

# GUIDANCE ON FRAGILITY



**ACROPOLIS**

AID EFFECTIVENESS IN FRAGILE CONTEXTS





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## ACROPOLIS - ACademic Research Organisation for POLicy Support.

The ACROPOLIS groups conduct academic research and provide academic services tailored to the Belgian development cooperation. Bringing together policymakers and researchers, their aim is continued professionalisation and improvement in the quality and impact of the Belgian development cooperation policy. ACROPOLIS also contributes to the international visibility of Belgian academic expertise in development cooperation. The programme is funded by the Directorate-General for Development Cooperation and Humanitarian Aid (DGD) of the Ministry of Foreign Affairs, through ARES-CCD and VLIR-UOS. Three thematics of work have been chosen for the 2014-2017 period: Aid Effectiveness with a Focus on Fragile Contexts; BeFinD - Financing for Development; and KLIMOS - Integration of the Environmental and Climate Change Themes in the Transition towards Sustainable Development.

## ACROPOLIS Aid Effectiveness with a Focus on Fragile Contexts

The research group working on Aid Effectiveness in Fragile Contexts gathers academic partners from Université Saint-Louis – Bruxelles (coordinating university), Universiteit Gent, Université libre de Bruxelles, Université Catholique de Louvain and Université de Liège. Its main areas of work are the operationalisation of a fragile-sensitive approach for Belgium cooperation, risk analysis and management in fragile contexts, conditionality modalities, territorial multi-actor and multi-level approaches and support to local civil society organisations. The programme focuses its work on the Great Lakes Region of Africa and the Sahel.







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# INTRODUCTION

## Background & objectives

In the past two decades, a growing consensus has emerged that a **differentiated approach to cooperation** was needed in fragile contexts. Four simple observations have sparked this evolution. First, **classical cooperation approaches do not bring the expected results** and often prove to be inefficient. Second – and as one of the consequences – countries in a fragile situation have often **lagged behind in reaching of the United Nations Millennium Goals** and are most likely to suffer major difficulties in attaining the **Sustainable Development Goals (SDGs)**. Third, these contexts are much more likely to experience **repeated cycles of political and criminal violence**. Finally, an estimated 1.5 billion people live in such fragile contexts.

The definition and understanding of fragility has however **evolved over time**. First, fragility was conceived as a **binary concept**, intimately linked to the **state actors and systems** “failing to provide basic services to poor people because they are unwilling or unable to do so” (OECD, 2006). A state was or was not considered as fragile and lists of fragile states were produced. Today, a much more **multi-dimensional understanding of fragility** exists where all states can be fragile and only an arbitrary line can be drawn on the fragility continuum to determine which state is or is not in a fragile situation. Fragility is therefore now defined as “**the combination of exposure to risk and insufficient coping capacity of the state, system and/or communities to manage, absorb or mitigate those risks**” (OECD, 2016). Five dimensions are at the core of this multi-dimensional approach: **economy, society, environment, security and politics**.

Over the years, the concept of fragility has become more and more salient in Belgian development cooperation, mostly through its endorsement of the **New Deal for Engagement in Fragile States**, the adoption of the **Strategic Note on Situations of Fragility** in 2013 and the **strategic decision** made in 2014 to focus Belgian aid on least developed countries and fragile situations.

A major challenge has however remained the operational implementation of such fragile-sensitive approach. Indeed, a **strong understanding** and **broad ownership** of the concept of fragility by Belgian development actors is essential to the implementation of the Belgian priorities of development cooperation as well as to the respect of its international commitments.

**This “guidance on fragility” is a key step in that direction.**

This translation – or operationalisation – was the first and principal objective of the **ACROPOLIS research group on Aid Effectiveness in Fragile Contexts**, financed by Belgian Development cooperation through University cooperation (VLIR-UOS / ARES-CCD, 2014-2017). The guidance is the fruit of this research and has undergone different steps in its elaboration.

Building on the outcome of a European inter-agency workshop on the **improvement of interventions in fragile contexts** organised in Kinshasa by Belgium and the European Commission in June 2015, the research group engaged in a process to facilitate a Belgian operationalisation of a fragile-sensitive approach. It first identified the **legal, institutional, organisational and contextual obstacles** to a more effective aid in fragile contexts and drafted a set of recommendations to policy-makers to tackle them.

Complementary to this strategic dimension, the need for a reference document that **operationalise such a fragile-sensitive approach** for development actors became increasingly evident. Therefore, based on the work on the obstacles, internal questionnaires on good practices, academic and policy literature as well as multiple field missions and two regional workshops in Dakar and Kigali, the **drafting of this guidance has been initiated using a participatory methodology**.

This three-year process was an integral part of the necessary awareness deepening and appropriation of the guidance. ACROPOLIS researchers are very **thankful to all DGD and BTC staff as well as other development actors** for their contribution to our research.

## Objectives of the guidance

The objective of this guidance is to provide Belgian cooperation actors with a practical and pedagogical document, which they can use and refer to in their daily work in order to integrate a fragile-sensitive approach.

It has been designed in order to be user-friendly and relevant as both:

- A “crash course”: an introduction for staff not yet trained or experienced in working in fragile contexts.
- A daily work reference, not only for attachés but also for all Belgian actors that are invited to systematically integrate a common approach to fragility through the programme cycle and the different aid modalities.

### Structure

Each chapter starts with a one-page summary including a definition of the principle, a diagram and key questions to be raised when dealing with it. It then highlights the policy relevance and operational importance of this principle in fragile situations and presents the key dilemmas, questions, guiding modalities, examples and resources in operationalising the principle.

### Fragility Checklist

Annexed, a checklist translates the key principles for engagement in fragile situations developed in the Guidance into concrete questions that should be taken into account in order to ensure that any process, exercise or decision integrates a fragile-sensitive approach. It can be used to guide, monitor or evaluate any process such as intervention design, monitoring or evaluation, or political dialogue and political decision-making.

The key questions that structure the different chapters as well as the checklist have been elaborated in order to help appropriation. They aim at clarifying in operational terms what an approach sensitive to fragility is concretely about when facing a context specific issue, for instance when preparing new instructions or terms of reference, assessing the implementation or evaluating the effects of an intervention.

However, the guidance does not aim at giving one size fits all answers. It acknowledges the importance of the first principle – start from context (cf. *infra*) – and stresses that the answers to any questions listed in the guidance depend on context. In other words, it is not a guide with predetermined answers but rather a toolbox to assist cooperation actors in asking the right questions and providing the necessary resources to answer them in a way that fosters a fragile-sensitive approach to development cooperation. This emphasis on context is also relevant for Belgium's own institutional, political, organisational or financial contexts and their evolution through on-going or future reforms.

## **Content: working in & on fragile contexts**

The chapters of this guidance are inspired by the principles of engagement in situations of fragility that are at the core of Belgium's strategic note and the OECD-DAC International Network on Conflict and Fragility (INCAF) approach.

The chapters address successively the following principles.

### **Chapter 1: Start from context**

Starting from context implies to rely on context analysis rather than on routines or other methodological blueprint approaches and to make sure such analysis is available, of good enough quality and can be spread and used as the keystone to further programming.

### **Chapter 2: Focus on state-society relations**

To focus on state-society relations means considering the state broadly and thus not only supporting state actors (both at central and decentralised level), but also strengthening constructive relations between state and society (namely local actors such as informal or traditional ones, civil society, medias, etc.).

### **Chapter 3: Do no harm**

Do no harm requires seeking to avoid or mitigate the negative impacts that may arise from the intervention. It builds on the acknowledgment that whatever and whenever international assistance is provided in a fragile context, this assistance becomes part of that context and can therefore attenuate or exacerbate the dynamics of fragility.

### **Chapter 4: Make prevention a priority**

Make prevention a priority requires a focus on both quick tangible results and on long term planning and sustainable impact based on a deep understanding of the past (i.e. causes of conflicts). This can be achieved through early warning systems and tackling root causes of fragility.

### **Chapter 5: Adopt a Whole-of-Government Approach**

A Whole-of-Government Approach (WGA) assumes that when different departments have a shared understanding of the problem, exploit synergies in the pursue of a common strategy and agree upon a plan to implement, monitor and evaluate such strategy, a donor will not only have a more sustainable and meaningful impact, but also at a lesser fiscal cost and with a greater legitimacy in the eyes of its partners.

### **Chapter 6: Promote non-discrimination**

This principle urges international donors to promote non-discrimination as a basis for inclusive and stable societies. This means to promote human rights, gender mainstreaming, social and political inclusion, equity and fair access to basic services.

