burundi's experience with SSR is the importance of external actors working together with national actors on establishing a roadmap for SSR. In Burundi's case, the national authorities wanted to attack each area of SSR separately, in contrast to the wishes of the UN. Thus an agreement on the manner SSR is approached is crucial, as initiating a process that is not supported by the national authorities will prove to be unsustainable.⁴⁹

Burundi also reveals the issue of timing the entry for SSR. In order to establish a rapport with national authorities that would lead to a fruitful discussion on the SSR path and priorities, the UN or other interested SSR actors need to arrive on the scene quite early. For instance, the UN arrived on 31 October 2004, five months before the end of the Transition period, by which

⁴⁴ Banal 39.

⁴⁵ Banal 33.

⁴⁶ Banal 40.

⁴⁷ Banal 37.

⁴⁸ Banal 37.

⁴⁹ Banal 47.

time a DDR strategy was already established by the local stakeholders and *the Multi-Country Demobilisation and Reintegration Program* thus the UN was constrained by the parameters of the programme.⁵⁰ On the other hand, arriving too early to the crisis to tackle SSR is problematic as well. Indeed, even though *Arusha Peace and Reconciliation Agreements* were signed in 2000, the fighting continued until the *Forces Technical Agreement* between the transitional government and the major rebel faction in November 2003. SSR was only able to fully commence after this agreement was signed. Thus it is important to highlight the fact that for SSR will be most effective if it starts after the cessation of violence, but before any major initiatives begin.

Mozambique

Mozambique is often hailed as a country that successfully transitioned from war to peace thus it is useful to examine how SSR was approached here. After a ceasefire was reached and *the Rome General Peace Accords* were signed in 1992, the UN sent in 15,991 military and 3,359 peacekeepers to monitor ceasefire and maintain law and order.⁵¹ SSR was most active after the ceasefire, from 1992 to 1994. During this time, the UN focused on the restoration of infrastructure, mine clearing, DDR, and SSR. DDR began in November 1993 and proceeded slowly, but it was successfully completed by May 1994.⁵² In 1994, the Joint Commission for the Formation of the Mozambique Defense Force created a programme that trained 540 infantry trainers to assist in the formation of an army.⁵³ By the end of that year, a new army was

⁵⁰ Banal 48.

⁵¹ Anga R., Timilsina, "Getting the Policies Right the Prioritization and Sequencing of Policies in Post-conflict Countries," Diss., RAND Graduate School, RAND Corporation (2007): 82.

⁵² Timilsina 63.

⁵³ Timilsina 51.

established. The same year, the UN unsuccessfully tried to reform the Mozambican Police, but it achieved limited reform in the judicial and penal sectors from 1992 to 1994.⁵⁴

Until 1994, defense spending was the largest area of expenditure for the government, but that has changed after 1994 elections when the government began focusing more on education and health, which remained the case in 2000 budget.⁵⁵ During 1994 to 1999, Mozambique focused on elections and privatization, and it continued its reconstruction efforts.⁵⁶

Mozambique's positive experience with SSR teaches us some lessons. First, it is important that the UN has a strong role in facilitating negotiations and monitoring the ceasefire. Second, military expenditure should decrease once the security situation stabilizes and the funds should be diverted to other sectors in order to help consolidate the peace.⁵⁷ This is an important point as it is often the case that the winning party emerging from the conflict continue over-invest into the military to consolidate the power. However, Mozambique's decrease in military expenditures and refocus on social development only two years into the intervention should not be seen as a norm. In most cases, the implementation stage of SSR will only begin at this time. For SSR to succeed, it must have proper amount of funds to conduct its projects thus such early decrease in the defence expenditure is not advisable

Timor-Leste

After the East Timorese independence referendum in August 1999, the pro-Indonesian militias began inciting violence. Within a month, the violence escalated to the point that the UN decided to step in.⁵⁸ Few months after the UN's arrival, the United Nations Police (UNPOL)

⁵⁴ Timilsina 62.

⁵⁵ Paul Fauvet, "Mozambique: Growth with Poverty," *African Recovery* (2000):16.

⁵⁶ Timilsina 48.

⁵⁷ Timilsina 66.

⁵⁸ Deniz Kocak, "Security Sector Reconstruction in Post Conflict Country: Lessons from Timor-Leste," SFB – Governance Working Paper Series 61 (October, 2013): 7.

began recruitment and training as quickly as possible. By August 2001, UNPOL established the East Timor Police Service.⁵⁹ However, due to the time constraints, most of the recruits were those who served under the *Kepolisian Negara Republik Indonesia* (POLRI), the Indonesian police force during the Indonesian occupation of Timor-Leste.

This decision was problematic since these men had collaborated with the Indonesian occupiers and used repressive tactics. As a result, the people did not trust them. Furthermore, they only went through one month of training before being admitted into the force without going through a proper vetting process. In contrast, the non-POLRI recruits went through three months of training at the police academy and then three to six months of on-the-job training with the UNPOL officers.⁶⁰ Later on, tensions arose between the former POLRI and non-POLRI officers as most of them were on opposite sides during the Indonesian occupation. In addition, the Minister of the Interior used the new police force for his own political and financial purposes.⁶¹

As for the defence forces, *Forças de defesa de timor-leste* (FALINTIL) soldiers were held in cantonment sites until 2000, which is when a plan was adopted to establish a new defence force.⁶² Even though the plan did not establish a clear role for the new defence forces *Falintil-Forças de Defesa de Timor Leste* (F-FDTL), the recruitment began in the first months of 2001. Unfortunately, the process was delegated by the UN to the FALINTIL commander, Taur Matan Ruak, who established a biased recruitment and vetting process towards those from eastern provinces of Timor-Leste, where people were loyal to him.⁶³ Australia and Portugal led the three month fast track training programme.⁶⁴ In February 2001, 650 of the former FALINTIL

⁵⁹ Kocak 8.

⁶⁰ Kocak 8.

⁶¹ Kocak 9.

⁶² Kocak 9.

⁶³ Kocak 10.

⁶⁴ Kocak 11.

members entered the new F-FDTL and the rest went through DDR under *FALINTIL Reinsertion Assistance Program* (FRAP) created by the International Organization for Migration (IOM) until the end of that year.⁶⁵

The final decision on the recruitment process, the definition of the military's role and the administrative planning lay with the Timorese military command that was highly politicized. Thus those ex-combatants that were not chosen to be included in the new F-FDTL, usually due to their political preferences, were resentful and formed their own clandestine groups to oppose the government. These groups were heavily involved in organized crime.⁶⁶

Donors did not make efforts to establish democratic civilian oversight over the security sector, which led to it to become highly politicized.⁶⁷ In April 2006, clashes began between the PNTL and the F-FDTL, and the associated armed groups, as the F-FDTL had a high proportion of ex-resistance fighters while the PNTL had a high proportion of the former POLRI officers who were previously on the side of Indonesian occupiers.⁶⁸

Timor-Leste's experience with SSR teaches us several lessons. First, the issue of politicization was prominent within the police and defence forces.⁶⁹ This development is to be expected as those in power try to consolidate their position; nevertheless, it should be adequately addressed by SSR at the final stage that focuses on the development of democratic civilian oversight over the security sector. Second, the composition of the security forces needs to be approached in a proper well thought-out manner. Internal issues within the police force and between the defence force and police force arose due to bad recruiting practices that lacked

⁶⁵ Kocak 10.

⁶⁶ Kocak 10.

⁶⁷ Kocak 10.

⁶⁸ Kocak 9.

⁶⁹ Kocak 9.

forethought.⁷⁰ Thus during the recruitment, the SSR actors should keep in mind the regional and political conflict lines as later on they could flare up internal conflicts within the security organizations. Furthermore, since the recruitment and vetting processes for the military were biased towards men from eastern provinces that were already loyal to the commander Ruak the processes were “ethnicized”, which is “when ethnic patronage is built into military, police and security bureaucracies, it corrupts them, weakens discipline, reinforces a sense of impunity and fosters public distrust of the state itself”.⁷¹

Ideal Approach to SSR: Insights

Academia and Practitioners

In her dissertation, *Getting the Policies Right: The Prioritization and Sequencing of Policies in Post-Conflict Countries*, Anga Timilsina proposes the following hierarchy of priorities for the post-conflict reconstruction: security, humanitarian and relief efforts, governance, economic stabilization, democratization, and large-scale infrastructure and long-term development.⁷² She outlines SSR tasks as follows:

1. Supply of peacekeepers and restoration of order
2. Restoration of essential infrastructure (roads, airfields, ports, fuel supply, power supply, and communications),
3. Withdrawal of foreign forces
4. Mine-clearing
5. DDR
6. Security sector reform: defense development, police reform, judicial and penal reforms⁷³

She does mention that these tasks do not have to be approached sequentially as the sequencing will differ due to a country’s context.⁷⁴ However, it easy to see that tasks #1, 2, and 3

⁷⁰ Kocak 9

⁷¹ Robin R., Luckham, “Democratic Strategies for Security in Transition and Conflict,” *Governing Insecurity: Democratic Control of Military and Security Establishments in Transitional Democracies*, eds., Gavin Cawthra and Robin Luckham (London: Zed Books, 2003): 22.

⁷² Timilsina 136.

⁷³ Timilsina 136.

should be attempted before DDR and SSR. Furthermore, she adds that “delivering interim (transitional) justice should be the top priority in the early phase of reconstruction in order to facilitate reconciliation process, break the culture of impunity and violence, and ensure the human rights of returnees and internally displaced persons.”⁷⁵ This task would be included in SSR as part of judicial reform, but it would be focused on the delivery of justice as soon as ceasefire occurs - or even prior to ceasefire - to counter the culture of retaliation and counter-retaliation. The author also establishes a general pattern for security policies following a conflict:

Phase 1 (1 to 2 years): Supply peacekeepers; DDR; Establish civilian police force; Clear landmines at key spots; Establish transitional justice; Professionalize army and police; Develop a comprehensive plan for security sector reform;

Phase 2 (2 to 5 years): Continue clearing landmines; Continue DDR; Implement SSR (military, police, judicial and penal reforms)

Phase 3 (5 to 10 years): Reduce the military expenditure; Continue SSR; Continue clearing landmines.⁷⁶

Although Timilsina’s separates most of the activities from the actual SSR, our definition of SSR would encompass all of those activities. The difference in definition as to what SSR exactly entails is important to note because without a proper agreed-upon definition, the SSR actors will have different expectations of the process, which could be problematic.

In the book *Security Sector Reform in Challenging Environments*, the SSR experiences of several practitioners in their particular country of expertise are analyzed. The countries are Central African Republic, Colombia, Democratic Republic of Congo, Georgia, Morocco, Nepal, Sri Lanka, and Timor-Leste. The practitioners demonstrate the reality of SSR is quite different from the theory.

First of all, several practitioners stated that the reforms in different security sectors do not progress at similar speeds. For instance, the judiciary and penal systems usually lagged behind

⁷⁴ Timilsina 142.

⁷⁵ Timilsina 138.

⁷⁶ Timilsina 141.

police reforms, which create a bottleneck of cases.⁷⁷ However, this is likely due to the fact that the SSR actors usually focus more on police reform than on the reform of the judiciary and penal systems. Furthermore, as demonstrated by the country cases examined earlier, the reform of oversight institutions lags behind the reform of the security-providing institutions.⁷⁸ At the same time, the Secretary General said that in the first two years of after the end of the conflict the national politicians are unlikely to cooperate with each other or lead the SSR process thus implying that the establishment of functional oversight institutions is a long-term endeavour.⁷⁹ Lastly, even though SSR should start with a security sector overview, it was done only in four out of eight countries discussed in the book.⁸⁰ Even then, the review in these countries was either only partial, simply proposed, or conducted but its recommendations were not implemented.⁸¹

Some disagreements exist regarding the value and the timing of a comprehensive security strategy for SSR. Often, a comprehensive strategy is not even developed. The DAC Network on Conflict, Peace and Development Cooperation held regional surveys commissioned to assess SSR-related activities in 110 partner countries across four regions: Africa, Asia, Latin America and the Caribbean, and the Baltics, southeast Europe and the Commonwealth of Independent States. The survey found that an overarching strategic framework at the initial phase of intervention is often lacking.⁸² Thus even though the OECD-DAC Handbook on SSR suggests that a comprehensive security strategy should be designed at the beginning of intervention in order to achieve an effective and sustainable SSR, the strategy is often not created in reality. The reason is that it is often hard to develop a comprehensive strategy due to the lack of resources

⁷⁷ Born 248.

⁷⁸ Born 248.

⁷⁹ England 65.

⁸⁰ England 246.

⁸¹ England 246.

⁸² OECD, "Training Module on Security System Reform and Governance," Development Assistance Committee Network on Conflict, Peace and Development Co-operation (2008): 59.

and capacity, the uncooperative host government, and the need for flexibility in a constantly changing environment.⁸³

Indeed, some scholars and practitioners argue for an “evolutionary approach” that “eschews comprehensive reform blueprints in favour of iterative and incremental processes that allow for greater flexibility, more ad-hoc approaches and the gradual development of strategies over time.”⁸⁴ The advantage of this approach is that it allows to set “modest objectives in areas ripe for reform, all built upon a deliberate dialogue with local actors” thus achieving “quick wins that can build momentum for the process and buy time for political consensus and capacity to develop.”⁸⁵ Thus it is possible that the SSR actors may have to start the reforms without a comprehensive security strategy, and develop it as SSR progresses.

Unsurprisingly, comprehensive SSR programmes are often not performed either. Another lesson of the regional survey was that very few countries actually perform comprehensive SSR programmes; instead they tend to focus on the traditional security institutions i.e. the police force or the army. Furthermore, the reforms are carried out in an ad-hoc and piecemeal manner with a focus on short-term measures rather than a long-term structural change.⁸⁶

Another issue, according to practitioners, is the financial sustainability of SSR. In a post-conflict situation, security sector may require a lot more resources than the national economy can afford.⁸⁷ Thus without the financial help of the donors, SSR is often unsustainable and, understandably, it often experiences a downturn after the withdrawal of donor support. For instance, as mentioned earlier, Sierra Leone had to downsize its security sector after the end of

⁸³ England 12-13.

⁸⁴ Sedra 17.

⁸⁵ Sedra 17.

⁸⁶ OECD (2005) 59.

⁸⁷ OECD (2005) 13.

active external financing due to inability to pay the salaries.⁸⁸ Considering that a lot of rebels or militias are often integrated into the armed forces as part of a peace deal, it is unsurprising that a struggling developing country may have problems financially sustaining such a growing increase in payroll needs of their defence or police force. It is crucial for the SSR actors to keep this issue in mind as they develop SSR in order to avoid over-burdening the state and shortchanging the soldiers.

Governments and Organizations

The most active actors in SSR field are the US, the UK, the EU, the UN and the OECD. The US has three main actors that are involved in SSR abroad. The Department of State leads SSR policy and programming. The Department of Defense (DoD) supports defence reform, while the US Agency for International Development supports “programs aimed at building civilian capacity to manage, oversee, and provide security and justice”.⁸⁹ The US’ general approach to SSR is as follows:

1. *Assessment* – Interagency SSR assessment that combines field work studies and desk reviews that identify main actors, capacity strengths and gaps, and possible entry points for SSR programs. During this assessment, they keep in mind US policies, capabilities, requirements, and the contribution of other countries and/or organizations.
2. *Planning* – Coordinated interagency planning involves synthesis of US’ objectives, programs and budget in order to prioritize and sequence SSR activities. During this process, the SSR actors consult with various US and host government stakeholders.

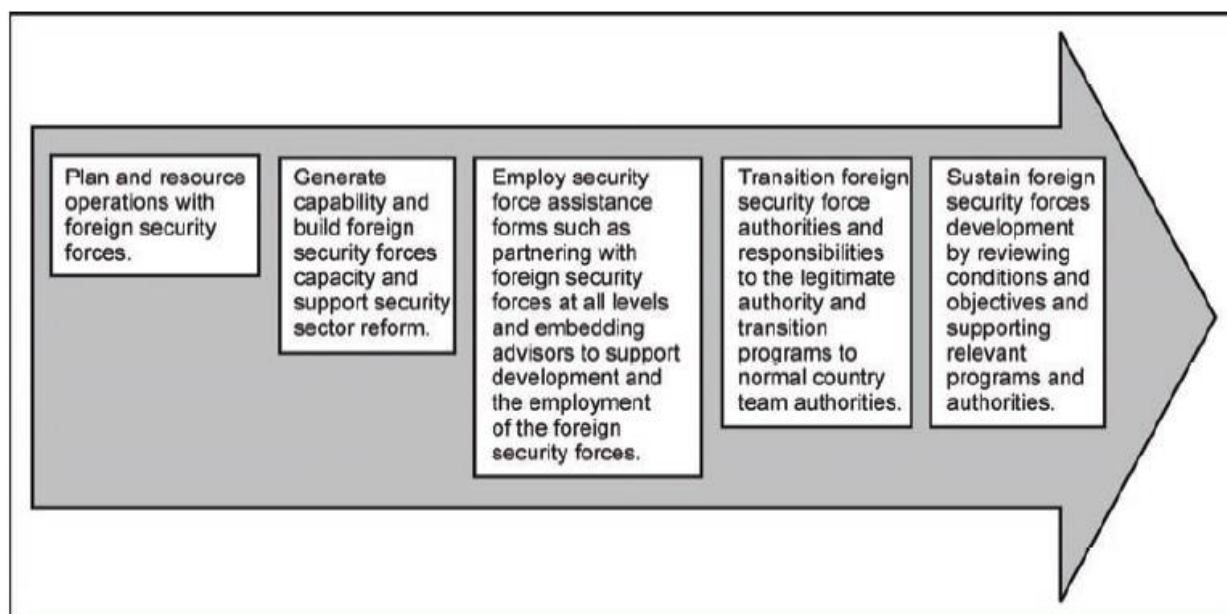
⁸⁸ OECD (2005) 13.