### **Chapter 7: Align with local priorities**

Donors should wherever and whenever possible use the partner country's (1) priorities and strategies (strategic dimension) and (2) policies and systems for aid financing, management and delivery systems (operational dimension) to guide their action.

### **Chapter 8: Act fast, stay engaged and be flexible**

Engaging in fragile contexts must be flexible enough to take advantage of windows of opportunity and respond to rapidly changing conditions on the ground. At the same time, given the complexity of the challenges facing fragile contexts, long-term and flexible engagement is crucial as change can only be expected after a long period of time.

### **Chapter 9: Manage risks**

Programming in fragile contexts is inherently risky, in that we may have relatively limited control over the outcomes. Because of this higher level of uncertainty failure (or doing more harm than good) is more likely. In order to prevent failure and adapt interventions to fragile contexts it is important to have a continuous and in-depth understanding of the risks one will be confronted with when working in such fragile contexts.

## **Key resources & references**

- OECD (2006), *Applying Strategic Environmental Assessment: Good Practice Guidance for Development Co-operation*, DAC Guidelines and Reference Series.
- OECD (2016), *States of Fragility 2016: Understanding Violence*, OECD Publishing.

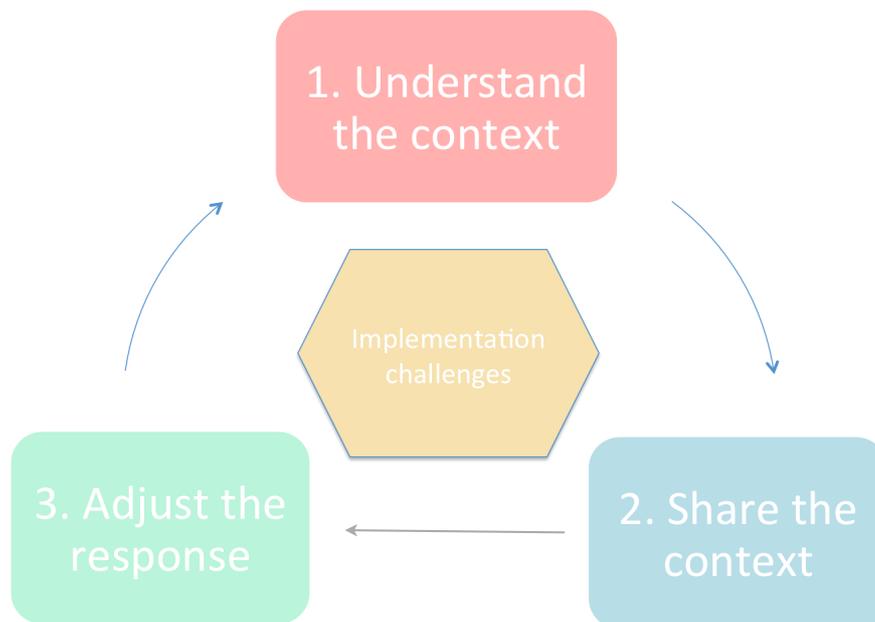
# CHAPTER 1

## Start from context

### Principle

**Taking the context as a starting point** implies four crucial elements: (1) to not take anything else as starting point, i.e. to rely on context analysis rather than on routines or other methodological blueprint approaches; (2) to make context analysis the start of core procedures of an intervention; (3) to invest enough time and resources to produce high quality and relevant analysis; and (4) to make sure such analysis can be spread and used as the keystone for further programming.

### Key elements



### Checklist

- What relevant (internal and external) analyses are available in order to have a well-informed view of the context (specify when possible: e.g. political economy analysis, conflict sensitivity, risk analysis, institutional capacity assessment, ...)? What additional analyses are needed (specify)?
- What (internal and external) expertise is available in order to analyse and monitor the context on a continuous basis?
- How and when have the relevant actors been consulted in order to have a comprehensive view of the context (partners, beneficiaries, other donors, drivers and spoilers)?
- How do management tools and procedures allow effective adaptation towards a changing context (specify)?

## Background – What is it & why is it important?

If taking context as the starting point should be a necessity in any partner country, it is even more crucial in fragile situations. **Fragility can take many shapes and scales, and any attempt to respond to fragility should be based on a sound assessment of the particulars of such a context.** Research and practice show that **blueprint approaches to fragile situations cannot succeed**, and external interventions require a deep understanding of the political, historical, cultural, socio-economic dimensions of a context in order to minimise unexpected consequences and negative impact potentially leading to failure or major drawbacks (see chapter 3: Do no harm). But opening strong administrative routines to such flexibility can be a challenge, especially when decision is not decentralised to the field.

To that effect, **international reflection tends to promote qualitative and multi-disciplinary studies identifying the relevant stakeholders and their relations.** Such studies appear to be necessary **at every step of the project cycle**, although donors have difficulties to acknowledge and/or address the time and resources they require. National development plans (such as poverty reduction strategy papers) have been used as a major tool for setting the common understanding of a national context. However, if such documents can contribute to a common vision for long-term development, they do not address more urgent priorities, especially regarding fragile situations. **More targeted studies and tools than national development plans are therefore required.**

Moreover, **starting from a deep understanding of the context is also a way to push forward joint analyses, consequently contributing to the harmonisation of donors' policies**, another key issue for aid effectiveness, especially in fragile situations. However, if national and international actors easily agree on the necessity of a contextual understanding, it is less easy to make sure different stakeholders do not interpret a common context in different ways. A post-conflict country, for example, is likely to harbor diverging visions of its development within its own population, following old fractures in its society.

| Understand the context   |  |   |
|--|--|---|
| Identify constraints regarding capacity, political will & legitimacy   | Include multidisciplinary and multi-actors approaches                                | Specific scrutiny on security agenda & on democratic transition |
| Outcome of the comprehensive analysis                                  |  |   |
| Country- and/or region specific approach (no blueprint)                | mixing / sequencing aid instruments according to needs                               | make room for decentralised and non-governmental initiatives    |
| Adjust the response  |  |   |
| Deep understanding of the country context => shared strategic response | Quantitative & qualitative indicators on conflict / governance / institut. strength. |   |

## Understand the context

### Data collection and analysis

A major obstacle for context analysis is the **general lack of statistical data and updated and reliable monitoring indicators in States where fragile situations occur**. Strengthening the local capacity for gathering and treating data, improving national production of statistics and building up local databases and national statistics systems can certainly contribute to a result-based management of public affairs (see Kinshasa Statement, 2008), but **it takes time**. Meanwhile, information on the context could be better shared between donors, in order to enhance the development of a **common understanding of the relevant issues** by the stakeholders. Informal initiatives based on good neighboring relationships (i.e. sharing of analysis under the form of non official documents) can be explored, since donors may consider risky to publicly share context analyses.

#### Key questions

What is the available data on the context, and what is its relevance and accuracy? What are the international actors' capacities in terms of collecting information? What is the willingness to share them, including in non-formal agreements based on personal relations between resource persons? How can national systems for data collection be reinforced on the longer run?

### Devolution

Sound context analyses that are both accurate and relevant for a donor's strategy imply a strong presence in the field, and a constant dialogue between headquarters and field offices. In other words, they are time- and resources consuming. Moreover, depending on donors national systems, such resources may be in the hands of an implementing agency rather than on a public administration service, therefore requiring a clear agreement on sharing tasks and responsibilities.

#### Key questions

Is there a clear understanding on who is responsible for context analysis and who has the human and financial means to carry them on? How can the content of such analyses be communicated throughout the whole chain of decision, since it is of relevance at the strategic as well as the implementation levels of the programming cycle?

## Share the context

### Coordination mechanisms

From a potentially shared analysis of the context to the actual implementation of a potentially shared response, the biggest risk of failure is linked to the lack of coherence between different donors' interventions. Indeed, a same context can offer multiple readings; a balance must be found between high level coordination mechanisms, with a risk of too much formality and difficulties to implement, and lower level mechanisms, ideal to insert intervention of decentralised and/or non governmental initiatives, but too small to allow real joint approaches in terms of harmonisation.

#### Key questions

What are the existing (or potential room for creating) coordination mechanisms between donors? Do they exist both at a strategic and decision-making level and at more operational levels?

## Adjust the response

### Institutional flexibility

Donors need to **adjust their response in function of the type of context**. For example, a **distinction can be made** between: (i) post-conflict/crisis or political transition situations, (ii) deteriorating governance environments, (iii) gradual improvement and (iv) prolonged crisis or impasse (DfID typology, 2010). But as fragile contexts are volatile and dynamic this adaptation should be on a continuous basis and donors should also be able to act fast when a crisis situation appears. Furthermore, this should not lead to a stop-and-go engagement, instead adaptive capacity and flexibility of the donor on the short term should remain embedded in a long-term engagement with strategic visioning. Unfortunately many donors are still struggling to adapt their legal and regulatory frameworks that are currently limiting their institutional flexibility (see chapter 8: Act fast, stay engaged, work flexible).

#### Key questions

How to ensure that a change in context also leads to a timely decision on a changed approach when needed? Does the legal framework allow the necessary flexibility to intervene in a fragile context? Does the programming of an intervention? Have alternative options, such as delegated cooperation, been considered.

## Case examples

### Burundi, 2006: a new cooperation programme with a conflict-sensitive approach

In June 2006, the year following the organisation of the first elections after the end of the conflict, Belgium decided to start a new bilateral cooperation programme with Burundi. Prior to the redaction of the “note de base” setting the context for the new framework of intervention, it was decided to send a **multi-actors mission in Burundi to conduct a conflict sensitive analysis** of the situation. Lessons can be drawn from this experience, both in terms of methodology and

#### Methodology

- The field mission was prepared by several HQ meetings gathering large parts of DGD staff, presenting the relevance and modalities of a conflict-sensitive approach, incl. inviting international experts as key speakers.
- The field mission was as inclusive as possible, gathering representatives from DGD (both geographical and thematic directions), DGB, BTC, Ministry of Defense, and universities (research programme supporting DGD on security and development issues in Central Africa); it spent three full weeks in the field, in close coordination with DGD field representatives (daily briefings); more than 80 different meetings targeted international actors, national authorities at different levels (from high level meetings with the Vice-President of the country to communal authorities), and non-state actors, both in the capital and in several smaller cities in the country.
- The mission addressed all the sectors and trans-sectorial themes at that time integrated into Belgian federal law on development cooperation.

#### Results

- The mission recommended to engage both in “classical” sectors of intervention (agriculture, education) and in conflict prevention oriented sectors as such (justice; police).
- Recommendations mixed interventions targeting formal, state-level, institutions, together with non-state actors, including in a complementary way when relevant (e.g. it was recommended to support independent radios as civil society altogether with a national authority on media regulation).
- The diagnoses posed by the field mission were acknowledged as still relevant several years after the mission itself.

However, if such a study seemed a relevant approach to tackle the issue of context, the document was **only used for programming Belgium’s interventions**. At a broader scale, shared context analysis seemed limited to a formal acknowledgement of the World Bank’s Poverty Reduction Strategy Paper, which never led to a systematic use by the donors. Moreover, the existence of a second global framework of analysis (the UN Peacebuilding Commission’s Peace-Building Strategic Framework, PBSF, until 2011) also slowed down joint analysis and systematic use of the same context understanding.

Another limit of the study was that it led to a **static view of the situation, with no indications on how to deal with further evolution (positive or negative) of the context**. Therefore, when the political situation started deteriorating and when the national police, which had been supported by Belgian interventions throughout the years, appeared to be guilty of massive human rights violations, the decision whether to engage more or, on the contrary, withdraw from such interventions was not prepared, and taken on an insufficiently documented basis.

## International Alert: Conflict Sensitivity and Business

With Belgium's current focus on the private sector role in development, the reflection undertaken by International Alert (2016) on the links between **business and conflict sensitivity** may be of interest. According to this research, "companies operating in conflict areas must be mindful that there is a two-way dynamic between a company and its context, where the context impacts the company and the company impacts context. They must recognise that business activities should be carried out in a manner that **prevents conflict and promotes peace** (see chapter 4: Make prevention a priority). In particular, attention should be paid to issues that are **likely to drive conflict, such as resettlement or security arrangements**". Four key elements are proposed for a better human rights due diligence conducted by companies intervening in conflict affected contexts.

|   |  |
|---|--|
| <b>How investment decisions are made?</b>               | Incorporating conflict sensitivity into the pre-investment stage can help to create a more comprehensive picture of risk and a more realistic investment plan and timetable.   |
| <b>How impacts are identified and assessed?</b>         | Conflict analysis needs to underpin human rights due diligence and human rights impact assessments, as they can bring to light additional or different risks that increase the likelihood of severe human rights violations. Evidence indicates that there is increased responsiveness when both assessments are combined, helping to identify how factors from both dynamics (business and conflict) come together, accumulate and reach tipping points. This also allows for changes in context to be quickly identified and acted upon. |
| <b>How to engage with stakeholders?</b>                 | Stakeholder engagement in conflict-affected contexts needs to be even more robust and mindful of the conflict context and what risks participation can pose for affected groups  |
| <b>How to enhance positive impacts on human rights?</b> | Given the link between realising human rights and peace, enhancing positive impacts in conflict-affected contexts can lead to peace and stability. One way to maximise positive impacts in such contexts is to support sustainable peace and stability as framed in terms of power, income and assets, fairness, equality and effectiveness of law, safety and wellbeing.  |

## The Netherlands' approach to urban challenges in fragile contexts

A research conducted by the Netherlands Institute of International Relations shows that "understanding the real nature of urban insecurity requires stepping beyond the traditional analytical framework based on concepts such as **legal and illegal, formal or informal, legitimate or illegitimate, and instead digging into the nuances and social adaptations undertaken in contexts of urban survival (...)**. [T]raditional governance approaches are often inadequate, high-tech solutions for urban dilemmas – often dependent on private sector involvement – pose new ethical and social challenges, and demand careful consideration of possible risks for the public interest" (Clingendael, 2015)(see chapter 9: Manage risks). This approach calls for a twofold response:

1. At the level of national institutions, international donors should support education, responsible urban planning and social welfare programs, to be integrated into national and urban policies
2. At a local level, communities can be trusted to understand their problem and needs better than governments; they must be provided with communication skills to relay their priorities to the state level, and the international level. At the same time, small scale institutions must be provided with skills and resources allowing them to administrate growing cities.

## Key resources & references

- DfID (2010), “Working Effectively in Conflict-affected and Fragile Situations. Briefing Paper A: Analysing Conflict and Fragility”, *DfID Briefing*, March 2010.
- International Alert (2016), “Why Conflict Sensitivity Matters for Business and Human Rights”, *background paper*, April 2016.
- Kinshasa Statement, «Table ronde 7: efficacité de l’aide dans une situation de fragilité et de conflit» (July 2008).
- Macaluso, A. and Briscoe, I. (2015), “Trapped in the city: communities, insecurity and urban life in fragile states”, Clingendael Institute of International Relations, *Policy Brief*, 28 May 2015.
- OCDE (2011), *Rapport 2011 sur l’engagement international dans les États fragiles : Burundi*, Éditions OCDE.
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- UNPCDC (2011), “Applying the Principles for Good International Engagement in Fragile States and Situations to Strengthen and Transform Public Procurement Systems”, UN Procurement Capacity Development Centre, *Discussion Paper*, December 2011.

# CHAPTER 2

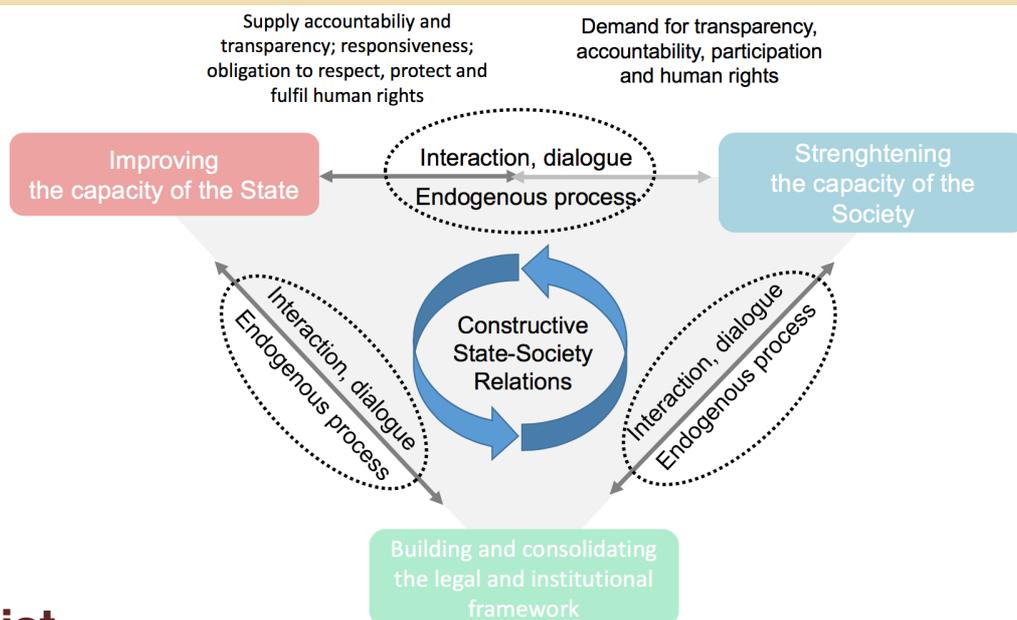
## Focus on state-society relations

### Principle

To focus on state-building as the central objective means considering the state broadly and thus not only supporting state actors, but also strengthening constructive relations between state and society. To achieve constructive state-society relations, interventions should address three (interlinked) dimensions: improving the capacity of the state, strengthening the capacity of the society, and building and consolidating the legal and institutional framework.