⁸⁹ “Security Sector Reform,” US Agency for International Development, US. Department of Defense, and US Department of State (2009): 3.

3. *Training & Implementation* – Training US staff on SSR; the implantation of programs should be done in coordination with other USA departments and the organizations on the ground.

4. *Monitoring & Evaluation (M&E)* – Programs should be monitored from throughout their lifespan. Evaluation will provide lessons for future SSR programs.⁹⁰

The Department of Defense uses the military for SSR in non-permissive environments whose approach differs from the one outlined above. The Security Forces Assistance (SFA) personnel go through several security activities that blend over time based on the capability and capacity of foreign security forces:⁹¹



These activities are broken down into three fluid phases: initial response, transformation, and fostering sustainability phase.⁹² These phases are very similar to Timilsina’s three phases that were discussed earlier. During the initial response phase, the US military helps to generate,

“Security Sector Reform,” US Agency for International Development, US Department of Defense, and US Department of State (2009): 6-7.

⁹¹The US Department of the Army, “Security Forces Assistance,” (Washington, DC: Department of the Army, 2009): 2-8.

⁹² US Department of the Army (2009): 4-11.

train and assist new and existing forces.⁹³ They focus on improving the capability and capacity of all security forces in order to reduce threat and produce a secure environment.⁹⁴ Once the security environment improves, the transformation phase begins. The focus at this stage is to continue to reduce the security threat, increase capacity of the forces and facilitate a comprehensive approach to SSR.⁹⁵ The focus shifts from a full-time military presence to the provision of full-time advisors, sustainment and assistance.⁹⁶ During the last phase, the focus is assisting institutions and it is assumed that the security forces are able to provide a secure environment on their own.⁹⁷

In Europe, the UK was the initial leader in SSR.⁹⁸ The UK follows closely the OECD-DAC method and its proposed sequence to SSR.⁹⁹ The Department for International Development (DFID), the Foreign and Commonwealth Office (FCO) and the Ministry of Defence (MOD) produced the *GCPP SSR Strategy 2004-2005* that outlines the UK's overarching policies and objectives on the security-related issues in developing countries.

Overall, the UK takes a holistic approach to SSR by aiming to improve several interconnected sectors at the same time i.e. police and justice reform.¹⁰⁰ Similarly to the US, the UK first launches a joint, and possibly, a multi-sector needs assessment or scoping mission. Policy decisions are made based on the results of the assessment.¹⁰¹ Analysis and research for policy development is performed by the Global Facilitation Network for Security Sector Reform

⁹³ US Department of the Army (2009): 4-15.

⁹⁴ US Department of the Army (2009): 4-16.

⁹⁵ US Department of the Army (2009): 4-18.

⁹⁶ US Department of the Army (2009): 4-19.

⁹⁷ US Department of the Army (2009): 4-24.

⁹⁸ Daniel Bendix and Ruth Stankey, "Security Sector Reform in Africa: The Promise and the Practice of a New Donor Approach," Occasional Paper Series 3.2 (2008): 17

⁹⁹ Bendix 17.

¹⁰⁰ Bendix 17.

¹⁰¹ "Global Conflict Prevention Pools, Security Sector Reform Strategy 2004-2005," UK Foreign and Commonwealth Office, UK Ministry of Defence and UK Department for International Development (2005):5

(GFN-SSR). During this stage, it prepares region/country specific policy and strategy papers and disseminates key messages through seminars and workshops.¹⁰²

After analysis and research for policy development stage, the UK's Defence Advisory Team (DAT) takes over and based on the sector-needs assessment focuses on establishing sector specific programmes or on more general issues.¹⁰³ It provides technical advice on the reform of different sectors and works on the completion of National Security reviews.¹⁰⁴ Then DAT, and other relevant UK actors, focus on capacity building and integrating SSR awareness into the development and poverty reduction strategies.

Next, DAT, the GFN-SSR and DFID focus on mainstreaming and information exchange by “encouraging a common approach to international SSR efforts” and “raising the profile of SSR within international community”.¹⁰⁵ The strategy steering team undertakes monitoring and review on on-going basis through the whole process.¹⁰⁶ In addition, programme developers are responsible for ensuring the sustainability of their projects through their processes.¹⁰⁷

Since 2000, the EU began taking an active approach to SSR as it began recognizing the relationship between security, human rights and development.¹⁰⁸ Similarly to the other approaches discussed, the EU's SSR approach is also broken down into three stages: immediate response, transition and stabilization, and stable phase.¹⁰⁹ Similarly to the UK, the EU favours a

¹⁰² UK Foreign and Commonwealth Office (2005): 11.

¹⁰³ UK Foreign and Commonwealth Office (2005): 5.

¹⁰⁴ UK Foreign and Commonwealth Office (2005): 12.

¹⁰⁵ UK Foreign and Commonwealth Office (2005): 13.

¹⁰⁶ UK Foreign and Commonwealth Office (2005): 16;

¹⁰⁷ UK Foreign and Commonwealth Office (2005): 19.

¹⁰⁸ Dursun-Ozkanca 139.

¹⁰⁹ Council of the European Union, “EU Concept for ESDP Support to Security Sector Reform (SSR),” 12566/4/05 (Brussels: 2005): 12-13.

comprehensive approach to SSR, yet, there is still an absence of a common EU strategy for SSR.¹¹⁰

The EU Concept for ESDP (European Security and Defense Policy) Support to Security Sector Reform describes the “modalities on how to plan and conduct SSR activities within ESDP” and gives “an overview of the breadth and scope of potential ESDP support to Security Sector Reform”, among other things.¹¹¹ It states that ESDP support to SSR will be usually in form of advice and assistance to the local authorities.¹¹² Although the document does not provide the order of the SSR activities, it does provide possible scenarios for the ESDP SSR actions.

In the immediate post-conflict situation, the focus is likely to be placed on DDR and the deployment of peacekeepers for stabilization of security. In transition and stabilisation phase, SSR support will be focused on working with the existing operations. Once stable phase is reached, the ESDP will focus on assisting with existing development of democratic institutions.¹¹³ Lastly, the document describes different SSR activities that ESDP can take in the defence, justice and police reform, and financial and budgetary aspects of SSR. However, the document does not specify the sequence for the listed SSR activities or the priorities.

In 2007, the Secretary-General established the United Nations (UN) Inter-Agency SSR Task Force (IASSRTF) “to develop and promote an integrated, holistic and coherent United Nations approach to SSR.”¹¹⁴ In 2012, the UN produced the first volume of *United Nations SSR Integrated Technical Guidance Notes (ITGN)*, which “foster a “One United Nations” approach to SSR by providing a common framework to guide the United Nations support to nationally led

¹¹⁰ Dursun-Ozkanca 145.

¹¹¹ Council of the European Union (2005): 7.

¹¹² Council of the European Union (2005): 7.

¹¹³ Council of the European Union (2005): 7.

¹¹⁴ "UN Inter-Agency SSR Task Force," *United Nations Security Sector Reform*, United Nations, 2009, Web., 6 July 2014 <<http://unssr.unlb.org/TaskForceMembers/TaskForce.aspx>>.

SSR efforts” in “five main areas: democratic governance of security institutions; national security policy- and strategy-making; peace processes and SSR; gender-responsive SSR; and national ownership of SSR.”¹¹⁵

For the purpose of this paper, the Note on peace process and SSR is most useful to examine as it sheds light on the beginning of SSR activities. The Note supports the earlier mentioned finding that peace processes are a good entry point for SSR. Before the commencement of the peace process, the SSR actors should conduct context mapping. It should include a conflict analysis, a comprehensive security and threat analysis, a human rights assessment, an assessment of regional context, the state of security sector reform efforts, a mapping of stakeholder groups that SSR will affect, and a mapping of negotiating parties.¹¹⁶ The Note proposes steps for integrating SSR into the different phases of peace process. The main steps are:

1. Pre-negotiation activities

- Seek to address and reduce the sensitivity of SSR
- Seek to level the terrain between the negotiating parties¹¹⁷

2. Negotiation activities

- Ensure an inclusive approach through consultations and national dialogue
- Seek to achieve commitment to a future vision of the security sector¹¹⁸

3. Drafting a conclusion following negotiations

- Consider SSR provisions that are financially sustainable
- Consider the need to balance quick wins with requirements for long-term sustainability¹¹⁹

4. Implementation

- Consult those who were directly involved in any earlier negotiation process
- Bring in mediation/facilitation expertise to support the implementation of SSR¹²⁰

¹¹⁵ United Nations SSR Inter-Agency Task Force, “Security Sector Reform Integrated Technical Guidance Notes,” United Nations (New York: 2012): 6-7.

¹¹⁶ United Nations SSR Inter-Agency Task Force (2012): 68-73.

¹¹⁷ United Nations SSR Inter-Agency Task Force (2012) 67.

¹¹⁸ United Nations SSR Inter-Agency Task Force (2012) 68.

¹¹⁹ United Nations SSR Inter-Agency Task Force (2012) 68.

¹²⁰ United Nations SSR Inter-Agency Task Force (2012) 69.

In 2011, the UN also produced a *Defence Sector Reform Policy* that described the responsibilities, principles and tasks that guide the UN activities in defence sector reform (DSR). It outlines six core tasks that the UN could undertake to support national DSR process: governance and oversight tasks; defence legislation, norms, doctrine and/or overall reform plan development tasks; administration, budget development and management tasks; formation and education tasks; consensus-building among national stakeholders and reconciliation tasks; and defence sector review, appraisal and coordination tasks.¹²¹ Naturally, these tasks can be applied in the police, penal, and justice sectors as well. More importantly, the paper outlines generic phases for the provision of DSR support:

“Phase 1: Early negotiation, peace agreements and arrangement processes
Phase 2: Request of the national government and/or in response to a Security Council resolution or General Assembly mandate
Phase 3: Strategic assessment/ defence sector analysis (which can vary according to the type of DSR envisaged)
Phase 4: Resource mobilization
Phase 5: Foundation and operational planning (pre-mandate and pre deployment)
Phase 6: Implementation planning (deployment), which could involve among others, the development of DSR functional strategies and plans (programmes and projects including establishment of benchmarks for exit strategy)
Phase 7: Implementation
Phase 8: Follow-up, including through monitoring and evaluation
Phase 9: Transition (hand over), withdrawal and liquidation of the UN DSR support”¹²²

Another major actor in SSR is the OECD. It produced a number of SSR documents that are often used as guidelines by the government for the SSR activities in post-conflict countries. Indeed, SSR objectives that are cited by donor countries are often the ones that are prescribed by

¹²¹ UN Department of Peacekeeping Operations and the UN Department of Field Support, “Defence Sector Reform Policy,” United Nations (New York: 2011): 11.

¹²² UN Department of Peacekeeping Operations (2011): 11.

the OECD: democratic governance, delivery of security and justice services, local ownership and sustainability.¹²³

The OECD states that SSR should begin with a scoping phase. It begins with an assessment or “preliminary informal analysis” that considers “an external programme to promote and support SSR in a host country”. The SSR actor then produces a “scoping study” that gives an overview of the main actors, existing initiatives and overall security situation. Next, the inception phase or the planning and design stage begins where a full assessment of the security situation and the host government’s interest in SSR is provided, which will help the SSR actor decide on how to proceed. Lastly, SSR actor performs sector and problem specific assessments.¹²⁴

The next step is a DDR assessment that allows for the proper SSR programming. It should shed light on “the appropriate levels of security forces and the number and type of ex-combatants to be integrated into them” prior the demobilisation phase. Next, the country should perform a census and identification programme in order to exercise greater control and management of security personnel.¹²⁵ All of those who are integrated into the new security forces should go through a proper vetting process. The OECD separates DDR from SSR as distinct categories of intervention, but states that they should be implemented in coordination in order to avoid security vacuum.¹²⁶ Moreover, armed groups will not give up their arms in the absence of security. Small arms and light weapons (SALW) control programmes should also be closely linked and carefully timed with DDR and SSR as they work to improve governance and capacity

¹²³ OECD, “Training Module on Security System Reform and Governance,” DAC Guidelines and Reference Series, (Paris: Organisation for Economic Co-operation and Development, 2008): 6

¹²⁴ OECD (2008) : 6.

¹²⁵ OECD, “The OECD DAC Handbook on Security System Reform: Supporting Security and Justice,” the OECD DAC (2007): 106.

¹²⁶ OECD (2007) 105.

of different security institutions in an effort to reduce the proliferation of weapons.

Unfortunately, SALW awareness and management programs are often performed in isolation.¹²⁷

As the OECD discusses reforms in different sectors, it makes several important points. In regards to the oversight bodies, it states that “programmes can be effective only if they embedded in the local context and if their sequencing is linked to the strengths and weaknesses of local oversight actors”.¹²⁸ With this point in mind, the OECD cites the World Bank democratic accountability model that gives three ways, from short-term to long-term, for increasing accountability of security sector: by increasing the capacity of the civil society, the capacity of the government and the ability of the citizens’ to express their voice via democratic means.¹²⁹ In failed or fragile states, the short-term way of increasing the capacity of civil society is the go-to solution. However, in effort to achieve sustainable reform, the SSR actors should aim to progress from one way to another in order to increase accountability in a sustainable way.

The OECD Handbook goes on to state that defence reform will likely begin with broad security analysis and end with an evaluation of policy implementation. It highlights the importance of local support for the defence reform and suggests the relevant actors to make time for increasing this support if needed.¹³⁰ According to it, police reform should be done in coordination with the reform of justice and penal sectors as without effective justice system the suspects will not be brought to justice. The country should develop a national police plan that defines the role of police and the term community policing. In addition, a strategic plan should be developed that defines that “sets out [the] mission, objectives or priority areas of focus” and it should also “include reforms in management and personnel systems, such as recruiting from

¹²⁷ OECD (2007) 106.

¹²⁸ OECD (2007) 118.

¹²⁹ OECD (2007) 118.

¹³⁰ OECD (2007) 131.

under-served areas and increasing the number of female and minority police officers.”¹³¹ The OECD further suggests a twin-track approach where long-term reforms are tackled at the time as the day-to-day services are provided.¹³²

It stresses that judiciary reform should be done in close coordination with police reform. The reforms in the justice sector must be selective as trying to achieve everything at once is seen as a recipe for failure thus reforms should be sequenced with the following in mind : “starting with what is most important, most in demand, or most likely to produce quick results — while the groundwork is laid to address more systemic challenges”.¹³³ SSR should focus first on the achievable goals that increase connections across justice system, enhance access and incite further change.¹³⁴ In the prison reform, the generation of local and government support will be the first step. The prison management and the staff will also will have to be sold to the idea, after which the interest and the commitment will have to be sustained.¹³⁵ In order to avoid a security vacuum, the reform of the private security sector should be addressed once there is an effective state security provision and a capacity for oversight.¹³⁶ However, it is important that the reform of this sector is implemented as early as possible.¹³⁷

Lastly, the Centre for International Governance Innovation (CIGI) proposes the following way of approaching SSR:¹³⁸

¹³¹ OECD (2007) 169.

¹³² OECD (2007) 169.

¹³³ OECD (2007) 190.