### Key elements

#### Triangle on state-building as constructive state-society relations (adapted from Whaites *et al.*, 2015)



### Checklist

- How does the intervention contribute to build constructive state-society relations and enhance the legitimacy of the state?
- How does the intervention promote a process that includes all relevant actors (both formal and informal) engaged at different levels?
- What factors influence state-society relations?
- What impact prevailing state-society relations may have on the intervention? How does the intervention take it into account?
- What negative effects the intervention may have on them? How does the intervention take it into account?

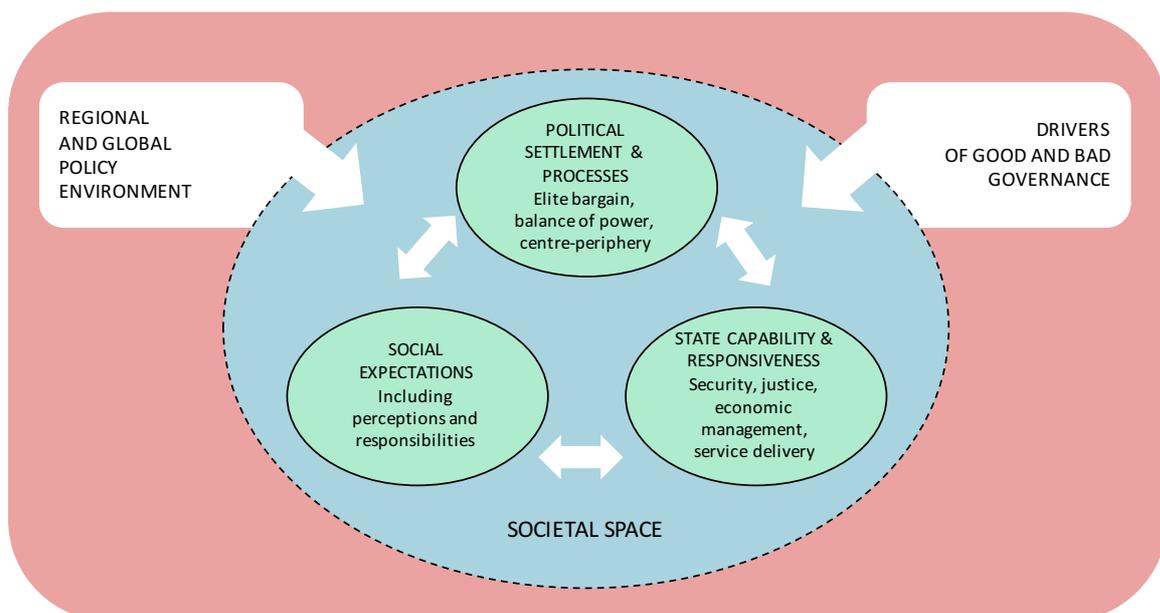
## Background – What is it & why is it important?

In order to help national reformers build effective, legitimate and resilient states, focusing on state-building as the central objective is one key principle promoted by the Belgian Strategic Note on Situations of Fragility. However, fragility is no longer only conceived as arising from the state lack of political will and/or capacity to provide the basic functions needed for poverty reduction and development and to safeguard the security and human rights of the populations. Therefore, focusing on state-building means considering the state broadly and thus **not only supporting state actors (both at central and decentralised level), but also strengthening constructive relations between state and society** (namely local actors such as informal or traditional ones, civil society, medias, etc.).

According to the OECD, state-building “needs to be seen in the broader context of state formation, which [is understood as] the dynamic, historically informed, often contingent process by which states emerge in relation to societies” (OECD, 2008). In this sense, the priority of any positive state-building process should be to improve **the quality of the social contract between state and society actors**. This means to **reconcile the mutual expectations** they have about the services state actors should deliver (including security, justice, basic social services, enabling environment for economic growth and human rights, etc.) and about the obligations societal and political groups should fulfill (such as tax payment or law compliance). This also means that the **political processes** through which these expectations are negotiated should be **institutionalised, consolidated** and **inclusive** of all stakeholders. In this regard, the legitimacy recognised to the actors involved in these processes should be taken into account, as it both affects and is affected by these processes. Actors’ legitimacy may have various forms and sources, and is most rooted in historical dynamics. Finally, equally important is to **strengthen the capacities** of actors: state actors to provide services and society actors to engage in public and political spaces (OECD, 2011).

To achieve constructive state-society relations, the interventions of Belgium development actors should address **three (interlinked) dimensions**: improving the capacity of the state, strengthening the capacity of the society, and building and consolidating the legal and institutional framework (Whaites *et al.*, 2015). Why such a broader approach is important?

### Critical aspects of building state-society relations (OECD, 2011)



Weaknesses at these different levels of state-society relations are a primary cause of fragility. Indeed, social and political tensions may arise notably when the mutual expectations are unmet or fundamentally change; when specific societal or political groups are excluded from public and political spaces; when the government is not legitimate in the eyes of its population; when the state is unable to ensure the security of its citizens or to respond to their basic needs. Conversely, the agreement on mutual expectations, the existence of effective political processes and institutions, the involvement of legitimate actors, the availability of resources, all contribute to the ability of the state to cope with possible tensions and changes. In other words, strengthening capacities at these different levels contribute to the resilience of the state.

## Improving the capacity of the State

A first dimension of state-building is improving the capacity of state actors to **supply accountability and transparency**, to **be responsive** to society needs, as well as to **respect, protect and fulfill human rights**. In this regard, it is important to support state actors to develop their own exit strategies out of fragility and to work as much as possible following a Whole-of-Government Approach involving all relevant governmental partners (see chapter 5: Adopt a Whole-of-Government Approach). This is crucial to ensure **country-led and country-owned transition**.

However, when supporting authorities, Belgium development actors (as well as the international community in general) and state actors (OECD, 2011) might have **different (or even opposing) views** of which capacities and areas should be strengthened. For instance, national leaders could prioritise economic development over democratisation and human rights promotion. Finding a compromise between Belgian strategies and national priorities may be challenging. On the one hand, there is the **risk of diverting state actors towards the objectives defined by Belgium** (or internationally). This priority distortion may slow down the development of endogenous solutions, with the risk of lengthening the transition process. It may also contribute to widen the gaps between (national or local) authorities and the population, as state actors actually become more accountable to donors than to their own population. On the other hand, an opposite challenge may also result from improving state capacities, with the **risk of legitimating state actors who are not considered legitimate by the population** and of supporting strategies that are not inclusive or not responding to population needs.

Country ownership needs to be a democratic and inclusive one. Nevertheless, it can be difficult for Belgian development actors to determine **who the “owners” should be**, especially in fragile contexts. In a post-conflict situation, for instance, factional leaders tend to be key political actors in the aftermath of the conflict and are most often involved in peace negotiations, in order to avoid renewed conflict. However, they do not necessarily represent the voice of the ordinary populations (Paris & Sisk, 2007). Intervening at this level thus involves the risk of resulting in institutions, peace- and state-building strategies that the population view as illegitimate.

### Key questions

How does the intervention strengthen state actors accountability and transparency? How does it contribute to an enabling environment for human rights? How does it strengthen the ability of state actors to supply basic services?

What are national priorities and strategies out of fragility? How is the intervention aligned with them? What differences exist and how does the intervention manage them?

What is planned to minimise the risk of the intervention diverting state priorities from population demands and hindering its accountability toward its citizens?

Whose priorities are set at national level? Whose interests are defended? How different groups are represented in the policy dialogue? Who participate in state-society negotiations? How best to include the widest range of groups?

## Strengthening the capacity of the society

A second dimension of state-building is strengthening the capacity of actors from society (informal or traditional ones, civil society, medias, etc.) to **demand for transparency, accountability, participation and human rights**. In this regard, civil society organisations and other local actors can play a key role in promoting good governance and improving service delivery. They actually have a thorough knowledge of the context and can defend citizens' rights and hold authorities (and other duty-bearers) accountable. Especially where state capacity and legitimacy is fragile, local actors can also intervene in complementarity with state actors, as they offer a good opportunity to reach vulnerable and isolated groups, deliver services, and thus favor in turn the democratisation of the state-society relationship.

However, when strengthening the capacity of the society, Belgian development actors (as well as the international community in general) may face similar challenges as those mentioned above for state actors. Indeed, there is also the **risk of diverting society actors towards Belgium (and other donors') priorities**, as they might tend to focus on "donor darling" areas receiving external funds more easily at the expense of those areas which correspond better to the needs of local vulnerable groups but are neglected internationally. This may skew endogenous and spontaneous community mobilisation, as well as nourish a legitimacy gap. Conversely, development actors may also run the **risk of legitimating society actors who do not represent those vulnerable groups** whose rights and needs they claim to defend (de Weijer, 2012). When supporting society actors, an additional challenge comes from the **risk of increasing the "perverse" competition** between formal authorities and informal ones or other kinds of society actors (see chapter 9: Manage risks). It is the case for instance when basic services are delivered to the population by society actors, as this may undermine citizens' trust on the capacities and political will of their formal authorities. Attention must also be paid not to increase "perverse" competition between society actors themselves, whose structure and work often depend from international funding.

The support to society actors such as civil society, informal or traditional institutions is often based on the rationale that they represent the values and interests of local communities better than formal state authorities. However, in this regard and interlinked with the challenges mentioned above, there is the **difficulty of determining who the "drivers of (endogenous) change" really are**. In a post-conflict situation, for instance, it is often difficult to recognise who are the legitimate representatives of the population. Even in less extreme situations, many kinds of different organisations co-exist within the society – just consider in this regard the variety of civil society organisations receiving external funds. Furthermore, the rationale underlying interventions targeting society actors should be taken with caution, as **some of the problems encountered with formal institutions may be faced even with empowered local actors**: they can continue the discrimination against vulnerable groups (such as women or youth) or deepen ethnic tensions, for example (see chapter 6: Promote non discrimination).

### Key questions

Who are the main society actors? How are they organised? How do they relate to the state? Whose rights and needs do they protect and promote?

How does the intervention strengthen the capacities and ability of society actors to engage in public and political spaces? What is planned to minimise the risk of diverting them towards your priorities?

What are the advantages and disadvantages of supporting one group or another? How does the intervention strengthen the complementarities among actors without fueling "perverse" competitions? How does it support the independence of society actors while encouraging synergies with the state?

## Building and consolidating the legal and institutional framework

Interlinked with the previous two dimensions, the third one involves building and consolidating the legal and institutional framework of partner country. In this regard, state-building means **enabling state actors to fulfill their core functions** (ensuring security and justice; mobilising revenue; establishing an enabling environment for basic service delivery, strong economic performance and employment generation; promoting multi-actors dialogue; etc.) and, on the other side, **enabling actors from society to participate in public and political spaces** (ensuring them the possibility to effectively engage and participate at different levels, from policy decision-making, to monitoring and evaluation of strategies, to service delivery, etc.).

On the first point, in addition to the capacity building targeted by the first dimension of state-building, a crucial aspect of this third dimension is the **alignment on domestic procedures** related to funding, implementation, monitoring and evaluation of cooperation programs (see chapter 7: Align with local priorities). In this regard, Belgium development actors may be discouraged by the weak performance delivered by local procedures and mechanisms, especially in fragile contexts. Therefore, they should **remain realistic in their objectives** and accept the lower results achieved when using domestic procedures. At the same time, they should **critically align** their interventions based on context assessment and long-term support strategies. This may be implemented through **smart modalities**, like engaging different complementary aid mechanisms and including incentives to promote change and better results (see chapter 8: Act fast, stay engaged, be flexible).

On the second point, Belgium development actors may face an additional challenge when they **support democratic governance in a disabling environment** (Youngs, 2015). Indeed, in cases where state actors do not foster an open public space and the empowerment of society, external support could be counterproductive. If few spaces exist for the inclusion and free participation of society actors, building their ability to analyse, monitor, advocate, or supply services may fuel society frustration towards state actors and even tensions within society itself. In other cases, restrictions may even exist for delivering external assistance to domestic society actors. In both cases, Belgium development actors might be tempted either to skirt national strategies and mechanisms, by setting parallel procedures for civil society funding, or to limit ambitions holding back from supporting local actors directly. A balance between these two opposed reactions is needed, through for instance pilot interventions and policy dialogue aiming at opening the public and political space, or mechanisms to support the society without threatening social cohesion.

### Key questions

How realistic are the results of the intervention given partners' capacities and performance? What balance has been found between long-term interventions (i.e. building actors capacities) and short term interventions (i.e. service delivery)? How could the intervention undermine local institutions legitimacy and procedures? What smart modalities have been planned to support change?

How does the intervention take into account the existing political and contextual constraints? How is the issue of democratic governance handled in the policy dialogue with partner countries? What is planned to minimise the risk of reprisals by state actors against society actors or even donors?

## State-building as political and endogenous processes

To ensure a holistic and country-led state-building approach, interventions should take into account the **links existing between the three dimensions of state-building** mentioned above. Thus for instance, building state actors capacities and consolidating the legal and institutional framework of partner country are expected to strengthen in turn citizens' confidence, trust and engagement with state institutions. The other way around, strengthening society actors ability to hold government accountable may boost responsibility and accountability of state actors and improve the related legal and institutional frameworks.

However, Belgium development actors should acknowledge that **state-building processes are mainly endogenous**. This entails that limits exist to what the external support can and should do. The objectives of external interventions should also remain realistic. Moreover, they should take into account the crucial political nature of these processes, as **building constructive state-society relations is fundamentally about power relations** (OECD, 2011). Indeed, promoting inclusive and democratic ownership necessarily involves changes in local dynamics and inevitably determine winners and losers within state and society actors. Hence, Belgian development actors need to **develop a thorough understanding of the context**, of the stakeholders involved and of what factors influence state and society relations (see chapter 1: Start from context). The reality of partner countries is actually seldom that of a clear distinction between state and non-state actors, and many interlinked factors are often at stake. The context analysis should allow a better grasp of this complexity and ensure that external interventions will not have counterproductive effects, such as for instance reduced social cohesion, lower confidence of society in the country institutions, or greater restriction on society mobilisation.

In most cases and for all the three dimensions of state-building, **compromises should be reached** – for instance between Belgian proposed solutions to fragility and domestic views, or between collaborating with national governmental and supporting local society organisations. Solutions depends on contexts and local opportunities and it is important to understand – and base state-building interventions on – what opportunities exist for state actors to be strengthened, for the legal and institutional frameworks to be consolidated, and for society actors to see their mobilisation succeed.

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# CHAPTER 3

## Do no harm

### Principle

A major aspect of interventions in fragile settings is making sure that they do not harm the context they try to assist. This principle requires looking for and seeking to avoid or mitigate the negative impacts that may arise from the intervention (Van Brabant, 2010). It builds on the simple acknowledgment that whatever and whenever international assistance is provided in a fragile context, this assistance becomes part of that context. In these specific settings, the focus should be on two complementary dimensions: peacebuilding and statebuilding.

### Key elements

|  |  |   |
|--|--|---|
| What are the characteristics of the intervention?                  |  |   |
| Constraints of the intervention<br>(mandate, HQ rules, etc.)       | Circumstances of the intervention<br>(why, when, where, how, etc.) |   |
| How can the intervention negatively impact the context?            |  |   |
| Via the intervention's objectives (beneficiaries, specific groups) | Via the transfer of resources (money, staff, training, etc.)       | Via the transmission of messages (individual, policy, organisational) |
| What should be specifically looked for in a fragile context?       |  |   |
| Peacebuilding processes<br>(dividers and connectors)               | Statebuilding processes<br>(legitimacy, power relations, etc.)     |   |

### Checklist

- How are the negative side-effects related to the objectives of the intervention taken into account, especially in regards to peacebuilding and statebuilding processes?
- How are the negative side-effects related to the injection of resources of the intervention taken into account, especially in regards to peacebuilding and statebuilding processes?
- How are the negative side-effects related to the messages sent through the intervention taken into account, especially in regards to peacebuilding and statebuilding processes?