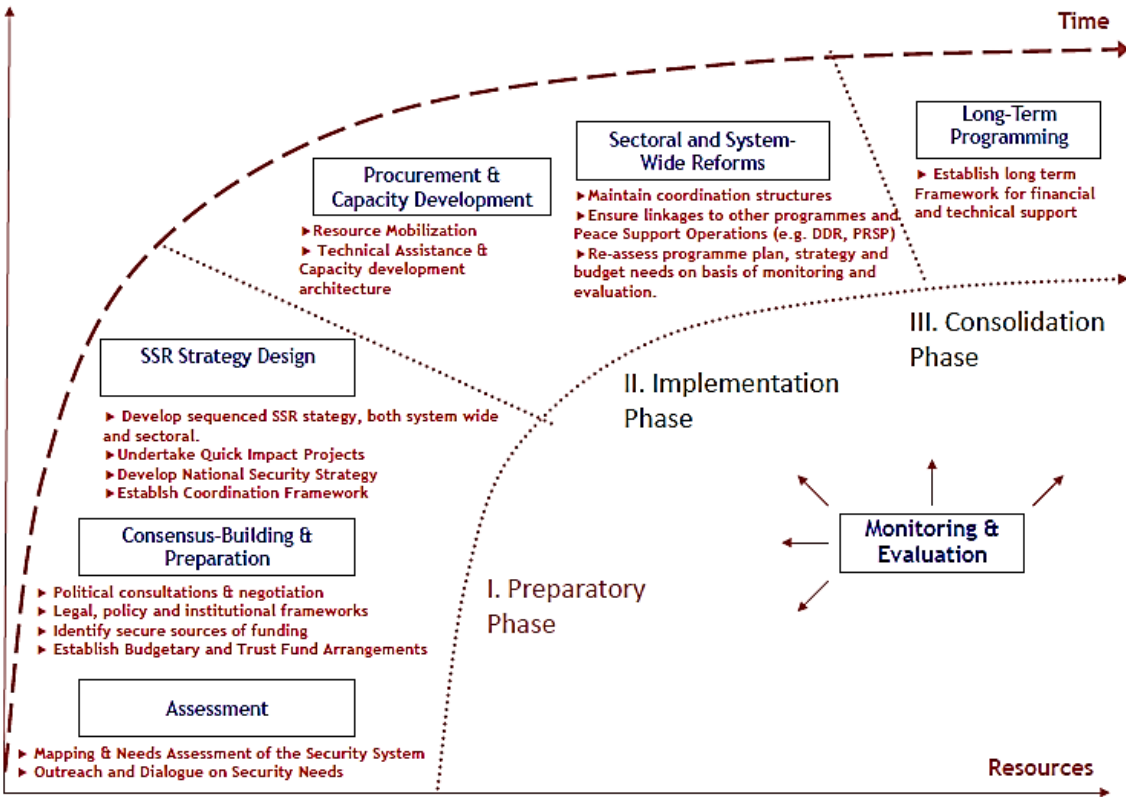
¹³⁴ OECD (2007) 190.

¹³⁵ OECD (2007) 205.

¹³⁶ OECD (2007) 216.

¹³⁷ OECD (2007) 218.

¹³⁸ Sedra 9.



The first phase or the preparatory phase begins with assessment, consensus-building and SSR strategy design. Then, in the second phase or implementation phase, the focus is on the capacity development, procurement, and sectoral and system-wide reforms. Lastly, in the consolidation phase, the SSR actors work on establishing long-term frameworks.

Summary

The similarity of the phases undertaken by different SSR leaders points to the fact that there is a certain SSR approach that is respected across the board. For instance, the UN DSR approach is quite similar to the American approach to SSR. Phases one and two can be considered as entry points. Phases one to three - peace process, Security Council resolution to act, strategic assessment - can be considered as part of the assessment phase, while phases five and six - resource mobilization, operational planning - are part of the planning phase. Lastly,

phase seven - implementation - is part of implementation phase and phase eight is the monitoring and evaluation (M&E) phase. The UN adds another important phase, the transition phase where there is a withdrawal of support. Thus five phases can be identified: assessment, planning, implementation, M&E, and the UN-mentioned transition phase. However, this sequence is somewhat misleading as M&E is not quite a phase as it is performed throughout the life of the SSR process.

Furthermore, CIGI's sequence also respects most of these phases but renames them as preparatory phase that includes assessment and planning, implementation phase, and consolidation phase. Similarly, CIGI sees M&E as a process that takes place throughout SSR. The OECD's approach fits in with the first three phases, although the last two phases are not discussed. However, the omission is likely to be due to the OECD Handbook's purpose to describe the different tasks within SSR, rather than outline an overall SSR sequence.

The UK SSR approach also follows all of these phases. It starts with an assessment phase or what it calls a scoping mission. It is followed by a planning phase, where policy development occurs. Then it goes into the implementation phase, where sector specific programme implemented. Similarly to the US' and CIGI's approach, the UK approach encourages M&E throughout the whole process.

A bit different yet related to the UN's transition phase, UK's "last" phase calls for the programme developers to ensure the sustainability of their projects, albeit through the development of the projects. However, the idea behind both phases is the same: to ensure that the host country can carry on SSR once the donor withdraws. However, the UK approach takes steps to ensure that happens throughout the life of the SSR project, while the UN makes the transition a phase on its own that is undertaken at the end of the SSR efforts. The reason behind this

difference is likely the size of the SSR support. The UN is likely to take a more active engagement in SSR that involves several sectors. When the UN's mandate ends and it begins withdrawing, it withdraws simultaneously from all of the sectors thus the withdrawal of support needs to be synchronized across the sectors.

On the other hand, UK's more modest involvement in SSR that usually involves only mildly connected projects in different security sectors calls for each project to be sustainable on its own as its end date is often unrelated to other security projects. Due to the size of the UK's involvement, it would not be efficient or politically feasible to start all of the projects simultaneously and end all of them during a transition phase. This is true for any country that is involved in SSR on bilateral level. Most of the SSR initiatives originated bilaterally will be done on project by project basis, rather than the UN's more complete reform of the security system.

The EU's breakdown of phases differs from the abovementioned phases. However, it is similar to the USA SFA and Timilsina's breakdown. In the first phase -the EU's immediate post-conflict phase, the SFA's the initial response phase, and Timilsina's phase one (1 to 2 years) - the focus is on the peacekeepers and the immediate actions to stabilize security, such as training of new security forces. In the second phase - the EU's transition and stabilisation phase, the SFA's transformation phase, or Timilsina's phase two (2 to 5 years) - the focus is on the existing operations. During this phase, the SFA also focuses on a facilitation of a comprehensive approach to SSR, which is not mentioned in the other two approaches. In the last phase - the EU's stable phase or the SFA's fostering sustainability phase- the focus is on assisting the development of institutions. However, Timilsina does not mention this activity in her last phase. Instead, she believes that in the last phase, 5 to 10 years in the intervention, the focus should be on the reduction of military expenditure and the continuation of existing activities. At the same

time, the reduction of expenditure could be seen as a step towards ensuring sustainability of the security sector.

The difference between the two sets of phases is due to the different mentality to approaching SSR. The first set - assessment, planning, implementation, M&E, and transition - is a development approach to SSR where the focus is on the reform programmes. The second set - initial response, transformation, and stabilization - is a more military approach to SSR where the focus is on the conflict resolution and the stabilization of security environment. At the same time, it is clear, that a military that is involved in SSR of different country would still have to go through assessment, planning, implementation, M&E, and transition phases.

The Ideal Approach to SSR: Conclusions

The synthesis of the above literature allows for the creation of a general ideal SSR approach. The approach is summarized in Annex A. The activities that should be performed during each stage are discussed below.

The perfect timing for SSR entry is still up for debate. In Mozambique, the cessation of hostilities was followed by a peace agreement and then by the deployment of peacekeepers to monitor the situation. However, the end of hostilities is not a necessary condition for SSR. For instance, SSR in Sierra Leone began before the ceasefire or the cessation of hostilities; while in Burundi, SSR began only after the actual cessation of hostilities even though the peace agreements were signed few years earlier. Even though experience shows different possible points for SSR entry, the UN stresses the importance of introducing SSR at the beginning of peace process. The UN's Note outlines how that can be accomplished. During negotiations, the SSR actors could "seek to achieve commitment to a future vision of the security sector".¹³⁹

¹³⁹ United Nations SSR Inter-Agency Task Force (2012) 68.

While during the drafting process, the SSR actors need to ensure that the proposed reforms are financially sustainable and to discuss a possible integration of ex-combatants informal security structures.¹⁴⁰

The appropriate timing for entry should also depend on the context: if national leaders agree and show a clear interest in SSR before the cessation of violence, then SSR that begins at this point may have a chance of succeeding. However, if national leaders do not demonstrate a unified or strong interest in SSR, then the SSR actors need to begin by gathering support from the high-level officials and security sector management. Part of the reason behind the UK's success in Sierra Leone was the early emphasis on acquiring high-level support, which resulted in the publication of a government policing charter and a police mission statement. Once high-level officials show their support for SSR, the reforms will be easier to implement as the security management will be more cooperative.

Once there is a sufficient amount of high-level support, the SSR actors can begin a comprehensive assessment of the security sector and then conduct consultations with the national SSR stakeholders. Next, using input provided during the consultations and the general security sector assessment, the SSR actors can begin the planning phase and work on creating a comprehensive strategy for SSR.

However, it should be noted that the SSR community is divided on the proper timing for the development of SSR strategy or the need for it at all. The academic community is in favour of its development at the initial stages of intervention. For instance, Timilsina and CIGI state that SSR Strategy Design should be undertaken in the initial phase of SSR. On the one hand, accountability, civilian oversight, local ownership, and sustainability can become major issues for the security sector if a SSR strategy is not created. More importantly, the SSR strategy

¹⁴⁰ United Nations SSR Inter-Agency Task Force (2012) 68.

establishes a clear role for the security institutions, which is often missing in many post-conflict countries.

On the other hand, the SSR practitioners report that comprehensive strategies are usually only produced in the later stages of SSR or not produced at all. They highlight the need of SSR to adapt to the changing security environment and the difficulty of creating a strategy at the beginning of an intervention without proper knowledge of the security issues or the status of security sector. Indeed, in Sierra Leone, the security strategy was established eight years after the beginning of SSR.

To review, SSR should start with an assessment in conjunction with the previously discussed consensus-building. The security sector assessment should include a preliminary scoping study, a system-wide assessment and sector specific assessments, as proposed by the OECD. At the same time as the security sector assessment is performed, the SSR actors should begin a DDR assessment. This assessment will facilitate the planning phase and the production of an effective SSR strategy since it will shed light on the appropriate levels of security forces and the amount of ex-combatants to be vetted and re-integrated into the security forces or the communities.

Once the assessment stage is completed, the SSR leaders need to focus on consensus-building and consultations. They need consult the national SSR stakeholders about a proper SSR strategy. This is a very important step, although it can be quite difficult. Indeed, in Burundi, national leaders wanted to reform each security sector separately in contrast to the UN's goals. However, it is important to gather support for the SSR strategy if the strategy is to be sustainable in the long-term. Wide consultations allow the SSR actors to see what national SSR stakeholders

envision for their security sectors. It is a moot point to establish SSR that is not locally supported as the endeavour will quickly fall apart once the donor ends the support for SSR.

Next, the intermediate stage begins, which involves planning, strategy design, and implementation. When designing a SSR strategy several key points should be kept in mind. First of all, the SSR actors should keep in mind the ability of the host government to take over the reform after the withdrawal of donors' financial support and plan SSR accordingly from the beginning. Indeed, the experience in Sierra Leone highlights this importance of sustainability, since the government was forced to downsize its security sector after withdrawal of donor support due to the inability to pay all of the salaries. Secondly, they should ensure that the strategy addresses the transition from SSR to economic and social development once basic security environment has been achieved. Thirdly, SSR strategy should be somewhat general and flexible, but it should describe how the issues of oversight and accountability will be tackled in the long-term – as these are still issues even in the most successful SSR endeavours.

Furthermore, the SSR actors need to be aware of the possibility that a sudden change in the political environment may also slash the SSR budget prematurely. In order to avoid this situation, they must keep national leaders informed about the SSR progress and warn them if any large budget reductions will undo any achievements. Naturally, if such refocus is on social or economic development and would aid in securing stability more than the SSR projects, then the SSR actors should be supportive of it.

Once the planning and strategy design stage is completed, the SSR actors can move to the implementation stage. At this stage, SSR is mainly focused on the reform of state security system, which is made of the police service, the intelligence service, the defence forces, the border services, the coast guard, the oversight institutions and etc. The reform of the defence

forces and the police force is usually a priority in a post-conflict environment in an effort to restore order and security as quickly as possible. Their prioritization is understandable and acceptable, but only to a point. The point being when a successful reform of one sector hinders the performance of another sector i.e. successful police reform creates a backlog of cases in the courts. The SSR actors must remain vigilant for such issues and cooperate closely with their counterparts in other security sectors.

The projects aimed at the reform of defence and police sectors should to be done in coordination with the SALW programmes and DDR, especially if ex-combatants are re-integrated into the state security forces. In most contexts, DDR is a precondition for SSR since armed non-state combatants undermine main goals of SSR – the overall security and the monopoly on the legitimate use of force. However, one must remember that combatants will not relinquish their arms without a secure environment.¹⁴¹ If the ex-combatants are to be integrated into a newly created security force, it is crucial that they are put through rigorous vetting process, even if there are time constraints. Moreover, Timor-Leste's experiences shows that the DDR process needs to be inclusive and complete or the non-reintegrated combatants will lead to insecurity.

One important point to highlight during the recruitment process is that the composition of the new forces must be carefully thought through. For instance, in Timor-Leste's case hiring POLRI officers and mixing them with non-POLRI officers lead to internal tensions in the new police force. Moreover, having a lot of resistance fighters in the military and many Indonesian police officers in the police force lead to violent clashes between the two forces. Thus the SSR planners have to be mindful of the political affiliation and the previous history of the officers or ex-combatants that are being integrated into the new defence or security forces. Furthermore,

¹⁴¹ Sedra 16.

when deciding on the composition of the new forces, the SSR actors should keep in mind that in Sierra Leone's police reform it was found that the "integration of lower rank officers into the reform process" has helped "to motivate", "to overcome institutional resistance", and "to enable staff from all strata of the institution to become part of the reform".¹⁴²

Police reform can be made up of several initiatives that run in parallel. For instance, there are two main strategies for the reform of policing in post-conflict countries. They are often used simultaneously by different donors in order to improve the functioning of the police force. First strategy is community policing, which relates back to improving the public image of the police. More precisely, community policing is about establishing a positive relationship between the police and the community via effective community engagement and improvement of the service quality. Second strategy is intelligence-led policing where the focus is on improving skills, such as intelligence collection and analysis.¹⁴³

Sierra Leone's experience also shows other activities that could be undertaken in police form, such as creating a conceptual foundation for the reform and a police mission statement, improving the image of the police force, publishing a government policing charter, equipping the force, repairing the police training school, and improving basic skills and internal accountability. These activities are general and will have to be completed in most SSR endeavours in post-conflict countries. Moreover, these activities are likely applicable to the reform of the defence and penal sectors. Some of the justice sector specific activities could be focused on establishing transitional justice, facilitating reconciliation process, and ensuring the human rights of returnees as suggested by Timilsina.

¹⁴² Johannes Loh, "The Success Factors for Police Reform in Post-Conflict Situations," Hertie School of Governance - Working Papers 57 (November: 2010) : 2

¹⁴³ DCAF, "Police Reform," DCAF Backgrounder (October: 2009): 2-3.

Since police reform should be done in tandem with the reform of justice and penal sectors, the implementation phase will have many SSR activities happening simultaneously. However, expectations have to be realistic because the donors cannot do everything at once. As suggested by the OECD, the SSR actors should focus on activities that have quick-impact and connect/improve the connections between different sectors. In parallel with all these reforms, they should undertake projects that improve the image of security service providers since in almost all of the security providers in post-conflict countries are seen by the public as predatory forces.

After the implementation stage ends, the last phase -the transition phase- begins. The focus during this phase is on ensuring sustainability, cutting security expenditures, and developing security institutions by dealing with issues such as: oversight, accountability, and organization. However, the UK's experience in Sierra Leone demonstrates that reform efforts as early as two years into the intervention can be a successful endeavour as well. Thus it is important to let the country's security context guide the SSR efforts.

In regard to the decrease of security expenditures, Timilsina suggests that it should begin in the last phase, five to ten years into the intervention. However, in practice, the timing for the decrease in the military expenditure, or the SSR expenditure in general, is context dependent. Indeed, Mozambique switched its focus from SSR to economic and social development only two years after the end of hostilities due to a change in political environment. Yet, Mozambique's case is not the norm, nor it should be. In order for SSR to be effective and sustainable, proper amount of funds have to be allocated to it for a realistic amount of time.

Lastly, the M&E should be performed throughout the SSR process, although it is likely to be more active at the end of the SSR projects.

Section II

This section discusses the current security situation in South Sudan and outlines the post-independence SSR efforts. It also sets the context for the application of the ideal SSR approach to the South Sudan's case.

Security Situation in South Sudan

On 9 July 2014, South Sudan celebrated the third anniversary of its independence from Sudan. However, the secession did not bring peace or prosperity to the newly formed state. Following its independence, South Sudan had several disputes with Sudan over oil, oil-rich Abyei area and the allegedly Sudan-sponsored rebels.¹⁴⁴ Since 98% of public sector revenue comes from exporting oil, South Sudan was greatly affected by the temporary suspension of oil exportation that followed these disputes.¹⁴⁵ Indeed, these disputes had a devastating effect on the country's GDP: the annual GDP growth was at 2% in 2010; it dropped to -56% in 2012.¹⁴⁶ As a result of the oil shut-down, 2012 was a year of austerity.¹⁴⁷ Furthermore, the power struggle between President Kiir and Vice President Marchar, which turned into an ethnic civil war, has contributed to a 32% decrease in the oil production thus further depressing the struggling economy.¹⁴⁸

On the security side, South Sudan faces numerous issues. First of all, it does not have a monopoly on the use of force. Each household possesses at least one firearm thus arms proliferation is a major issue. A lot of firearm bearers have years of experience as guerilla

¹⁴⁴ John A., Snowden, "Work in Progress: Security Force Development in South Sudan through February 2012," Small Arms Survey, Working paper 27 (Switzerland: 2012): 9.