## Background – What is it & why is it important?

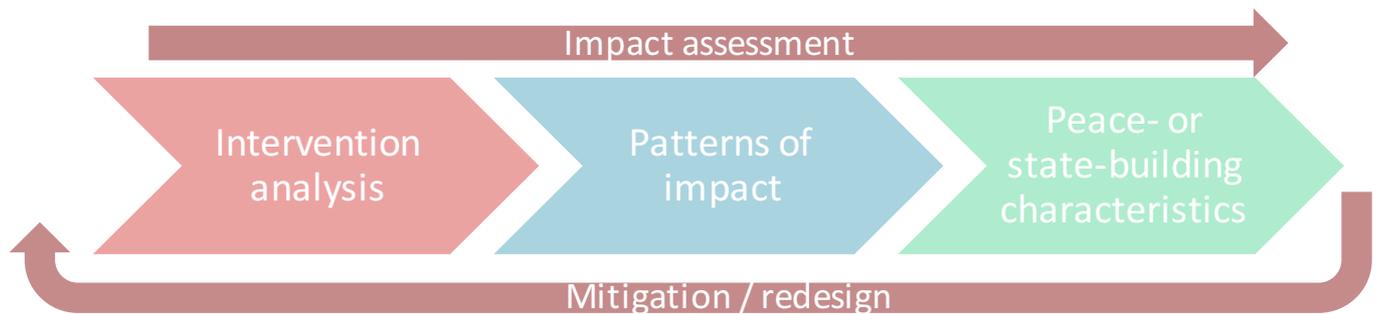
A major aspect of interventions in fragile contexts is assuring that they do not harm the context they attempt at assisting. This principle requires looking for and seeking to **avoid or mitigate the negative impacts** that may arise from the intervention (Van Brabant, 2010). It builds on the acknowledgment that whatever and whenever international assistance is provided in a fragile context, this **assistance becomes part of that context**. As such it can therefore attenuate or exacerbate the dynamics of fragility. Nevertheless, just like what risk aversion is to risk analysis, applying the do no harm principle should not lead to the avoidance of action but rather its adjustment (see chapter 9: Manage risks). And indeed, “we do not avoid harm by failing to act” (Wallace, 2015).

Despite a wide diffusion of the principle through international institutions, there is little knowledge by development actors of what is meant by adopting a do no harm approach and consequently, there is little systematic strategic or operational translation in most agencies (OECD, 2011). While the do no harm principle is applicable to all actions in all developing countries, the specificity of fragile situations lays in the focus on two complementary dimensions: **peacebuilding** and **statebuilding**.

This chapter builds upon the existing literature and practice to assist decision making in regards to this do no harm principle. It aims at providing development actors with **tools to assess the impact** of their intervention both in a peacebuilding and statebuilding perspective, which further allows for **mitigation and redesign strategies**. Undertaking such impact assessment is actually responding to the following question:

”how does this **intervention** impact **peacebuilding/statebuilding**?”

As highlighted, three elements are crucial: (1) an analysis of the intervention itself, (2) major patterns of impact and (3) the peacebuilding or statebuilding characteristics of the context.



### Intervention analysis – the starting point

To assess the “do no harm” impact of an intervention, whether through a peacebuilding or statebuilding lens, it is crucial to first lay out its **design, implementation** and **process**. Each aspect of the intervention matters and has consequences for the context it is deployed in and every intervention involves a set of decisions by policymakers, headquarters and field staff. Unpacking these decisions allows to understand and better anticipate the impact of the intervention on the dynamics of fragility (Wallace, 2015).

Two sets of elements are important to map. The first are the “**constraints**” of the intervention, which are outside of the scope of the implementers, such as the mandate of the agency and the headquarters rules and organisation, which are necessarily reflected in the intervention.

The second are the “**circumstances**” of the intervention. These are the outcomes of the decisions of “whether and why to intervene in a given situation; about when and for how long to do so; about where to work; with whom to work; what kind of staff to hire and how; and finally, about how to carry out the programme” (CDA, 2004, p. 11).

### Intervention characteristics

**Circumstances**

- Why is the intervention done?
- Where is it done?
- What is done and provided?
- When and how long is it?
- How is it delivered?
- Who delivers it (i.e. staff)?
- Who are the recipients and how are they selected?

**Constraints**

- Mandate of the agency
- Headquarters’ rules and organisation

## Patterns of impact

An intervention can have unintended negative impacts on a fragile context in three different ways: through its **objectives**, through the **injection of resources** inherent to the intervention and through the **messages** sent through the intervention.

## Objectives

The first way in which any intervention interacts with the context is through the **change it aims at providing** for the beneficiaries or specific groups. It is indeed obviously the most direct impact of the intervention but should not be underestimated. An example of such impact through the objectives of a program is provided by Séverine Autesserre and her work on Eastern DRC. She argues that the simplification of the international discourses and approaches on the cause, consequence and solution to the problems of the region have, in turn, led to the counterproductive results highlighted in the table below (Autesserre, 2012).

| Problems in Eastern DRC | Focus / dominant narrative                | Unintended consequences  |
|-------------------------|---|--|
| <b>Cause</b>            | Illegal exploitation of mineral resources | Attempts at controlling the exploitation of resources has rather led to a strengthened control of mines by armed groups          |
| <b>Consequence</b>      | Sexual abuse of women and young girls     | The predominant attention to sexual abuse has “raised the status of sexual abuse to an effective bargaining tool for combatants” |
| <b>Solution</b>         | Extend state authority                    | The focus on state reconstruction interventions facilitated the oppression of the population by the authoritarian regime         |

## Transfer of resources

The transfer of resources into the context of intervention (money, medicine, staff, vehicles, buildings, training, food, etc.) is inevitable in any intervention. These resources represent economic wealth, social and political power and as such can have different effects on a context of fragility. Five major likely effects of these transfers have been identified by Mary Anderson (1999).

**Distribution effects.** Differentiating between groups when targeting aid recipients or conducting the intervention can lead to the reinforcement of divisions within a community. If the agency is perceived as being biased in the way it allocates its resources, there is a distribution effect.

**Theft of resources.** While a problem in all contexts, theft in fragile or conflictual contexts has more important consequences as the resources stolen are often used to reinforce violent groups.

**Market effects.** The transfer of resources impacts the local incentive structures and patterns of opportunity (incomes, wages profits, prices). A negative market effect is when these changes affect particular groups and leads to inter-group tensions.

**Legitimisation effects.** The perception or actual use of resources by agencies to reinforce a political or governing authority is a legitimisation effect. Co-opting resources is not intrinsically negative but attention should be paid so that it does not legitimise spoilers nor de-legitimise drivers of positive change. In South-Sudan for instance, the system of negotiations set up by aid agencies to access all civilian population (Operation Lifeline Sudan) was used by aspiring commanders to gain approval as power owners over certain populations or regions.

**Substitution effects.** External assistance can lead to the provision of an important proportion of the civilian needs (food, health, safety, etc.). This substitution to the local authority is particularly important in fragile settings as it can free resources to pursue military and/or conflict objectives and undermine the (potential) authority structures.

### Box 3.1 Examples

Distribution effect: Hiring local staff speaking the agency's language can bias between groups as "foreign language ability (...) is often related to educational access that, in turn, is correlated with patterns of privilege and discrimination" (Anderson, 1999, p. 47).

Theft of resources: an agency realised that the sockets used in their pipes for a water system project were stolen by local fighters to build "socket-bombs". To remedy this issue, it modified the size of the pipes used so that sockets could not longer be used to make these bombs, thus modifying its value to the thieves who, in turn, stopped stealing them (Wallace, 2015).

Market effect: Importing goods that can be produced locally can damage local income structures and push people towards violent alternatives to their lost job.

## Transmission of messages

Finally, the ways in which the intervention is implemented carry a series of messages that may also impact the dynamics of fragility. These messages can be transmitted by a person, a policy or the organisation itself, and so through four main patterns of behaviors (Wallace, 2015):

- Respect**
  - Negative patterns: hostile competition, suspicion, indifference, anger or belligerence
  - Positive patterns: cooperation and collaboration, trust, calm, sensitivity to local concerns
- Accountability**
  - Negative patterns: impunity, use of (private) security, and give away of power
  - Positive patterns: positive action, responsibility, rule of law
- Fairness**
  - Negative patterns: showing different values for different lives, ignoring the rules
  - Positive patterns: recognizing value of the others and their ideals, and following the rules
- Transparency**
  - Negative patterns: opacity in the decision making process and hiding of information
  - Positive patterns: shared information and known decision making process

## Do no harm & peacebuilding

Fragile contexts require specific areas of attention when considering the negative side-effects of an intervention: peacebuilding and statebuilding. The peacebuilding dimension concentrates on **violence** and the more **micro- or community-level** analysis. To pursue the analysis, it is often considered that any peacebuilding context is characterised by two major sets of elements: **connectors and dividers** which can be identified through 5 categories (see table below).