¹⁴⁵ South Sudan, the Government of the Republic of South, "Sudan South Sudan Development Plan 2011 -2013," (Juba: GoSS, 2011): xiii.

¹⁴⁶ Annual GDP growth in South Sudan, 10 July 2013, Raw data, *The World Bank*, n.p.

¹⁴⁷ "SSDDTP Project Completion Review (PCR)," Quest Document No 3912539, *Development Tracker*, DFID (2012): 18.

¹⁴⁸ "South Sudan Oil Production Drops By 32%," *Sudan Vision Daily*, Gurtong, 27 May 2014., Web., 17 July 2014., <<http://news.sudanvisiondaily.com/details.html?rsnpid=236266>>.

fighters; whereas the Sudan People's Liberation Army (SPLA) “lacks any marked advantage in training, command or communications equipment”.¹⁴⁹ Furthermore, the state security forces are outgunned by the rate of eight-to-one, and their weapons are of same quality as those in the arms of the civilians.¹⁵⁰ Moreover, many civilians possess items of the army’s clothing bearing the SPLA insignia, which they use when cattle herding to protect themselves from natural elements. Sometimes their use is less benign: in 2011, a Murle group impersonated soldiers in order to carry out a false civilian disarmament of the Lou Nuer areas and raid their cattle.¹⁵¹

The inter-ethnic conflicts are a major source of insecurity in South Sudan. South Sudan experiences high incidents of inter-ethnic and inter-communal violence due to the competition for cattle, land, water and etc.¹⁵² In December 2012, the discovery of six Dinka bodies caused a backlash by the Dinka against the Fertit, which resulted in several more deaths.¹⁵³ Many homes and business were burned and about 5, 000 civilians sought safety in the United Nations Mission in South Sudan (UNMISS) compound.¹⁵⁴ On 16 December 2012, the Kakwa and the Dinka had a land dispute in Yei County, which ended with 53 houses being burned down.¹⁵⁵ In February 2013, in Jonglei, the tensions between the Dinka, the Lou Nuer, and the Murle were growing. The Lou Nuer were migrating their cattle with the escort of 14 soldiers, when they were attacked and many of them were killed.¹⁵⁶ The Murle, the Luo Nuer, and the Dinka tribes are involved in a cycle of cattle raids, revenge and reprisals that has greatly destabilized the Jonglei state.

¹⁴⁹ Richard Reeve, “Peace and Conflict Assessment of South Sudan 2012,” *International Alert* (2012): 40.

¹⁵⁰ Reeve 40.

¹⁵¹ Reeve 40.

¹⁵² “Multi Annual Strategic Plan South Sudan 2012-2015,” South Sudan, The Ministry of Foreign Affairs, (2011): 7

¹⁵³ Office of the Secretary-General, “Report of the Secretary-General on the United Nations Mission in South Sudan,” S/2013/140, United Nations Security Council, UNMISS (8 March 2013): 6

¹⁵⁴ Office of the Secretary-General (8 March 2013): 6.

¹⁵⁵ Office of the Secretary-General (8 March 2013): 8.

¹⁵⁶ Office of the Secretary-General (8 March 2013): 8.

In addition to heavily armed civilians and intercommunal conflicts, the Government of South Sudan (GoSS) is constantly fighting with the armed rebel groups. From 2012 to 2013, the Government was engaged in fighting with the Merle rebel group, the South Sudan Democratic Movement/Army (SSDM/A), and with a Lou Nuer rebel group headed by Dak Kueth.¹⁵⁷¹⁵⁸ In 2013, the SPLA also conducted operations against the Yau Yau rebels in Pibor County.¹⁵⁹

In mid-December 2013, the situation further deteriorated. The governing party, the Sudan People's Liberation Movement (SPLM), had an internal power struggle about the future of the party that ended up turning violent. The armed wing of the SPLM, the SPLA, was split into two camps: those that supported President Salva Kiir Mayardit and those that supported the Vice-President Riek Machar. In the days that followed, both sides committed human rights abuses.¹⁶⁰ The violence quickly turned into an ethnic war: the Dinka (Kiir and his supporters) versus the Nuer (Machar and his supporters). The armed youth from different ethnic groups widened "the circle of reprisal and revenge" by retaliating against groups that had attacked their communities.¹⁶¹ On 21 December 2013, Machar declared in a press conference that he was heading a rebellion against the Government.¹⁶²

The two leaders signed a cessation of hostilities agreement in January 2014, but it was breached by both sides within days.¹⁶³ The second *Cessation of Hostilities Agreement* was signed

¹⁵⁷ Office of the Secretary-General (8 March 2013): 5.

¹⁵⁸ "South Sudan Pursues Rebels in Jonglei," *United Press International*, 5 March 2013, n.p, 12 July 2013 <http://www.upi.com/Top_News/World-News/2013/03/05/South-Sudan-pursues-rebels-in-Jonglei/UPI-24971362490370/>.

¹⁵⁹ Office of the Secretary-General (8 March 2013): 5.

¹⁶⁰ Office of the Secretary-General, "Report of the Secretary-General on South Sudan," S/2014/158, United Nations Security Council, UNMISS (6 March 2014): 2.

¹⁶¹ "South Sudan: A Civil War by Any Other Name," Crisis Group Africa Report N°217 (10 April 2014): 11.

¹⁶² Office of the Secretary-General (6 March 2014): 2

¹⁶³ William Davison and Ahmed Feteha, "South Sudan Government, Rebels Claim Truce Breached," *Bloomberg*, Bloomberg.com, 25 January 2014, Web., 17 July 2014 <<http://www.bloomberg.com/news/2014-01-25/south-sudan-cease-fire-set-to-start-amid-claims-of-fighting-1-.html>>.

in Addis Ababa, Ethiopia on 9 May 2014.¹⁶⁴ However, the fighting quickly resumed after this agreement as well; most likely due to the fact that the agreement was signed due to international pressure rather the genuine belief of either leader that peace offered them a better means of solving their disagreements.¹⁶⁵

Post-Independence SSR Activities in South Sudan

South Sudan's security sector consists of the immigration, police, prisons, and fire brigade forces that are overseen by the Ministry of Interior; in addition to the army that is overseen by the Ministry of Defence and Veterans Affairs (MoDVA) and the justice sector that is overseen by the Ministry of Justice. The focus of post-independence SSR has been on the police, defence, penal and justice sectors thus this paper will focus on the SSR activities performed in these fields.

Initial Stage

Entry-Point: The initial entry-point technically occurred before South Sudan gained its independence. It began in 2005, after the CPA was signed to end years of conflict between the Government of South Sudan and the Sudan People's Liberation Movement group. Some of the CPA provisions related specifically to SSR and touched upon: the judiciary reform, the development of legislative powers over the security sector, the process for the integration of rebels into the security services, and the creation of a policing plan to complement the ceasefire.¹⁶⁶ Following the CPA, the United Nations Security Council, by its resolution 1590,

¹⁶⁴ "Signed Agreement for South Sudan in Addis Ababa," *Gurtong*, Gurtong.com, 10 May 2014, Web., 17 July 2014 <<http://www.gurtong.net/ECM/Editorial/tabid/124/ctl/ArticleView/mid/519/articleId/15240/Signed-Agreement-for-South-Sudan-in-Addis-Ababa.aspx>>.

¹⁶⁵ Erik Solheim, "Fragile Peace Process in South Sudan," *The Huffington Post*, TheHuffingtonPost.com, 20 May 2014, Web., 17 July 2014 <http://www.huffingtonpost.com/erik-solheim/fragile-peace-process-in-_b_5353938.html>.

¹⁶⁶ Durch 2.

established UNMIS in order to support the implementation of the agreement and provide protection and promotion of human rights. To do this, it deployed about “9,304 troops, 513 military observers, 702 police officers, 966 international civilian personnel, 2,837 local civilian staff, and 477 United Nations Volunteers”.¹⁶⁷ UNMIS spent about \$5.76 billion during its mandate.¹⁶⁸

However, prior to the South Sudan’s independence in 2011, UNMIS focused only minimally on SSR because it was under-resourced and distracted by politics and the conflict mitigation of South Sudan’s internal conflicts.¹⁶⁹

Assessments and Consultations: However, the assessments in the Secretary-General’s reports from 2004 to 2005 were thorough. The assessments were done on various topics, such as the overall security situation, the financial feasibility of UNMIS, the situation in Darfur, the plan for UNMIS and later on, on the progress of UNMIS and UNMISS, and the implantation of the CPA.¹⁷⁰ Two reports in 2011 have discussed security-related topics: public consultations on the implementation of the CPA, the integration of the former Sudanese Armed Forces (SAF) elements and insurgents into the SPLA, attacks by the rebels, the dissolution of the Joint Integrated Units, and the outstanding issues relating to the implementation of the CPA.¹⁷¹¹⁷² The Secretary-General felt that the consultations were not extensive enough and expressed concern

¹⁶⁷ "UNMIS Facts and Figures - United Nations Mission in the Sudan," *UN News Center*, United Nations, n.d., Web., 17 July 2014 <<http://www.un.org/en/peacekeeping/missions/past/unmis/facts.shtml>>.

¹⁶⁸ "UNMIS Facts and Figures - United Nations Mission in the Sudan," <<http://www.un.org/en/peacekeeping/missions/past/unmis/facts.shtml>>.

¹⁶⁹ Arenas-García 15.

¹⁷⁰ "Reports of the Secretary-General on UNMIS - United Nations Mission in the Sudan," *UN News Center*, United Nations, n.d, Web., 17 July 2014 <<http://www.un.org/en/peacekeeping/missions/past/unmis/reports.shtml>>.

¹⁷¹ Office of the Secretary-General, “Report of the Secretary-General on the Sudan,” S/2011/239, United Nations Security Council, UNMIS (12 April 2011).

¹⁷² Office of the Secretary-General, “Special report of the Secretary-General on the Sudan,” S/2011/314, United Nations Security Council, UNMIS (17 May 2011): 2.

about the disagreements in regards to the integration of the SAF soldiers.¹⁷³¹⁷⁴ On the national level, the negotiations between the North and the South on the post-Comprehensive Peace Agreement arrangements continued in 2011, prior and after the referendum in January 2011.¹⁷⁵ However, the CPA expired with the full and official independence of South Sudan on 9 July 2011.

Unfortunately, after South Sudan gained its official independent state status, the more in-depth assessments and consultations specific to SSR or those assessments and consultations that were completed by the Government of South Sudan were not made public and thus are not available for analysis. However, in 2013, a draft of National Security Plan was created and was made available for a state-level consultation process.¹⁷⁶ The results of this consultation process have not been made public yet either.

Intermediate Stage

Planning and Strategy: After the independence, the first order of business for the GoSS was to transform the SPLA into a professional army. The GoSS, the SPLA and MoDVA developed an official strategy - the *SPLA Objective Force 2017* - to transform and downsize the army.¹⁷⁷ The focus of the *SPLA Objective Force 2017* was on DDR. Furthermore, they developed and ratified the *Transformation Strategy and Programme 2012-2017* that describes the sequencing and prioritisation of the transformation process and developed a *Transformation*

¹⁷³ Office of the Secretary-General (17 May 2011): 2.

¹⁷⁴ Office of the Secretary-General (12 April 2011): 9.

¹⁷⁵ Office of the Secretary-General (12 April 2011): 3.

¹⁷⁶ "State-Level Consultation Processes For The Draft National Security Policy Framework, Republic Of South Sudan," UK Department for International Development (2013)
<http://iati.dfid.gov.uk/iati_documents/3894786.docx>

¹⁷⁷ Jonathan Blackham, "Situation Report: SSR and DDR in the Sudans," *Security Sector Reform Resource Centre*, Centre for Security Governance, 11 December 2013, 16 July 2013
<<http://www.ssrresourcecentre.org/2012/12/11/situation-report-ssr-and-ddr-in-the-sudans/>>.

*Implementation Plan.*¹⁷⁸¹⁷⁹ During DFID's *Security Sector Development & Defence Transformation Phase I*, MoDVA developed the *MoDVA Transformation Strategy*. In addition, under this programme, the Chief of General Staff endorsed the *SPLA Training Strategy (Edition 2)*, the *5 Year Training Plan (2012-2017)* and the *SPLA ELT Strategy (2012-2017)*.¹⁸⁰ The Phase II of the *Security Sector Development & Defence Transformation* programme is aiming to further develop the National Security Policy, which is currently in the consultations stage. Unfortunately, although these documents are developed with the help of DFID, they are considered to be the property of the GoSS and were not made available to the public.

To a lesser extent, the police sector with the help of the donors has also produced some strategy documents. UNPOL has been working with the South Sudan National Police Service (SSNPS), which was previously the South Sudan Police Service (SSPS), to forge a well-defined strategic framework for the police force. It helped draft the following: *SSPS Strategic Plan October 2010 – 2013*, *SSPS Framework for Action Plan 2011 – 2015*, *SSPS Annual Training Plan 2012-2013*, and *Strategic Training Plan for 2012 – 2015*.¹⁸¹ In addition, on 29 April 2013, the SSNPS leadership drafted new *Police Mission Statement* for the police service.¹⁸² Furthermore, the UN also established UNMISS Rule of Law and Security Institutions Support Office (ROLSISO), which is comprised of four sections -- Justice Advisory, Corrections

¹⁷⁸ "Annual Review Security Sector Development & Defence Transformation," Report No 200329, *Development Tracker*, DFID (16-27 July 2012) <http://iati.dfid.gov.uk/iati_documents/3644468.docx> .

¹⁷⁹ "Annual Review Security Sector Development & Defence Transformation," *Development Tracker*, DFID (16-27 July 2012).

¹⁸⁰ "SSDDTP Project Completion Review (PCR)," Quest Document No 3912539, *Development Tracker*, DFID (2012): 10.

¹⁸¹ "United Nations Police," *United Nations Mission in South Sudan*, UNMISS, n.d., Web., 17 July 2014 <<http://www.unmiss.unmissions.org/Default.aspx?tabid=4061&language=en-US>>.

¹⁸² "SSNPS Leadership Agree New Mission Statement," *South Sudan National Police Service*, Southsudanpolice.net, 2 May 2013, Web., 17 July 2014 <<http://southsudanpolice.net/?p=221>>.

Advisory, Military Justice Advisory and Security Sector Reform. Its SSR section “assists with revision of Police Act and Traffic Act”.¹⁸³

In addition, some progress has been made in the SALW control area. The Bureau for Community Security and Small Arms Control (BCSSAC) works on harmonizing laws on small arms and light weapons in South Sudan with the help of the UN ROLSISO Security Sector Reform Section that “[advises] the government on ways to strengthen the legislative framework for small arms control”.¹⁸⁴ The Bureau drafted the *Small Arms and Light Weapons Control Bill 2012* that provides a broad legislative framework on small arms and defines issues such as possession, licensing and transfers.¹⁸⁵ The parliament was supposed to vote on the bill at the end of 2013. If approved, it should have been followed by the *Small Arms and Light Weapons Control Regulations 2013* and the *Standard Operating Procedures (SOPs)* that would make the new law operational.¹⁸⁶ Unfortunately, information that confirms the approval of the bill is not currently available.

Lastly, the justice sector has been quite active by passing over 90 laws between July 2011 and September 2012.¹⁸⁷

Implementation

DDR: The CPA had provisions for the formation of three national bodies to lead and coordinate the DDR process in the country. The National DDR Co-ordination Council (NDDRCC)

¹⁸³ "Rule of Law and Security Institutions Support," *United Nations Mission in South Sudan*, UNMISS, n.d.. Web., 1 July 2014 <<http://unmiss.unmissions.org/Default.aspx?tabid=4056>>.

¹⁸⁴ "Rule of Law and Security Institutions Support," *United Nations Mission in South Sudan*, UNMISS, n.d.. Web., 1 July 2014.

¹⁸⁵ Government of South Sudan (GoSS) (draft), “The Small Arms and Light Weapons Control Bill, 2012,” Juba: The Laws of Southern Sudan (2012).

¹⁸⁶ Benjamin King, “New Proposed Legislation: The Small Arms and Light Weapons Control Bill (2012),” *Excess Arms in South Sudan: Security Forces and Surplus Management*, Issue Brief No. 6, Graduate Institute of International and Development Studies (Geneva: Small Arms Survey 2014): 8.

¹⁸⁷ “South Sudan: an Independent Judiciary in an Independent State,” *International Commission of Jurists* (2013): 16.

was responsible for the policy formulation, oversight, review, coordination and evaluation; while the Southern Sudan DDR Commission (SSDDRC) and the Northern Sudan DDR Commission (NSDDRC) were responsible for establishing a presence in each State.¹⁸⁸ However, the South's secession in July 2011 ended the CPA period and the legal imperative to undertake DDR.¹⁸⁹

However, DDR was again emphasized in the *Objective Force 2012-2017*. At the beginning of 2012, the SSDDRC, that later became the Republic of South Sudan Disarmament, Demobilisation and Reintegration Commission (RSSDDRC), created the *National Disarmament, Demobilization and Reintegration Programme (NDDRP)*. It closely works with UNMISS and the UN Development Programme (UNDP) to carry out its mandate.