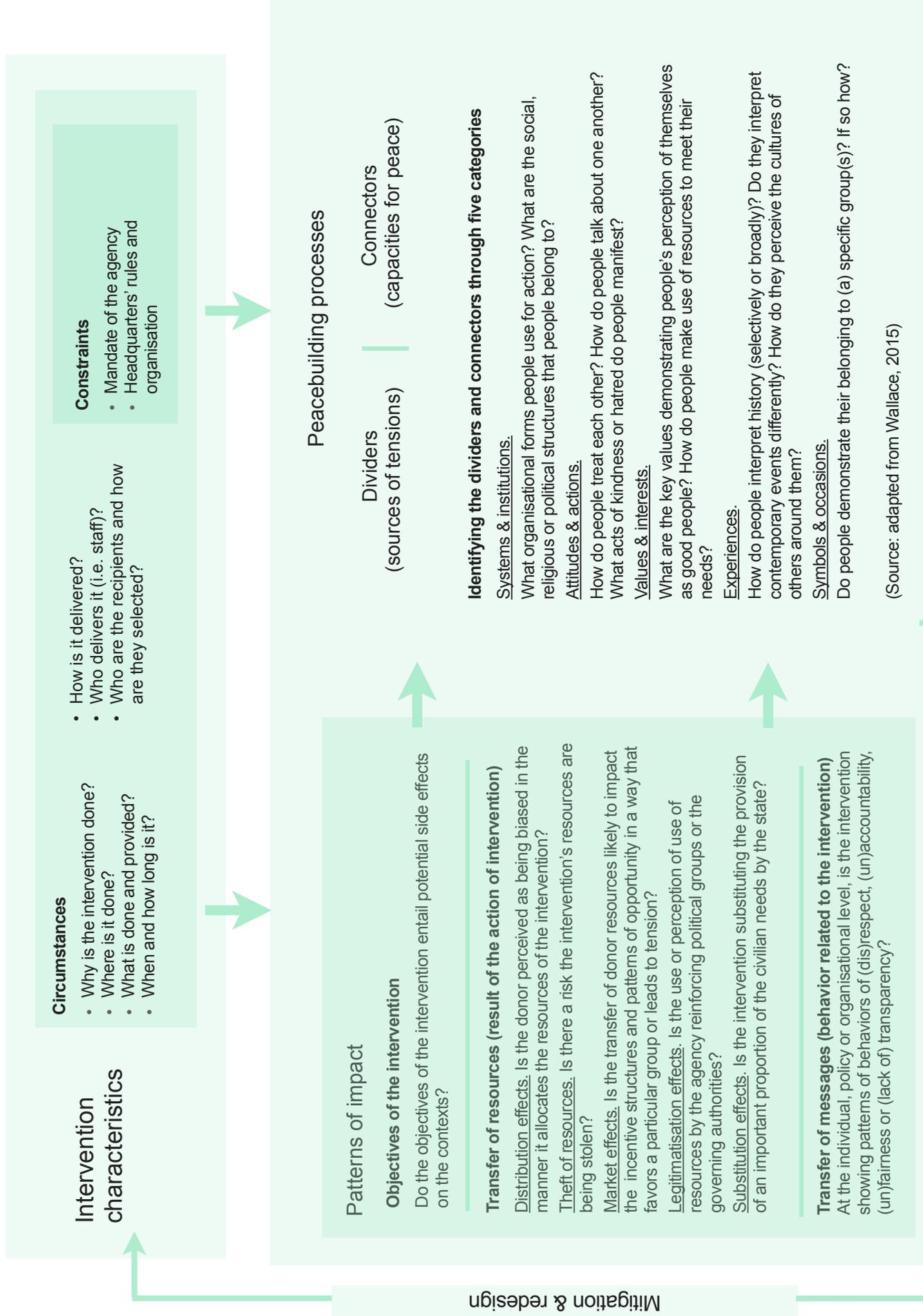
Dividers are the issues, elements and factors “that **increase tensions** between people or groups and may lead to destructive competition” (Wallace, 2015, p. 27). The notion of “destructive competition” is important to unpack. All societies have tensions and differences but most often, these represent healthy forms of pluralism within the community. Instead, dividers focus on those divisions and intergroup tensions that have led or may lead to intergroup destructive violence (CDA, 2004).

In turn, connectors are the issues, factors and elements that **reduce tensions** between people or groups and serve as capacities for peace (Wallace, 2015). Often overlooked in fragile settings, connectors are nevertheless present in all contexts and are key to prevent disagreements from leading to violence or to help contain it.

Every intervention interacts with both and can thus have either a positive or negative impact on them. The objective of a do no harm sensitive approach is, on the one hand, to not **strengthen dividers** and, on the other, to **reinforce connectors**. Five categories of dividers and connectors are useful to keep in mind in analysing the potential impact of an intervention.

| Category                          | Examples of dividers  | Examples of connectors  |
|-----------------------------------|---|---|
| <b>Systems &amp; institutions</b> | Institutions promoting violence or increasing its likelihood (armies, militias, gangs), systems of discrimination, exclusion or domination (through control and/or law).                                    | Direct or indirect shared economic activities, cultural or religious traditions, infrastructures such as roads, bridges or irrigation, electrical, water or communications systems.                                     |
| <b>Attitudes &amp; actions</b>    | Acts of violence (terrorism, crime, torture, displacement, lawlessness, threats), acts and attitudes targeting a specific group (racism, discrimination), attitudes of mistrust, hatred, fear or suspicion. | Non-conflictual attitudes and actions such as expressions of tolerance or acceptance, forms of reconciliation, refusals to demonise or stereotype the other groups, sustainment or creation of intergroup associations. |
| <b>Values &amp; interests</b>     | Competition for power and resources by different interest groups, imposition of (religious or subcultural) values, outside powers promoting or supporting conflict.   | Interest in maintaining systems, common religion, value placed on children’s or everyone’s health (often grounds for peace corridors).  |
| <b>Experiences</b>                | Different perceptions of the world, right/wrong or justice/injustice.   | Common experience (even of war) as basis for connection beyond different sides, commonalities between people from different groups (women, youth, elders, wounded, etc.).   |
| <b>Symbols &amp; occasions</b>    | Manipulated subgroup symbols and occasions to emphasise (or create) divisions.  | Links through common music, literature, sports (soccer) national art, historic anniversaries, monuments or ceremonies.  |

# Do no harm impact assessment in a peacebuilding perspective



## Do no harm & statebuilding

A second major aspect of a do no harm sensitive approach in fragile contexts is through a **statebuilding lens**, focusing on a more **macro- or institutional-level analysis**.

An entire chapter of the guidance is dedicated to the challenges of supporting statebuilding in a fragile situations, including the tensions between the intervention objectives (see chapter 2: Focus on state-society relations). Here, we concentrate on specific areas of attention for which an intervention can **undermine rather than contribute** to statebuilding processes. The table below briefly defines **four dimensions** and then provides the main patterns of impact donor activities can have on them as well as an example. These elements should be seen more as **trade-offs** that an agency has to make in the intervention **rather than irresolvable dilemmas** impossible to reconcile with their activities.

**Political processes** are the mechanisms by which “relations between state and society are mediated and bargains are struck and institutionalised” (OECD, 2010, p. 37), such as elections, parliamentary process, decentralisation, etc. Political settlements (i.e. the inclusion or exclusion of actors from the reigning institutional and organisational arrangements) are a major component of those processes. Interventions should pay attention to the ways they can impact the balance of power between elites or social groups and the organisational forms linking state and society (consultative, coercive or persuasive).

Example: The donor focus and support of the 2006 elections in D.R Congo reflected a low level of understanding of the balance of power as the process actually reinforced an “exclusionary political settlement” leaving important groups and elites with little incentives to participate (OECD, 2010).

**State-society relations** are the ways in which public dialogue takes place and the ways society inputs the policy making of the state.

Interventions should pay attention to the ways they can impact the state capacity to assess and respond to social demands and society’s to make demands in that regard.

Example: Donors often push towards the creation of umbrella organisations to channel their assistance without enough consideration to “gatekeeping” consequences in terms of reduced access to resources by smaller and more grassroots (non-based in capital) organisations.

**State legitimacy** is the spectrum of consent that the organisations and institutions composing the state have the “right to rule” (OECD, 2010).

Interventions should pay attention to the ways they can impact this legitimacy both among elite and the different social groups as well as the importance of other sources of legitimacy.