Phase I of the programme that run from June 2009 to April 2011 was ineffective, but it did demobilize 12,525 soldiers, of which around 10,000 have been reintegrated.¹⁹⁰¹⁹¹ Although Phase II was expected to begin in 2012, it was postponed due to “logistical problems, a lack of funds, and political wrangling over ownership”.¹⁹² In April 2013, the RSSDDRC, UNMISS and UNDP finally began Phase II, which aims to process 80,000 personnel from the SPLA and 70,000 personnel from the organized forces over an eight-year period.¹⁹³¹⁹⁴ Phase II consists of three months of training that includes psychosocial support, reinsertion training and vocational or

¹⁸⁸ "History of the DDR Programme," *National Disarmament, Demobilisation and Reintegration Commission*, SSDDRC.org, n.d., Web., 17 July 2014 <<http://www.ssddrc.org/ddr-in-south-sudan/history-of-the-ddr-programme.html>>.

¹⁸⁹ "DDR in South Sudan," (2013): 3, *Small Arms Survey Sudan*, Human Security Baseline Assessment (HSBA) for Sudan and South Sudan.

¹⁹⁰ *DDR Digest 2.3* (2011), *National Disarmament, Demobilisation and Reintegration Commission*, SSDDRC.org, 1 April 2011, Web <<http://www.ssddrc.org/uploads/Publication%20Documents/DDR%20Digest%202011,%20Vol%202,%20Issue%203-3.pdf>>.

¹⁹¹ South Sudan, Government of the Republic of South, “Sudan South Sudan Development Plan 2011 -2013,” (Juba: GoSS, 2011): 108.

¹⁹² "DDR in South Sudan," (2013): 3, *Small Arms Survey Sudan*, Human Security Baseline Assessment (HSBA) for Sudan and South Sudan, Web <<http://www.smallarmssurveysudan.org/fileadmin/docs/facts-figures/ddr/HSBA-DDR-in-South-Sudan.pdf>>.

¹⁹³ "Disarmament Demobilization and Reintegration," *United Nations Mission in South Sudan*, UNMISS, n.d., Web. 17 July 2014 <<http://unmiss.unmissions.org/Default.aspx?tabid=4055&language=en-US>>.

¹⁹⁴ *Small Arms Survey Sudan* (2013): 2.

entrepreneurship skills.¹⁹⁵ The reinsertion phase was expanded to include the teaching of basic skills such as “literary, numeracy and life-skills.”¹⁹⁶ In addition, during this phase, the government provided wages to the participants to help them establish a new career once they finish the programme.¹⁹⁷

UNMISS DDR Office also provides training to “[R]SSDDRC to help it achieve the transformation of 150,000 DDR participants to civilians”.¹⁹⁸ Unfortunately, Phase II has not been very successful thus far since the government and the donors disagreed over the objectives of DDR.¹⁹⁹

SALW Management and Awareness Programmes: In 2011, President Kiir “issued a disarmament decree for the three states of Lakes, Warrap and Unity”.²⁰⁰ The SPLA carried out disarmament somewhat successfully in Lakes and Warrap States. Since people are unlikely to give up arms in an insecure environment, the presence of militias in Unity State prevented a successful disarmament.²⁰¹

In 2012, the SPLA and the SSNPS Auxiliary Force carried out civilian disarmament in Jonglei. Amnesty International found that during this civilian disarmament there were instances of “extrajudicial executions and other unlawful killing, torture and other cruel, inhuman or degrading treatment or punishment and unnecessary or excessive use of force” and “shootings, beatings, simulated drowning and rape”.²⁰²

¹⁹⁵ “Annual Review Security Sector Development & Defence Transformation,” Report No 200329, *Development Tracker*, DFID (16-27 July 2012): 7, 10 July 2013. <http://iati.dfid.gov.uk/iati_documents/3644468.docx>.

¹⁹⁶ “Disarmament Demobilization and Reintegration,” *United Nations Mission in South Sudan*, UNMISS, n.d., Web. 17 July 2014 .

¹⁹⁷ “Disarmament Demobilization and Reintegration,” *United Nations Mission in South Sudan*, 17 July 2014.

¹⁹⁸ “Disarmament Demobilization and Reintegration,” *United Nations Mission in South Sudan*, 17 July 2014.

¹⁹⁹ *Small Arms Survey Sudan* (2013): 2.

²⁰⁰ Sara Skinner, “Civilian Disarmament in South Sudan: A Legacy of Struggle,” *Saferworld* (February 2012): 11.

²⁰¹ Skinner 11.

²⁰² “Lethal Disarmament Abuses Related to Civilian Disarmament in Pibor County, Jonglei State,” *Amnesty International*, Amnesty International Publications (United Kingdom: 2012): 8.

Back in 2007, the GoSS established the Bureau for Community Security and Small Arms Control oversees the DDR process in South Sudan. It is an independent government body that operates under the Ministry of Internal Affairs.²⁰³ At the end of 2011, it developed a public information strategy that aimed to control the proliferation of small and light weapons.²⁰⁴ In 2012, the Bureau launched a public awareness campaign that “focused on increasing knowledge, stimulat[ing] dialogue, positively changing perceptions, attitudes and fostering positive practices on ownership and use of firearms in South Sudan.”²⁰⁵ The campaign implemented the following initiatives:

- “ - A policy and legislation framework to regulate the ownership and use of firearms is in the offing.
- Support to community dialogue and consultations to identify triggers of insecurity and possible solutions.
- Implementation of conflict sensitive projects at community level like construction of security roads, water haffiris, boreholes /water yards and agricultural projects.
- Extension of state authority to remote areas through construction of police posts and deployment of personnel.
- Conflict transformation trainings and recruitment of community peace cadres.
- Government constituency development plan.
- Peace initiative through South Sudan Council of Churches and initiatives under the Republic of South Sudan Presidency.
- Interactive radio programme on community security in all the states of South Sudan.”²⁰⁶

The focus of the campaign in 2012 was on “procuring and distribution of IEC materials to the community members, schools and relevant stakeholders” and the interactive and educational radio drama series.²⁰⁷ The Bureau also worked on the improvement of stockpile management, capacity-building, development of conflict sensitive development projects, and

²⁰³ Government of South Sudan, Bureau for Community Security and Small Arms Control, n.d., <<http://www.goss-online.org/magnoliaPublic/en/Independant-Commissions-and-Chambers/Bureau-for-Community-Security-and-Small-Arms-Control.html>>

²⁰⁴ Bureau for Community Security and Small Arms Control, “Annual Report 2012,” The Republic of South Sudan (2012): 14.

²⁰⁵ Bureau for Community Security and Small Arms Control (2012): 14.

²⁰⁶ Bureau for Community Security and Small Arms Control (2012): 16.

²⁰⁷ Bureau for Community Security and Small Arms Control (2012): 17.

coordination of stakeholders working on the community security issues.²⁰⁸ It also delivers food security projects and builds police posts, boreholes, prisons, peace centers, schools and etc.²⁰⁹

Furthermore, the UNDP's *Community Security and Arms Control* (CSAC) project supports the work of the Bureau and South Sudan Peace Commission (SSPC) by improving the security situation in South Sudan via the security improving community programmes. The project began in 2009 in Jonglei State and has progressively spread to six other States as per a request of the Government of Sudan and later on, the Government of South Sudan.²¹⁰ It aims to "address the root causes of armed violence, implement conflict-sensitive development projects and employ peacebuilding measures at the county level."²¹¹ Its major achievements are: the provision of equipment to police to improve response time, the provision of farming equipment to improve harvesting included, and the provision of water points and boreholes for communities.²¹² The major financial donors for this project in the past year were the EU, the US, Norway, the Netherlands, and Japan.²¹³

UNMISS provides a lot of support to the Bureau. In addition, UN ROLSISO's Security Sector Reform Section "[provides]concrete advice to the government on the content of a strategy for small arms and light weapons control, storage and management".²¹⁴

Army – SPLA: South Sudan's army - the SPLA - dominates over all other security services. In 2013, the World Bank estimated that the SPLA and the southern militias were at

²⁰⁸ Bureau for Community Security and Small Arms Control (2012): 23-25.

²⁰⁹ Bureau for Community Security and Small Arms Control (2012): 27.

²¹⁰ Amanuel Gebremedhin, " UNDP's Community Security and Arms Control," Message to the author, 16 June 2014, E-mail.

²¹¹"Community Security and Arms Control: Supporting Conflict Prevention Activities," *UNDP in South Sudan*, UNDP, 2012, Web., 1 July 2014

<[http%3A%2F%2Fwww.ss.undp.org%2Fcontent%2Fsouth_sudan%2Fen%2Fhome%2Foperations%2Fprojects%2Fcrisis_prevention_and_recovery%2Fcommunity_securityandarmscontrol%2F](http://3A%2F%2Fwww.ss.undp.org%2Fcontent%2Fsouth_sudan%2Fen%2Fhome%2Foperations%2Fprojects%2Fcrisis_prevention_and_recovery%2Fcommunity_securityandarmscontrol%2F)>.

²¹²UNDP in South Sudan (2012)

²¹³UNDP in South Sudan (2012)

²¹⁴ "Rule of Law and Security Institutions Support," *United Nations Mission in South Sudan*, UNMISS, n.d.. Web., 1 July 2014 <<http://unmiss.unmissions.org/Default.aspx?tabid=4056>>.

approximately 300,000 in combined strength.²¹⁵ The SPLA itself is between 120,000 to 180,000 in strength and consumes about one third of the government budget.^{216 217}

Such blotted army is an issue for two reasons. First, the enormous size is unsustainable. In the long-term, the GoSS cannot afford such vast expenses on its limited budget. Second, the SPLA integrated a lot of guerrilla fighters and armed rebel groups without putting them through a proper vetting process.²¹⁸ As a result, it is unsurprising that a lot of human rights abuses are being committed by the SPLA.²¹⁹

The UK and the US have an active role in the reform of the SPLA. They have a clear division of responsibilities: “UK position focused at the strategic level, whilst the US focuses on a more tactical and operational level.”²²⁰ The US works bilaterally with South Sudan. From FY 2011 to 2013, USA spent 1.6 billion USD on foreign operations in South Sudan.²²¹²²²²²³ During that time, the security-related expenditures were as follows:²²⁴²²⁵²²⁶

International Military Education and Training (IMET) – 2.4 million USD	Foreign Military Financing (FMF) – 0 USD
Non-proliferation, Anti-Terrorism, Demining	Peacekeeping Operations (PKO) – 121 million

²¹⁵ International Development Association and International Finance Corporation, “South Sudan - Interim Strategy Note for FY2013-2014,” Report No: 74767-SS, World Bank (30 January 2013):5

²¹⁶ Annette Weber, “Transformation Backlog in South Sudan: Security Sector Reforms Stall in the Face of Growing Autocracy,” German Institute for International and Security Affairs, SWP Comments 20 (July: 2013) : 3.

²¹⁷ International Development Association and International Finance Corporation (30 January 2013) : 5.

²¹⁸ Abraham Sewonet Abatneh and Simon Monoja Lubang, “Police Reform and State Formation in Southern Sudan,” *Canadian Journal of Development Studies/Revue canadienne d'études du développement* 32:1 (2011): 95.

²¹⁹ Abatneh 95.

²²⁰ “SSDDTP Project Completion Review (PCR),” *Development Tracker*, DFID (2012): 11.

²²¹ United States, Cong., *FY 2015 Congressional Budget Justification for Foreign Operations*, Congress Report, US Department of State, 18 April 2014, Web., < <http://www.state.gov/documents/organization/224071.pdf>>.

²²² United States, Cong., *FY 2014 Congressional Budget Justification for Foreign Operations*, Congress Report, US Department of State, 17 May 2013, Web., < <http://www.state.gov/documents/organization/208292.pdf>>.

²²³ United States, Cong., *FY 2013 Congressional Budget Justification for Foreign Operations*, Congress Report, US Department of State, 8 March 2012, Web., < <http://www.state.gov/documents/organization/185016.pdf>>.

²²⁴ United States, Cong., *FY 2015 Congressional Budget Justification for Foreign Operations*, Congress Report, US Department of State, 18 April 2014, Web.

²²⁵ United States, Cong., *FY 2014 Congressional Budget Justification for Foreign Operations*, Congress Report, US Department of State, 17 May 2013, Web.

²²⁶ United States, Cong., *FY 2013 Congressional Budget Justification for Foreign Operations*, Congress Report, US Department of State, 8 March 2012, Web.

and Related Programs (NADR) – 7.9 million USD	USD
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Although specific of activities undertaken in South Sudan under these programmes were not specified, the general descriptions are available. The IMET programme provides “[military] training and education” by exposing students from foreign countries to “military justice systems and procedures and promotes the development of strong civil-military relations by showing key military and civilian leaders how to overcome barriers that can exist between armed forces, civilian officials and legislators” and by teaching “U.S. military doctrine, strategic planning processes and operational procedures”.²²⁷

The PKO funds are for the support of “multilateral peacekeeping and regional stability operations that are not funded through the UN mechanism”.²²⁸ Moreover, they help to “reform and integrate military forces in the aftermath of conflict” and “provide the flexibility to support multilateral peace operations, conflict resolution, and sanctions enforcement. It can strengthen involvement of regional organizations in conflict management”.²²⁹ Lastly, the NADR programmes can be related to demining or SALW control. The NADR SALW destruction program is more likely in the context of South Sudan and it is “designed to eliminate excess, loosely secured or other at-risk small arms and light weapons”.²³⁰

DFID had two major projects that involve the SPLA - *Security Sector Development & Defence Transformation Phase I and Phase II* (SSDDTP). The programmes’ team is comprised

²²⁷ "International Military Education and Training (IMET)," *U.S. Department of State*, State.gov, n.d., Web., 20 July 2014 <<http://www.state.gov/t/pm/65533.htm>>.

²²⁸ "Peacekeeping Operations (PKO)," *U.S. Department of State*, State.gov, n.d., Web., 20 July 2014 <<http://www.state.gov/t/pm/65534.htm>>.

²²⁹ "Peacekeeping Operations (PKO)," *U.S. Department of State*, State.gov, n.d., Web., 20 July 2014.

²³⁰ "Small Arms/Light Weapons Destruction (SA/LW)," *U.S. Department of State*, State.gov, n.d., Web., 20 July 2014 <<http://www.state.gov/t/pm/65522.htm>>.

of 26 advisors.²³¹ The completed Phase I was reviewed at the end of its mandate. Some of achievements identified by the review were:

- A draft of National Security Plan was created and available for consultation process that took place in the first quarter of 2013²³²
- The SPLA established the SPLA Training Strategy & Policy Development Team helps to ensure local ownership of strategies and policies²³³
- Chief of General Staff endorsed the SPLA Training Strategy (Edition 2), the 5 Year Training Plan (2012-2017) and the SPLA ELT Strategy (2012-2017)²³⁴
- The SPLA can conduct its own basic military training without external support²³⁵
- No generic process for monitoring and evaluating SPLA training, but the SPLA is making progress by conducting students' progress reports, performances assessments and end of course reports²³⁶
- The SPLA Logistic Branch took ownership of the SPLA Logistics Concept²³⁷
- The SSDDTP helped establish the Administration Training Centre and the Human Resource Information System (HRIS) Management Steering Committee²³⁸
- The SSDDTP helped establish a SPLA IT facility for IT training in 2013 that would train IT clerks to take on HRIS responsibilities. They are currently working at full capacity to enter data into HRIS²³⁹
- MoDVA Transformation Strategy is complete²⁴⁰

Overall, the programme was considered successful and efficient.²⁴¹ It achieved, almost achieved, or partially achieved 22 out of 23 indicators. The one indicator that the programme did not achieve was: "SPLA internal communications strategy effective in building understanding and support for transformation processes within the army, including the need for political impartiality, a single command structure and democratic civil control."²⁴² In particular, this rating was given due to the failure of MoDVA to issue any press releases, the failure of the programme leaders to debrief the Divisional Commanders about the *Defence Transformation*

²³¹ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 2.

²³² "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 7.

²³³ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 10.

²³⁴ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 10.

²³⁵ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 11.

²³⁶ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 11.

²³⁷ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 12.

²³⁸ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 14.

²³⁹ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 15.

²⁴⁰ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 19.

²⁴¹ "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 90.

²⁴² "SSDDTP Project Completion Review (PCR)," *Development Tracker*, DFID (2012): 90.

Strategy and “the lack of broad ownership and awareness within the SPLA of the aims and objectives of the transformation process”.²⁴³

Name and Date	Description	Major Activities	Approved Budget
Security Sector Development & Defence Transformation Phase I ¹ 12 Mar 2009 – 31 Dec 2012	To transform the SPLA into an affordable, professional, disciplined army operating under and accountable to democratic civil control, and to support development of broader civilian GoSS security decision-making architecture.	<ul style="list-style-type: none"> • National Security Policy development • Improvement of GoSS security decision making architecture • SPLA logistics, HR, admin development • Support civil society in engaging in security and defence debates 	FY08/09-FY13/24 14,955,115 GBP
Security Sector Development & Defence Transformation Phase II ¹ 25 Feb 2013- 31 Dec 2015	To assist the Government of the Republic of South Sudan to ensure that the military are held accountable to stronger civilian oversight contributing to the improved safety and security for the citizens of South Sudan	<ul style="list-style-type: none"> • Development of a National Security Policy (NSP) through a consultative and participatory process. 	FY13/14 –FY14/15 4,188,146

Police – SSNPS: The police force, the SSNPS, was established in 2005 from the former police of the Government of Sudan, the SPLA combatants and the demobilised SPLA officers.²⁴⁴ In 2013, the SSNPS employed between 46,000 – 52,000 police officers.²⁴⁵ The SSNPS is under the control of the Ministry of Interior and it functions under the legislative foundation of the Penal Code, the Code of Criminal Procedure Act and the Police Service Act.²⁴⁶

²⁴³ “SDDTP Project Completion Review (PCR),” *Development Tracker*, DFID (2012): 32.

²⁴⁴ Abatneh 98.

²⁴⁵ Richard Downie, “Building Police Institutions in Fragile States: Case Studies from Africa,” Center For Strategic and International Studies (2013): 14.

²⁴⁶ John A., Snowden, “Security Force Development in South Sudan,” Small Arms Survey, HSBA Working Paper 27 (2012): 26.

The US Bureau of International Narcotics and Law Enforcement Affairs (INL) provided intelligence-led policing training to the SSNPS. The INL called it the *Information-Led Policing* (ILP) that was focused on teaching “community outreach, tracking basic crime information, analysis, and deployment of resources”. It established a Livestock Patrol Unit (LPU) in Jonglei State and a Highway Patrol Unit on the Juba-Nimule highway.²⁴⁷

The UK has funded two major police programmes. The first programme, the *Safety and Access to Justice Programme*, began before South Sudan gained its independence and ended this year.²⁴⁸ It worked simultaneously in Sudan and South Sudan until September 2012.²⁴⁹ This programme is interesting because it improved the justice and police sector simultaneously, which is important since these sectors are closely interconnected. It aimed to deliver the following impacts:

“i) increased numbers of citizens accessing justice and getting their disputes resolved; ii) increased confidence of citizens in the courts serving their best interests; iii) increase in the number of crimes successfully investigated and resolved; iv) an increased role by police in conflict management and resolution in selected states; v) building the South Sudan National Police Service (SSNPS) capacity through adequate training; vi) ensure SSNPS has resources and equipment, through infrastructure development; vii) develop SSNPS core functions, structures and priorities and viii) enhance SSNPS to provide adequate response to public.”²⁵⁰

The second programme, the *Improved Community Safety and Security Programme*, focused specifically on the improvement of the SSNPS by providing community policing training.²⁵¹

²⁴⁷ "State Dept. Facts on Support to South Sudan's Justice Sector," *U.S. Department of State*, IIP Digital, 04 September 2013, Web 17 July 2014

<<http://iipdigital.usembassy.gov/st/english/texttrans/2013/09/20130904282185.html#axzz2e207Bcaf>>.

²⁴⁸ "Safety and Access to Justice Programme [GB-1-113400]," *Development Tracker*, DFID, n.d., Web., 17 July 2014 <<http://devtracker.dfid.gov.uk/projects/GB-1-113400/>>.

²⁴⁹ "Intervention Summary: Safety and Access to Justice Programme," *Development Tracker*, DFID, n.d., Web., 17 July 2014 <http://iati.dfid.gov.uk/iati_documents/3756085.doc>

²⁵⁰ "Intervention Summary: Safety and Access to Justice Programme," *Development Tracker*, DFID, n.d., Web., 17 July 2014 : 2.

²⁵¹ "Improved Community Safety and Security Programme(South Sudan) [GB-1-204052]," *Development Tracker*, DFID, n.d, Web, 17 July 2014<<http://devtracker.dfid.gov.uk/projects/GB-1-204052/>>.

Name and Date	Description	Major Activities	Approved Budget
Safety and Access to Justice Programme ¹ 4 Jan 2008- 31 Mar 2014	To build capacity in key police and justice sector institutions, increasing the coverage, accessibility and effectiveness of the services offered to citizens.	<ul style="list-style-type: none"> • Development of Operation Policing Plans • Improved community-police relationships • Improved adherence to Child Act • Provided Basic Crime Scene Investigation trainings 	FY07/08 – FY13/14 16,422,655 GBP
Improved Community Safety and Security Programme ¹ 30 July 2013 - 31 Dec 2019	Improved safety and security for citizens through a more professional and accountable South Sudan National Police Service, working in partnership with local government and communities.	<ul style="list-style-type: none"> • Design Phase of Improved Community Safety and Security Programme • Information & Analysis for Security Forces in South Sudan 	FY 13/14 - FY 14/15 - 500,000 GDP

Many donors contribute directly to UNMISS, rather than contributing bilaterally like the US and the UK. For instance, the Netherlands contributes to the work of UNMISS with a focus on “policing, rule of law, civil affairs, and human rights for the development theme of security and rule of law.”²⁵² From December 2011 to December 2013, the Netherlands contributed to UNMISS 30-strong team of which “16 Royal Netherlands Marechaussee personnel and 3 civilian police officers [were] working on building up the South Sudanese police force in different areas of the country... [by] conducting training, advising, mentoring and monitoring.”²⁵³ Although, this mandate ended in December 2013, the Netherlands stated in the *Multi Annual Strategic Plan*

²⁵² “Multi Annual Strategic Plan South Sudan 2012-2015,” South Sudan, The Ministry of Foreign Affairs, (2011): 2.

²⁵³ “UNMISS Increases Stability and Promotes Development in South Sudan,” *Ministerie Van Defensie*, Defensie.nl, n.d., Web., 17 July 2014 <<http://www.defensie.nl/english/topics/south-sudan/contents/unmiss-increases-stability-and-promotes-development-in-south-sudan>>.

South Sudan 2012-2015 that it plans to continue its contribution to UNMISS by focusing on reform of the police and defence sectors and governance and human rights.²⁵⁴²⁵⁵

In 2011, UNPOL was mandated to support the SSNPS by providing advice and training in key policing areas with a focus on training and improvement of the functioning of the police institution. It consists of 900 police officers and works in all ten states of South Sudan.²⁵⁶ In December 2011, UNPOL and the Ministry of Interior created a policy document for registering and screening of the SSNPS personnel that ushered the ongoing registration. Furthermore, UNPOL had other significant achievements: Police Community Relations Committees were set up in all states; UNPOL advisors were provided to identify gaps in the system; literacy classes for female police officers were provided; and UNPOL restarted donor coordination meetings under the chairmanship of the Ministry of Interior. UNPOL also assisted with the finalization of the SSNPS organizational structure.²⁵⁷

From May to December 2012, UNMISS allocated \$274,300 for the training of the SSNPS for the following courses: Community Policing, Non-Commissioned Officer Leadership, Gender, Child and Variable Persons Protection, Training of Trainers, and Traffic Accident Investigation Course.²⁵⁸ During FY2011-2012, UNPOL also gave an Armoury Course, a SSPS Refresher Course, and UNPOL Instructors Workshop. Since mid-2011, UNPOL provided formal and informal courses to 4,130 police officers.²⁵⁹

²⁵⁴ "Netherlands to Provide Police Training in South Sudan," *Dutch Daily News*, DutchDailyNews.com, 4 Jan. 2012, Web., 17 July 2014 <<http://www.dutchdailynews.com/netherlands-to-provide-police-training-in-south-sudan/>>.

²⁵⁵ "Multi Annual Strategic Plan South Sudan 2012-2015," South Sudan, The Ministry of Foreign Affairs, (2011): 16.

²⁵⁶ "United Nations Police," *United Nations Mission in South Sudan*, UNMISS, n.d., Web., 17 July 2014 <<http://www.unmiss.unmissions.org/Default.aspx?tabid=4061&language=en-US>>.

²⁵⁷ "United Nations Police," *United Nations Mission in South Sudan*, UNMISS, n.d., Web., 17 July 2014.

²⁵⁸ "United Nations Police," *United Nations Mission in South Sudan*, UNMISS, n.d., Web., 17 July 2014.

²⁵⁹ "United Nations Police," *United Nations Mission in South Sudan*, UNMISS, n.d., Web., 17 July 2014.

The UN's ROLSISO Security Sector Reform section "supports governance and oversight of security sector through capacity building and training".²⁶⁰ Furthermore, it "supports government in reforming national security architecture, including development of National Security Policy, and establishment of State Security Committees in all 10 states".²⁶¹

In December 2013, the SSNPS released its fourth magazine that described the accomplishments it achieved during the year. First of all, in March 2013, the SSNPS held its 6th Leadership Conference "Shape Ourselves to the Mission".²⁶² In addition, in the same month, the SSNPS graduated a second batch of officers for the Diplomatic Protection Unit. These 49 officers received two months of training that covered the Police Act, the international regulation norms, the use of fire arms, the protection of VIPs, as well as vehicle protection, riot control, and escort protection.²⁶³ Furthermore, 197 officers graduated 4 months training program in "leadership, management, command and control, besides law and police science".²⁶⁴ The end number of personnel for the unit is envisioned to be 1,000.²⁶⁵ In May 2013, the Police College at Rajaf, Juba graduated the first batch of immigration officers, 371 in number, after they underwent six months of intensive training.²⁶⁶ At the end of the year, 120 officers graduated a course that covered criminal investigations, counter-terrorism, traffic management, and information and communication technology.²⁶⁷ In 2013, with the help of outside donors, the

²⁶⁰ "Rule of Law and Security Institutions Support," *United Nations Mission in South Sudan*, UNMISS, n.d.. Web., 1 July 2014 <<http://unmiss.unmissions.org/Default.aspx?tabid=4056>>.

²⁶¹ "Rule of Law and Security Institutions Support," *United Nations Mission in South Sudan*, UNMISS, n.d.. Web., 1 July 2014.

²⁶²"SSNPS To Shape Itself To Its Mission," Vol.4 Issue 4, South Sudan National Police Service (December 2013): 10.

²⁶³"SSNPS To Shape Itself To Its Mission," Vol.4 Issue 4, South Sudan National Police Service (December 2013): 10.

²⁶⁴"SSNPS Leadership Agree New Mission Statement," *South Sudan National Police Service*, Southsudanpolice.net, 2 May 2013, Web., 17 July 2014<<http://southsudanpolice.net/?p=221>>.

²⁶⁵"SSNPS To Shape Itself To Its Mission," Vol.4 Issue 4, South Sudan National Police Service (December 2013): 10.

²⁶⁶South Sudan National Police Service (December 2013): 5.

²⁶⁷South Sudan National Police Service (December 2013): 34.

SSNPS built the SSNPS Library at Rajaf Police with the support of the UK, and the Female Police dormitories at Dr.Garag Unified Police complex with the support of Norway and UNDP.²⁶⁸

Justice: In the judiciary sector, the US’ INL provided institutional and training support to the judiciary, helped fund the construction of the Law School complex; funded an NGO projected that enhances the provision of justice in the rural areas of Eastern Equatoria, Upper Nile and Jonglei states; established a juvenile justice program and provided a Rule of Law Advisor in support of South Sudan Women’s Bar Associations.²⁶⁹ Lastly, in hopes of improving the penal system, the INL supported the National Prison Services’ (NPS) Lologo Training Academy, constructed dormitories, an administration complex and provided a planning specialist to help the Academy with long-term plans.²⁷⁰ Although all of these are great initiatives, they are still piecemeal initiatives that can easily be destroyed in the absence of a comprehensive reform.

ROLSISO is very active in the reform of the justice sector. It has two justice sections, Military Justice Advisory Section and Justice Advisory Section, that help South Sudan improve its justice sector.²⁷¹ They help with the following:

Military Justice Advisory Section	<ul style="list-style-type: none"> • Supports government and the SPLA in developing military justice system complementary to civil justice system through activities like military detention assessment; • Advises government and the SPLA on review of existing legislation, such as the SPLA Act and development of military justice system; • Supports establishment of legal framework and administrative structures; • Assists government and the SPLA in developing and
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²⁶⁸South Sudan National Police Service (December 2013): 39-40.

²⁶⁹ "State Dept. Facts on Support to South Sudan's Justice Sector," *U.S. Department of State*, IIP Digital, 04 September 2013, Web 17 July 2014.

²⁷⁰ "State Dept. Facts on Support to South Sudan's Justice Sector," *U.S. Department of State*, IIP Digital, 04 September 2013, Web 17 July 2014.

²⁷¹ "Rule of Law and Security Institutions Support," *United Nations Mission in South Sudan*, UNMISS, n.d.. Web., 1 July 2014 <<http://unmiss.unmissions.org/Default.aspx?tabid=4056>>.

	organizing training on criminal investigation and procedure for military judges, prosecutors, commanders and police.
Justice Advisory Section	<ul style="list-style-type: none"> • Assists government in strengthening rule of law and justice capacity -- for instance, through establishment of mobile courts; • Provides assistance on criminal justice and law reform to enhance capacity of Judiciary, Ministry of Justice and other rule of law institutions; • Advises national, state and local governments and justice institutions on ending prolonged/arbitrary detention; • Supports national and international partners in establishing and implementing remand review boards for women and juveniles; • Advises on issues related to formal and traditional justice systems; • Assists in facilitation of the Rule of Law Forum (with UN Development Programme); • Supports the Rule of Law Indicators Project

Lastly, in 2011, the GoSS established South Sudan Law Reform (Review) Commission that reviews existing laws in order to promote “their systematic development, improvement, and reform”.²⁷²

Prisons – NPSSS: ROLSISO also has a Corrections Advisory Section that does the following:

- “Advises the National Prisons Service of South Sudan (NPSSS) and the Sudan People’s Liberation Army (SPLA) on ending prolonged/arbitrary detention;
- Assists in strengthening the NPSSS capacity to establish, maintain and manage a safe, secure and humane prison and detention system;
- Advises the NPSSS on developing operational frameworks related to strategic planning, legislation, policies and operating procedures;
- Assists in capacity building through the NPSSS staff training programmes and development of training facilities, and through co-location of 98 seconded correction advisers to 10 state prison headquarters and 16 county prisons;
- Provides daily mentoring and advice to the NPSSS staff at all levels;
- Provides services of corrections experts with specialist skills in fields like medical services, agriculture, engineering, financial management, human resource management, incident management, probation and prisoner programmes.”²⁷³

²⁷² South Sudan Law Review Commission <<http://www.goss-online.org/magnoliaPublic/en/Independant-Commissions-and-Chambers/South-Sudan-Law-Review-Commission.html>>.

The United Nations Office on Drugs and Crime (UNODC) has also provided different types of training to the prison staff and its management over the years.²⁷⁴ The first phase of the *UNODC Prison Reform Programme for South Sudan* started in 2007. It provided training in information management capacity, human resources and leadership development, and policy and regulation development.²⁷⁵ The second phase expanded the initial scope of the programme by including a focus on prison conditions, prisoner health and adherence to the rule of law.²⁷⁶

Between December 2013 and March 2014, the UNODC Independent Evaluation Unit (IEU) performed an independent evaluation of the Phase III of the UNODC *Prison Reform Programme in South Sudan*.²⁷⁷ The Phase III of the programme has performed the following:

- Created an organizational chart and job descriptions and revised management structure of the training center
- Provided train the trainers workshop on hygiene and a clean prison environment
- Provided basic medical supplies and supplementary feeding
- Distributed information material on HIV, TB and malaria
- Helped with the revision of standing orders and prison regulations
- Provided training activities for heads of operational prisons and officers regarding the new legislation, regulations and standing orders
- Provided court liaison training
- Strengthened information management of the probation function
- Developed the capacity of probation officers²⁷⁸

At the end of June 2013, the US funded Phase IV of the programme. This phase will last until 23 December 2014, with the allocated budget of US\$ 4,484,131.²⁷⁹ It will focus on further

²⁷³ "ROLSISO - What We Do," *United Nations Mission in South Sudan*, UNMISS, n.d., Web. 17 July 2014 <<http://unmiss.unmissions.org/Default.aspx?tabid=5442&language=en-US>>.

²⁷⁴ "UNODC's Programme in Southern Sudan," *United Nations Office on Drugs and Crime*, UNODC.org, n.d., Web. 17 July 2014 <http://www.unodc.org/unodc/en/justice-and-prison-reform/projects_Sudan_Activities.html>.

²⁷⁵ "UNODC's Programme in Southern Sudan," *United Nations Office on Drugs and Crime*, UNODC.org, n.d., Web. 17 July 2014.

²⁷⁶ "UNODC's Programme in Southern Sudan," *United Nations Office on Drugs and Crime*, UNODC.org, n.d., Web. 17 July 2014.

²⁷⁷ Elca Stigter, "Independent Project Evaluation: Sdnx06 – Assisting the Process of Prison Reform in Southern Sudan (Phase III)," Independent Project Evaluation Unit, United Nations Office on Drugs and Crime (May 2014): 12-16.

²⁷⁸ Stigter v.

increasing capacity building of the staff and improving prisoner health, as well as “expanding the physical facilities at the Lologo Prison Academy”.²⁸⁰

Final Stage

SSR in South Sudan is currently still in the intermediate stage as it has only been a few years since South Sudan became independent and started focusing on SSR. In the sense proposed in the ideal SSR approach, the Final Phase will start once UNMISS begins focusing on transition projects in order to prepare for its withdrawal. One possibility for future research is to review the success of UNMISS by analyzing the activities performed at each stage once UNMISS transfers the responsibility for the SSR programmes to the GoSS and withdraws.

The next section can serve as a starting point for that research as it compares the South Sudan’s SSR approach to the proposed ideal approach.

Section III- Analysis: the Ideal SSR Approach vs. SSR in South Sudan

This section compares the proposed ideal SSR approach to the post-independence SSR in South Sudan. It points out if South Sudan’s approach deviated, and highlights the successes and failures in the South Sudan’s approach to SSR.

Initial Phase

Entry-Point: At the first glance, the manner that the conflict ended was very similar to the ideal entry-point described in the proposed ideal SSR approach. First, the conflict ended with a peace agreement between the warring parties, the CPA. Second, as recommended by the UN’s Note, the peace agreement made an explicit reference to the SSR activities i.e. the judiciary

²⁷⁹ "Strengthening the Process of Prison Reform in the Republic of South Sudan," *United Nations Office on Drugs and Crime*, UNODC.org, 2014, Web, 17 July 2014 <<http://www.unodc.org/middleeastandnorthafrica/en/project-profiles/ssdx98.html>>.

²⁸⁰ "Strengthening the Process of Prison Reform in the Republic of South Sudan," *United Nations Office on Drugs and Crime*, UNODC.org, 2014, Web, 17 July 2014.

reform, the development of legislative powers over the security sector, the process for the integration of rebels into the security services, and the creation of a policing plan to complement the ceasefire.²⁸¹ Third, the peace agreement was followed by the establishment of UNMIS and the deployment of a large amount of peacekeepers to enforce peace and monitor the implementation of the agreement.

However, UNMIS was under-resourced and distracted by the conflict management of South Sudan's internal conflicts.²⁸² It did not focus extensively on SSR.²⁸³ At the same time, the GoSS was also distracted by the internal conflicts, the mitigation of which took precedence over SSR.²⁸⁴ Thus it is more useful to examine the SSR efforts after the independence, as it became more active at that time. For example, after the independence, UNMISS took over and its mandate highlighted the importance of developing the security sector and its role in helping the new government with this task.²⁸⁵

Assessments and Consultations: According to proposed approach, SSR should start with a security assessment and a DDR assessment. The reports of the Secretary-General include general security assessments. However, although the reports discuss the SSR initiatives that UNMISS undertook, the SSR-specific assessments are not provided. The assessments performed by the GoSS are not made available to the public. Considering the amount of strategy documents drafted, it is evident that the GoSS and the relevant donors have performed sector-specific assessments. Unfortunately, these assessments were not made available to public either.

²⁸¹ Durch 2.

²⁸² Arenas-García 15.

²⁸³ Arenas-García 14.

²⁸⁴ Arenas-García 12-13.

²⁸⁵ "Resolution 1996," United Nations Security Council, (8 July 2011)
<[http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1996\(2011\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/1996(2011))>.

In 2011, South Sudan held popular consultations and thematic hearings that reviewed the implementation of the CPA.²⁸⁶ Prior to the consultations, a lot of the violence was due to “the perceived delays or insufficient implementation of certain aspects of the [CPA]”.²⁸⁷ However, soon it became evident that it was unlikely that the consultations would address these issues. The Secretary-General felt that consultations were not extensive enough and expressed concern that the processes to be used to guarantee the implementation of their outcome were left relatively vague.²⁸⁸²⁸⁹

In 2012, the *SSDDTP Project Completion Review* stated that the SPLA officials show a lack of ownership and awareness about the aims and objectives of transformation, which allows us to deduct that consultations so far have been unsuccessful.²⁹⁰ Furthermore, it points out that the donors and national leaders have not yet reached a consensus on the objectives of DDR.²⁹¹ Considering that it was amply demonstrated by the GoSS strategy documents that DDR and the SPLA transformation process are to be a priority for SSR, the lack of consensus on DDR and the lack of ownership and awareness on the part of the SPLA officials would not be an outstanding issue if a proper amount of emphasis was placed on resolving these issues during the consultation process.

Unfortunately, the current hostilities between President Kiir and the leader of the SPLM-In-Opposition Machar have stalled the National Security Policy consultations and have likely

²⁸⁶ Office of the Secretary-General (12 April 2011): 6.

²⁸⁷ Arenas-García 12.

²⁸⁸ Office of the Secretary-General (12 April 2011): 6.

²⁸⁹ Office of the Secretary-General (17 May 2011): 2.

²⁹⁰ “SSDDTP Project Completion Review (PCR),” Quest Document No 3912539, *Development Tracker*, DFID (2012): 32.

²⁹¹ “SSDDTP Project Completion Review (PCR),” *Development Tracker*, DFID (2012): 32.

stalled any consultations on DDR or SSR that may have been underway before the conflict.²⁹² It is also likely that DDR will be stalled due to the fact that the current war caused a split within the SPLA among the ethnic lines and desertions, which reduced the amount of soldiers under the Government's control.²⁹³

Intermediate Phase

Planning and Strategy: Since gaining its independence, with the help of the donors, South Sudan made a lot of progress during the planning and strategy stage. Unfortunately, most of the documents were not made available to the public and so they are not available for analysis. However, even only by looking at the amount of strategy documents drafted for each sector, it is evident that SSR is overly focused on the defence sector and to a lesser extent, on the police sector, since most of the drafted strategy documents relate to these sectors. On the other hand, considering the current insecurity, it is unlikely that in the near future South Sudan will take steps towards a more balanced approach to SSR since the priority of the major national and international stakeholders is on the re-establishment of a secure environment, which means a continued focus on the defence and police forces.

The contents of the draft National Security Policy are another potential issue. Since it was drafted prior to this largely unforeseen conflict, will its contents reflect the reality once the current conflict has ended? For example, even though the SPLA is considered to be the most ethnically represented force that fact did not prevent it from splitting among the ethnic lines at

²⁹² "Corporate Report South Sudan - Country of Concern," *Foreign & Commonwealth Office*, Gov.uk, 10 April 2014, Web., 17 July 2014 <<https://www.gov.uk/government/publications/south-sudan-country-of-concern/south-sudan-country-of-concern>>.

²⁹³ Office of the Secretary-General, "Report of the Secretary-General on South Sudan," S/2014/158, United Nations Security Council, UNMISS (6 March 2014): 2.

the start of the conflict.²⁹⁴ The issue of ethnic representation is more acute in other security services. Thus although ethnic representation might not have been a priority issue before the civil war, the civil war did show how quickly this issue can turn the security providers into a source of insecurity. Thus the future SSR strategy must ensure that is in alignment with the post-conflict reality after the end of the current war.

Implementation:

DDR: The evaluators of the UK's programme *Security Sector Development & Defence Transformation Phase I* (2009-2012) found that the willingness of the SPLA and the government's ability to reduce the army's size has been limited by:

- “ - Poor coordination with international partners
- Difficulty of identifying the resources required to kick-start the process
- Weak capacity to plan and implement programmes
- Very poor personnel data
- Repeated outbreaks of fighting
- Concern at the political level about the social and community implications of significant force level reductions.
- The on-going recruitment and a lack of progress with Disarmament, Demobilisation and Reintegration (DDR)”²⁹⁵

Unfortunately, there is no indication that any of the issues have been dealt with prior to the start of Phase II thus it is likely that they will continue during it.

Phase II of the *National Disarmament, Demobilization and Reintegration Programme* has begun in last April, but it is very unlikely that it will reach its goal of processing 150,000 personnel over the next eight-years considering the ineffectiveness of Phase I, the political disagreements about the ownership, and the stopping of DDR due to the civil war. However, the improvements made to the programme after Phase I and the Government's promise to provide wages to participants to help with career establishment once they finish they programme are a

²⁹⁴ Reeve 42.

²⁹⁵ “SSDDTP Project Completion Review (PCR),” Quest Document No 3912539, *Development Tracker*, DFID (2012): 9

positive sign.²⁹⁶ Still, only the future will tell if they are carried out; and if they are carried out, it will be a sign that the Government is committed to DDR.

The current *Objective Force 2017* has emphasized DDR in order to create a more sustainable the defence sector, but the goal of DDR has thus far been corrupted. Currently, the reintegration of soldiers usually means a transfer to another security sector, such as the SSNPS or the National Prisons Service of South Sudan (NPSSS), without any proper re-training.²⁹⁷²⁹⁸ The goal of DDR is further undermined as the SPLA continues to recruit and use DDR only expel soldiers unfit for duty.²⁹⁹ However, since the GoSS is facing an election in 2015, the downsizing of the bill for the bloated army will be crucial thus DDR is more likely to be prioritized in the future.³⁰⁰ Nevertheless, the outcome of the current war may effect this prioritization.

SALW management and awareness programmes: The SALW awareness campaign undertaken by the Bureau was not extensive and largely focused on the interactive radio drama programme. Unfortunately, the radio coverage was limited to few areas and did not reach a lot women or youth.³⁰¹ A lot of illiterate community members that are a major source of issues were not reached by the programmes as they were conducted only in English.³⁰² Furthermore, there were no follow-up programmes or monitoring and evaluation component that would show the effectiveness of the programmes.³⁰³

²⁹⁶ "Disarmament Demobilization and Reintegration," *United Nations Mission in South Sudan*, UNMISS, n.d., Web. 17 July 2014 <<http://unmiss.unmissions.org/Default.aspx?tabid=4055&language=en-US>>.

²⁹⁷ "National Disarmament Demobilization and Reintegration (NDDRC)," *GoSS*, 14 July 2013 <<http://www.goss-online.org/magnoliaPublic/en/Independant-Commissions-and-Chambers/Demobilization--Disarmament-and-Reintegration.html>>.

²⁹⁸ Abatneh 95.

²⁹⁹ Abatneh 23.

³⁰⁰ Small Arms Survey Sudan (2013): 3.

³⁰¹ Bureau for Community Security and Small Arms Control (2012): 18.

³⁰² Bureau for Community Security and Small Arms Control (2012): 18.

³⁰³ Bureau for Community Security and Small Arms Control (2012): 18.

However, SALW management portion was more successful as progress was made in stockpile management, capacity-building, construction of security infrastructure such as police posts, and coordination of stakeholders working on the community security issues.³⁰⁴ However, the Bureau admits that there is too much emphasis place on “the hardware component of security such as construction of police posts” and not enough “focus on the software aspects like utilization and mindset change through sensitization”.³⁰⁵

The fact that South Sudan’s SALW management and awareness campaigns started early in the SSR process shows an understanding of the importance of these activities for the achievement of stability in South Sudan. However, the ideal approach dictates that the SALW and DDR programmes must be taken in coordination since people will not disarm without a general feeling of security. The same logic applies to the civilian disarmament programmes. Indeed, some communities with a high level of insecurity have shown a great amount of resistance to the disarmament, such as those in Unity state. The President has allowed the SPLA to use force in order to carry out disarmament, which has led to human rights abuses.

The SALW awareness and management programmes are run by donors and the BCSSAC, while the actual disarmament is carried out by the SPLA and the SSNPS; thus the two activities are not explicitly linked. This is a missed opportunity to make the process more effective. For instance, a SALW awareness project by the BCSSAC could prepare a community for the planned disarmament. The failure to successfully link SALW management programmes and civilian disarmament programmes and resorting to force in order to carry out disarmament activities are a major flaw in South Sudan’s approach to SSR.

³⁰⁴ Bureau for Community Security and Small Arms Control (2012): 23-25.

³⁰⁵ Bureau for Community Security and Small Arms Control (2012): 18.

Furthermore, the main national organization responsible for the SALW management and awareness programmes, the Bureau for Community Security and Small Arms Control, has significant financial, administrative and mobility challenges. Similarly to the issues of other national organizations, it has a low staff capacity, an inadequate amount of supplied/equipment, and an inadequate budget for all of the activities.³⁰⁶ The success of civilian disarmament is intertwined with the general feeling of security that is highly dependent on the success of the SALW management and awareness programmes and the Community Security and Arms Control projects. Therefore, the challenges currently facing the Bureau are a major impediment to establishing security in South Sudan.

Army- SPLA: The donors and the SPLA have made some significant achievements in the defence reform. The main donors, the UK and the USA, have a clear division of responsibilities in the defence reform, which prevents the doubling-up of efforts. The US is focusing on helping to professionalize the army by providing much needed training; while the UK has helped the government draft many strategies that guide the SPLA reform process.

Significant progress has been made in the human resources management, monitoring and evaluation, administration and logistics fields thanks to DFID's *Security Sector Development & Defence Transformation Phase I and Phase II*. However, the lack of broad ownership and understanding of the SPLA transformation process pointed out in the review of Phase I means that the defence reform is largely headed by and dependent on the interests of the donors.³⁰⁷ Furthermore, the officials' lack of genuine interest in the reform is further made evident by the corruption of DDR process that was discussed earlier.

³⁰⁶ Bureau for Community Security and Small Arms Control (2012): 29.

³⁰⁷ "SSDDTP Project Completion Review (PCR)," Quest Document No 3912539, *Development Tracker*, DFID (2012): 32.

The ranks of the SPLA continue to swell due to the integration of militia forces, the return of former soldiers thanks to the increase of soldiers' salaries, and the continuing recruitment process.³⁰⁸ The over-sized army is an issue for two reasons. First, the enormous size is unsustainable. In the long-term, the GoSS cannot afford such vast expenses on its limited budget. Second, the SPLA integrated a lot of guerrilla fighters and armed rebel groups without putting them through a proper vetting process.³⁰⁹ As a result, it is unsurprising that a lot of human rights abuses are being committed by the SPLA.³¹⁰ If the current objective of reducing the army to 150,000 soldiers is achieved, it would free up funds to improve the SPLA and the rest of security sector. It would improve sustainability in the long-term as the Government would find the SPLA more affordable. Thus the GoSS needs to re-affirm its commitment to DDR by educating the SPLA officials about the aims and the objectives of the SPLA transformation plan and by reaching an agreement with the donors about the objectives of DDR.

The proposed ideal approach highlights the importance of proper composition of the forces. Unfortunately, the SPLA employs a disproportionate amount of senior officers, which is ineffective for two reasons. First, paying the salaries of all of the senior ranking officers places a huge burden on the SPLA's budget - of which 80% is spent on salaries.³¹¹ By reducing amount of senior officers to meet the normal ratio of senior to lower rank officers, the SPLA can reduce the burden on its budget and promote sustainability. Second, the disproportionately high number of senior officers has led to a disjuncture between the senior and the lower ranking officers.³¹²

The disjuncture stems from the fact that many soldiers are ex-rebels whose group was integrated

³⁰⁸ Snowden 18.

³⁰⁹ Abraham Sewonet Abatneh and Simon Monoja Lubang, "Police Reform and State Formation in Southern Sudan," *Canadian Journal of Development Studies/Revue canadienne d'études du développement* 32:1 (2011): 95.

³¹⁰ Abatneh 95.

³¹¹ Snowden 19.

³¹² Weber 2.

into the SPLA as part of a peace deal. The commanding officers received higher ranks in the SPLA, which allowed them to rise quickly through the ranks. Lower rank soldiers do not have such opportunities. Often lower rank soldiers do not feel that the integration into the SPLA has been beneficial for them, while higher rank soldiers are pleased about new opportunities for advancement.³¹³ As a result, lower rank officers become less loyal to their superiors and may feel the desire to leave the SPLA to form their own militias in order to gain access to political resources.

However, the GoSS is aware of this issue. Indeed, in January 2013, the GoSS discharged 100 high rank officers from active service, which led to unrest within the military.³¹⁴ Ethnic loyalties were mobilized and SSR was stalled.³¹⁵ Thus the reduction of senior ranking officers will be an uphill battle. Nevertheless, the GoSS needs to continue these efforts if it wishes to establish an effective and sustainable force.

The current conflict underlines the fact that the SPLA is “ethnicized” and politicized. Thus the GoSS, or more specifically MoDVA, should initiate programmes that work on teambuilding and enforce the idea of the SPLA as one indivisible force that serves the state and its people. Any organizational efforts that would help in achieving this result should also be undertaken. For example, frequent rotations of soldiers between the units may enforce their view of being part of the SPLA as a force, rather than just being part of a unit with their own leader and being “attached” to the SPLA.

In summary, the biggest issues in the SPLA are the overall size and the composition. The DDR initiatives are attempting to reduce the overall size of the force, albeit unsuccessfully. However, the compositions issues - the issue of quick mobilization among ethnic lines that was

³¹³ Weber 2.

³¹⁴ Weber 2.

³¹⁵ Weber 2.

demonstrated in January 2013 and in December 2013 and the disproportionate amount of senior officers - are not being addressed by any reform efforts that are currently underway.

Police – SSNPS: The major issue for the SSNPS is a lack of funding, which results in a lack of basic resources and equipment. The police budget does not cover uniforms, stationary, or fuel.³¹⁶ Furthermore, the human capital itself is in poor state. Since 90% of police force is illiterate, even the basic functions such as taking legible statements are a challenge.³¹⁷ Illiterate cadets are also a challenge for donors as training proves to be very difficult. In addition, the SSNPS is concentrated in towns thus it does not provide adequate security to rural areas.³¹⁸ The public sees it as an unprofessional, corrupt, and unnecessarily aggressive force, which is not surprising since similarly to the SPLA it absorbed a large number of soldiers and militia's without any proper re-training.³¹⁹³²⁰ Furthermore, due to the lack of equipment and training, the SSNPS are often unwilling to police the heavily armed population.³²¹

Some issues are slowly being addressed by the reform efforts. As in the defence reform programmes, there is a clear division of labour between the US and the UK. The US is focusing on improving the skills of the SSNPS, while the UK is focusing on improving its relationship with the communities. Other donors, such as the Netherlands and Canada, contribute advisors to UNPOL that help train the SSNPS as well. In addition to the training, UNPOL has helped the SSNPS to draft its strategic framework for the SSNPS and to finalize its organizational structure. Moreover, UNMISS, UNPOL, the UK, the US and the Netherlands are providing a variety of training courses to the SSNPS and are providing equipment.

³¹⁶ Downie 17.

³¹⁷ Abatneh 103.

³¹⁸ Abatneh 103.

³¹⁹ Abatneh 101.

³²⁰ Snowden 33.

³²¹ Reeve 40.

Furthermore, the UK's *Safety and Access to Justice Programme (SAJP)* demonstrates that the UK understands the importance of the interplay between the justice and police sector, which is crucial for the proper functioning of both sectors. In fact, in the business case summary for SSDTP2, there is an explicit reference to the effort of promoting the connections between the defence programmes and the justice and police programmes.³²² In addition, the programme has worked on improving community-police relationships and the capacity of community policing.³²³

The reform efforts are also working on addressing the issue of the SSNPS over-concentration in towns. The Bureau for Community Security and Small Arms Control has worked on “the extension of state authority to remote areas through construction of police posts and deployment of personnel”.³²⁴ In 2012, it completed the construction of 27 police posts and undertook the construction of 18 more posts.³²⁵

However, the issue of composition is also present in the SSNPS and is not addressed by the reform efforts. The lack of ethnic balance is an acute issue in the SSNPS as 70% of the senior SSNPS officers are from the Dinka ethnic group.³²⁶ Without an ethnic balance, the SSNPS is in danger of becoming quickly politicized.

The ideal approach notes that the SSR actors need to be aware of how the reforms in one sector impact another sector and the practice of transferring the SPLA soldiers into other security forces is problematic. Firstly, it does not reduce the overall size of the security force, which means the financial burden of the GoSS for maintaining such a large force is not reduced.

³²² “Conflict Pool Project Form: Security Sector Development and Defence Transformation Programme – Phase 2,” *Development Tracker*, DFID (2012): 3.

³²³ “Conflict Pool Project Form: Security Sector Development and Defence Transformation Programme – Phase 2,” *Development Tracker*, DFID (2012): 3.

³²⁴ Bureau for Community Security and Small Arms Control (2012): 16.

³²⁵ Bureau for Community Security and Small Arms Control (2012): 27.

³²⁶ Abatneh 103.

Secondly, the integration of soldiers into the police force is highly problematic as it blurs the line between the police force and the army, which is necessary for a properly functioning security sector. Thirdly, the mentality of the soldier is different than that of a policeman. Since a policeman with the mentality of a soldier will be highly ineffective, the transfers out of the SPLA into other sectors should be done only with great caution and proper re-training, which is not currently the case. Thus in addition to the lack of ownership of the transformation process, the transfer practice is a flaw in South Sudan's approach to SSR.

Furthermore, the salaries of police officers are three to four times lower than those of soldiers. For example, a colonel in the SPLA is paid 3,900 SSP per month, while his counterpart in the SSNPS receives only 900 SSP per month.³²⁷ The salary discrepancy is potentially explosive issue since many SPLA soldiers are transferred to the SSNPS and the monetary loss could lead to disgruntlement. However, the Ministry of Interior did recognize this discrepancy as an issue and it did plan to increase the salaries of the SSNPS officers to the level of the SPLA officers; however, the reality is that it is unlikely to receive the extra funds to accomplish that.³²⁸ It could decrease the salaries of soldiers in order to match the salaries of the police force. However, this approach is likely to bring violent upheaval from the disgruntled soldiers and encourage the soldiers to join numerous rebels groups in search of better pay. At the same time, the salary discrepancy issue leads to additional tensions and animosity between the two forces. Thus the GoSS find a way to address the salary discrepancy issue.

The tensions between the SSNPS and the SPLA are another major issue. For example, the SPLA soldiers often disarm the police officers during their civilian disarmament missions.³²⁹³³⁰

³²⁷ Snowden 28.

³²⁸ Snowden 30.

³²⁹ Abatneh 96.

³³⁰ Downie 15.

The people will not trust the police as long as the soldiers continue to disregard and undermine their authority. The GoSS should address this issue by clarifying the roles, powers, and responsibilities of either force. Furthermore, in order to put the SSNPS on an equal footing with the SPLA, the government and the donors need to heavily invest into training and equipping of the SSNPS. The reforms are currently addressing these issues, but the impacts of those initiatives are not yet clearly visible.

Moreover, the SSNPS and the SPLA are not seen as distinct forces by civilians. The fact that the people in Jonglei used “police” and “soldiers” interchangeably when they were interviewed about the civilian disarmament highlights the issue.³³¹ The civilians know the difference between the uniforms of the police officer and the soldiers.³³² However, to the civilians, they perform the same predatory function. Thus is it essential for the SSNPS to continue the current projects that focus on improving the relationship between itself and the communities. In addition, the SSNPS must also ensure that it deals with the public when security issues arise rather than the SPLA thus gaining trust and reinforcing the establishment of a cooperative working relationship. Lastly, since the SSNPS is making progress in improving its public image and its relationship with the communities, it must distance itself from the SPLA and its heavy-handed tactics in order to gain and sustain the trust of the communities.

Justice Sector: The justice sector is also in a poor state. It lacks infrastructures, and human, financial, and material resources.³³³ In addition, it has a weak institutional capacity and an underdeveloped legal framework and provides an inadequate implementation and

³³¹“Lethal Disarmament Abuses Related to Civilian Disarmament in Pibor County, Jonglei State,” *Amnesty International*, Amnesty International Publications (United Kingdom: 2012): 8.

³³²Amnesty International (United Kingdom: 2012): 8.

³³³“South Sudan: an Independent Judiciary in an Independent State,” International Commission of Jurists (2013): 4.

enforcement of the law.³³⁴ Moreover, since there are only 124 judges in South Sudan, the statutory judiciary presence is weak.³³⁵ As a result, the backlog of cases is a major issue.³³⁶

As a result, most South Sudanese rely on the customary justice system to resolve conflicts.³³⁷ Indeed, about 90 percent of cases are taken to the customary courts.³³⁸ Since South Sudanese place great importance on the customary law, its integration into the statutory justice system is crucial.³³⁹ However, it will be hard to integrate the two systems, since the customary justice system technically consists of at least 60 customary law systems and conflicting values.³⁴⁰ Currently, some judges deliver justice using customary laws while others use statutory laws; this practice undermines the principle of legal certainty.³⁴¹ Furthermore, the culture of judicial independence has not yet taken root in South Sudan as the Executive often interferes with the exercise of judicial functions.³⁴²

As it is usually the case in SSR, South Sudan justice reform received much less attention than the police and defence reforms. The US has provided institutional and training support, while the UK has improved access to justice services via its *Safety and Access to Justice Programme (SAJP)*. ROLSISO's Military Justice Advisory Section and Justice Advisory Section have assisted with strengthening rule of law capacity, supported establishment of a legal framework and provided training. Justice Advisory Section does give advice on the issues related to the formal and traditional justice systems; however, it is unclear how much actually has been

³³⁴“Multi-Annual Strategic Plan South Sudan 2012-2015,” South Sudan, the Ministry of Foreign Affairs (2011): 5-6.

³³⁵ International Commission of Jurists (2013): 4.

³³⁶ International Commission of Jurists (2013): 4.

³³⁷“Multi Annual Strategic Plan South Sudan 2012-2015,” South Sudan, the Ministry of Foreign Affairs (2011): 5-6.

³³⁸ Francis Deng, “Customary Law in the Modern World: The Crossfire of Sudan's War of Identities,” *Customary Law and Criminal Justice in South Sudan*, USIP (2010)

³³⁹ Deng 7.

³⁴⁰ Deng 7.

³⁴¹ International Commission of Jurists (2013): 3.

³⁴² International Commission of Jurists (2013): 4.

accomplished in putting the two together.³⁴³ Since the majority of cases are taken to customary courts, it is imperative that a proper amount of attention is paid to the integration of customary justice system into the formal justice system. Currently, none of the reform efforts are focusing on this issue.

Furthermore, the International Commission of Jurists' report, *South Sudan: an Independent Judiciary in an Independent State?*, describes numerous issues in South Sudan's justice sector that are not being properly dealt by the GoSS or the donors. In addition to issues listed earlier in the section, one of the major issues cited is "a mismatch between the financial and human resources allocated for the performance of day-to-day legislative work and the amount of legislative work still to be done."³⁴⁴ Thus the GoSS needs to refocus its efforts on the reform of this sector and devolve more resources it so that the day-to-day legislative work can be performed effectively.

Penal Sector: Penal sector is comprised of 38 prisons, with a total of 22,000 staff and 7,000 prisoners.³⁴⁵³⁴⁶³⁴⁷ However, the number of staff should be decreased as the guard-to-prisoner ratio is three times higher than in neighbouring countries.³⁴⁸

The penal sector faces numerous issues. General Abel Makoi Wol, Director General of South Sudan Prison Service, said that the buildings were greatly damaged during the war and are

³⁴³ "Rule of Law and Security Institutions Support," *United Nations Mission in South Sudan*, UNMISS, n.d.. Web., 1 July 2014.

³⁴⁴ International Commission of Jurists (2013): 3.

³⁴⁵ Snowden 36.

³⁴⁶ "Prison is not for me: Arbitrary Detention in South Sudan," (Human Rights Watch, (New York: Human Rights Watch 2012): 13.

³⁴⁷ "Transforming South Sudan's Prisons," United Nations Mission in South Sudan, UNMISS, n.d., Web., 17 July 2014 <<http://unmiss.unmissions.org/Default.aspx?ctl=Details&tabid=3542&mid=7324&ItemID=1313006>>.

³⁴⁸ Snowden 36.

currently in very poor state. In addition, the prisons are overly crowded.³⁴⁹ Human rights organizations point out issues such as “prolonged and arbitrary detention, juveniles imprisoned with adults, poor sanitation, bad nutrition, lack of medical care, pregnant women exposed to health hazards and mentally ill inmates”.³⁵⁰

The current UNODC’s prison reform began in 2008. It has made some progress, but the independent evaluation made many important recommendations to the GoSS: earmark more resources for prison, examine more options for reducing overcrowding, create a criminal justice linking committee, set up a juvenile detention review board, and approve upcoming prison regulations.³⁵¹ It has also made numerous recommendations to the NPSSS, such as provide of further training, increase the number of dormitories, review the strategy of the Academy and its training material, commit to improving the health situation in prisons, and etc.³⁵² Thus similarly to the justice sector, a lot of work still needs to be done in the penal sector. As pointed out in the ideal approach to SSR, the reforms of different sectors are closely linked and must be tackled at the same time. The GoSS needs to ensure that prison reform does not fall too far behind the reform in other the sectors. Otherwise, the success of the other sectors will undo any gains made in the penal sector.

Final Stage & Conclusions

South Sudan is currently in the middle of the intermediate phase of SSR. Although it is impossible to determine how well it will perform in the final phase, it is possible to speculate

³⁴⁹ "Transforming South Sudan’s Prisons," United Nations Mission in South Sudan, UNMISS, n.d., Web., 17 July 2014.

³⁵⁰ "Transforming South Sudan’s Prisons," United Nations Mission in South Sudan, UNMISS, n.d., Web., 17 July 2014.

³⁵¹ Stigter 32.

³⁵² Stigter 32.

based on the progress it has made during the intermediate phase. The final phase of SSR consists of re-evaluations, cuts in the SSR expenditures, and a greater focus on oversight, accountability and organizational issues to prepare a full transfer of responsibilities from the donor to the host government.

The re-assessment/re-evaluation initiatives should have been performed throughout the whole SSR process, yet, there is no indication that South Sudan created any baselines or monitoring and evaluations mechanisms. The UK does review the implementation of their programmes. However, these reviews do not reach beyond the programmes' activities. Thus they will be only marginally helpful when it comes to system-wide SSR reviews. Another issue is that programme reviews are performed by the donor that initiated the programme, which means that the M&E skills are not transferred to the country's staff. Furthermore, without baselines South Sudan will be pressed to point out the impact made specifically by the reforms. It will be forced to list the number of projects completed and the activities of those projects, but it will not be able to show the actual impact of the reform, such as an improved security environment.

The reduction of security related expenditures will be crucial for the GoSS. Currently, this reduction depends on the success of DDR, which has not been successful thus far due to lack of genuine support and commitment from the Government and national SSR stakeholders. If the GoSS prioritizes long-term security and stability over the size of its army, then it is possible that the reduction will take place. However, considering that the country is currently in a civil war, DDR and other reforms will be put on hold until the current Government is certain of its own survival.

The proposed ideal approach suggests that the issues of oversight, accountability and organizational issues should be dealt with at the final stage of SSR. It is very difficult to tackle

these issues since even countries with the most successful SSR experiences that were discussed earlier are still struggling to address them. In South Sudan, thus far, the reforms have not attacked the oversight, sustainability, and accountability issues in any extensive manner. However, there is a clear effort to address the organizational issues within the SPLA and the SSNPS, and to a lesser extent, within the justice sector. It remains to be seen if the efforts will lead to positive impacts.

One issue should be emphasized in the South Sudan's general approach to SSR. Reports from the field show that defence and police reforms usually take precedence in SSR. This is clearly the case in South Sudan, where the justice and penal sector reforms lag behind the reform of defence and police sectors. In fact, a SSR priority hierarchy emerges: defence reform, police reform, justice sector reforms and then penal sector reforms. In the eyes of practitioners, this hierarchy may be seen as necessary due to limited resources and the necessity of establishing security as quickly as possible. However, the hierarchy's necessity decreases over time as the provision of hard security provided by the soldiers and the police officers becomes less critical for the stability and overall security than the services provided by the justice sector.

Considering the current civil war, it is unlikely that SSR effort will re-focus on the justice sector in the near future. However, a re-focus on the justice sector is crucial in South Sudan's case. The current civil war highlights the need for transitional justice and the mechanisms for reconciliation in order to combat the culture of vengeance. In addition, the general prevalence of inter-ethnic and inter-communal disputes needs to be addressed. It can only be effectively addressed with a robust justice system that incorporates customary law.

With the help of the UK, Sierra Leone was able to make a lot of progress in the police reform even during the volatile time when any ceasefires quickly reverted to violence. Thus

South Sudan can also attempt to achieve such progress in the justice reform even during the current conflict. Thus the Government and the donors should make the reform of the justice sector a priority, now and especially after the end of the war.

Future research should focus on further synthesizing any upcoming government policies and academic research about SSR in order to further refine the outline for the ideal SSR approach. This approach could be used to help shape the general understanding of how SSR should progress. With a common understanding of this process, it will be easier for the SSR actors from different organization or countries to work together to create an effective reform of a security sector in a particular country.

As the ideal approach is refined, it would be also beneficial to see how it applies to the progress made in South Sudan. It would be important for future research to review the progress made in SSR once the situation in South Sudan is stabilized and UNMISS is ready to withdraw. This research will be able to show if any major issues identified in this paper have been address by the reforms, how well they were addressed and what impact they have made. By analyzing past failures, we can avoid repeating them in the future.

Annex A

Initial Phase (1-2 years)

Entry Point 1 – end of hostilities, signed peace agreement (with or without explicit security provisions i.e. integration of rebels), deployment of peacekeepers

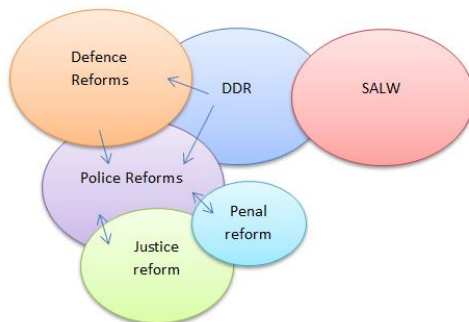
Entry Point 2 – ongoing conflict, but there is strong desire for SSR from host government

1. Security Assessment (general and sectoral) and DDR assessment
2. Consensus-building and Consultations with security sector officials and civil society on SSR priorities

Intermediate Phase (2-10 years)

3. Planning and SSR Strategy Design
4. DDR, SALW, SSR

Interconnectedness of SSR activities



Final Phase (10 years+)

5. Transition: Cut security related expenditures, focus on program that attack oversight, accountability and organizational issues

Throughout the process: Monitoring/Reassessments/Evaluation

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