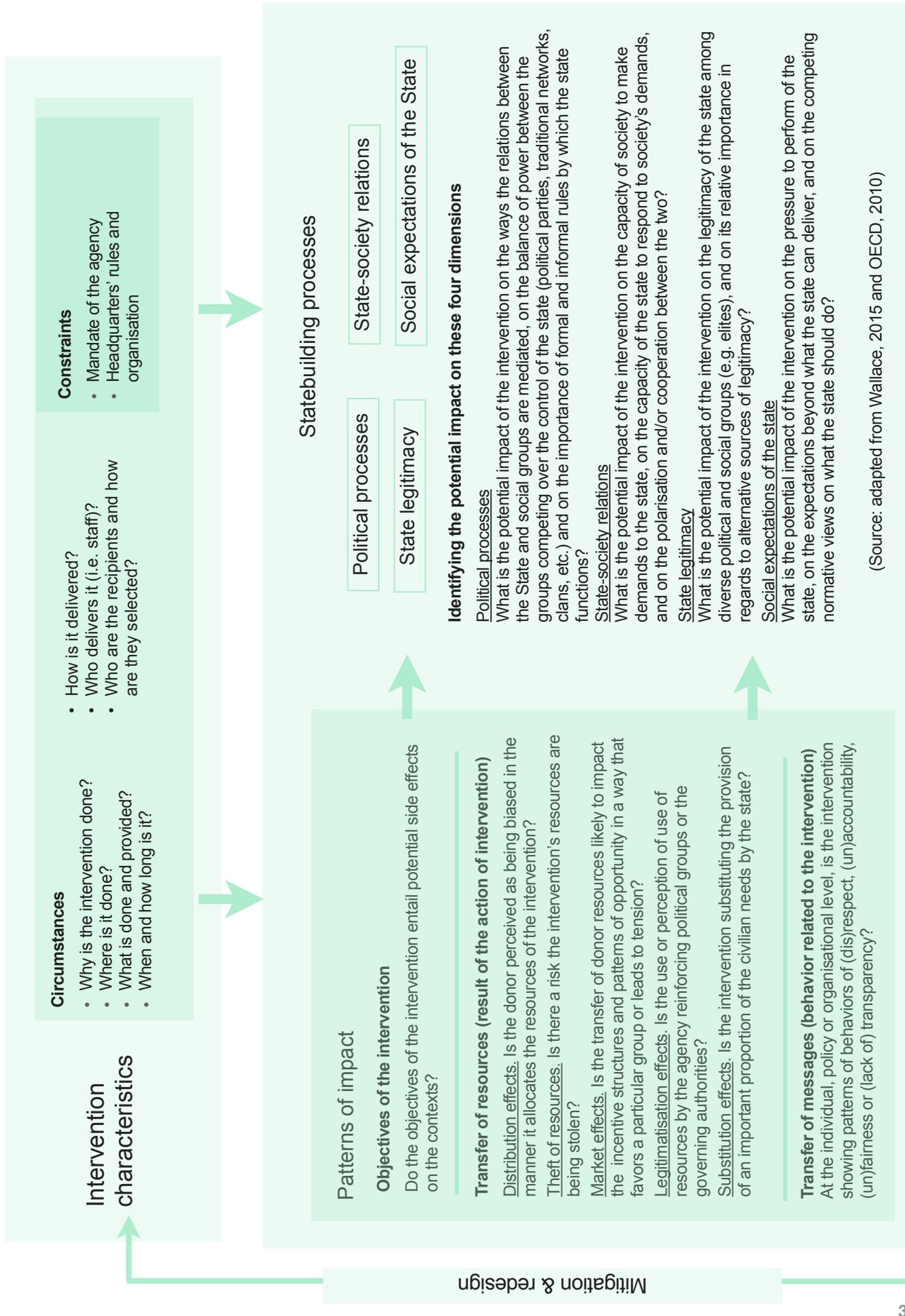
Example: In countries where the population’s income mainly comes from the informal economy, the support to state programs that undermine this informal economy can, in the end, weaken this state’s legitimacy.

**Social expectations of the state** are the competing normative views among different political, regional, religious or social groups on the role and functions of the state.

Interventions should pay attention to the ways they can impact these expectations, especially if it raises them beyond what the state can deliver or if it alters them in a way that supports one or another group’s normative view.

Example: An intervention aimed at promoting and reinforcing citizens’ knowledge of the laws and their access to the justice system can inadvertently lead to increased dissatisfaction of the state if it does not have the capacity to respond to the greater demand (high level of corruption, lengthy and arbitrary rulings, etc.).

# Do no harm impact assessment in a statebuilding perspective



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# CHAPTER 4

## Make prevention a priority

### Principle

If the key to start from the context in fragile situations is the availability and quality of context analysis, then, the key to make prevention a priority is to use such analysis. Make prevention a priority requires a focus on both quick tangible results and on long term planning and sustainable impact based on a deep understanding of the past (i.e. causes of conflicts). This can be achieved through early warning systems and tackling root causes of fragility.

### Key elements

| Three conditions for success   |  |  |
|--|--|--|
| Intervention must address deep causes of conflicts (such as land issues) | Electoral processes must be accompanied early and in the long run rather than just a technical support for the actual election to be made possible | Direct stronger focus on conflict prevention and peacebuilding activities including 3D-LO projects and interventions |
| Three factors to make prevention more effective in fragile contexts      |  |  |
| The problem is acknowledged early (early warning systems)                | The international community is ready to intervene (political will)   | Receptive local partners (effective political dialogue)  |
| Three dilemmas for implementation  |  |  |
| Harmonised response<br>Who? How?   | Diplomacy or development? 3D-LO lens and response  | Conflict-prevention as an approach which added value?  |

### Checklist

- How have the conclusions of the risk and context analysis and its management been taken into account?
- How has a conflict-sensitive approach been integrated within the intervention (land conflict, ethnic tensions, etc.)
- What are the internal or external monitoring mechanisms for conflicts (eg. early warning systems) that should be kept under observation (specify)?

## Background – What is it & why is it important?

The importance of prevention in development cooperation interventions in fragile contexts directly refers to the work that has been undertaken by the international community of donors at the end of the Cold War, when the **security and development nexus** was generally acknowledged. It was then concluded, and largely demonstrated, that solving conflict was much more difficult, and costly, than working early on preventing it. However, preventing conflict is, *per se*, particularly difficult. It implies to identify **negative developments** of a given context or situation early enough as to work on them, both **quickly and accurately**.

An overview of the OECD member states practice regarding this principle of intervention in fragile contexts highlights two main ways to tackle it: the **implementation of early warning and early action systems**; and the focus on the **root causes of conflict** as the target of the intervention.

### First approach: early warning systems

The first approach focuses on **early warning and early action systems**, through **data collection and analysis**, ideally on a **shared basis between donors**.

The OECD 2011 report on international engagement in Fragile States shows that early warning systems are still seen as the relevant answer to the issue of prevention in several country case studies, and that some results were actually achieved. The document also emphasises the fact that such results were, however, insufficient, and that **risks at a longer term were not taken into account enough**.

On another level, research also highlighted several situations where a **timely and relevant data collection and analysis** pointed out the imminence of a crisis, but where **no political consensus** could be reached in order to react in a timely and/or relevant way.

Therefore, a functional early warning system, especially if shared between donors, has no use in terms of conflict prevention if it does not fit into a **more global consensus on what to do** based on the data it provides.

It also depends on the goodwill of the partner country when it comes to acknowledge potential crises or troubles. An **effective and continuous political dialogue** at all levels is therefore a necessity.

### Second approach: addressing root causes of conflicts

The other way, more difficult to implement but potentially much more effective, to address the issue of prevention is the voluntary focus on the core roots of potential conflicts and/or obstacles to sustainable peace and, therefore, development.

The fact that **at least half of the countries coming out of a violent conflict eventually fall back into the same situation within five to ten years after the signing of a peace agreement** remains an unfortunate reality.

Potential roots of further conflict that are generally underestimated by the international community of donors include land disputes and properties rights management, and electoral terms. They are also linked to the necessity of a **deep and multidimensional analysis** of the national, regional and local context (see chapter 1: Start from context).

Tackling root causes of violence can be done **directly**, with interventions aiming at reducing or eliminating these roots causes of conflict (e.g. reconciliation projects), or **indirectly**, with interventions integrating a prevention dimension (e.g. land conflict within an agriculture project).

In terms of response and keeping in mind that the primary responsibility in preventing conflict lies with the partner State, projects identified as the main contributors to crisis and conflict prevention and resolution include – beside the classical solutions (social transformation, reconciliation and transitional justice) – **support to national police forces, capacity-building of the judicial system, and support to local (in particular, women) organisations.**

The financing of projects and programs directly targeting conflict prevention (more specific than the global discourse claiming that economic development sets the scene for sustainable peace) is **becoming less common** than it was in the early 2000's, notably because of a **negative appreciation of the risk it carries** (see chapter 9: Manage risks). It creates a scattering effect that hinders the impact of such necessary programs.

## Implementation challenges (questions & dilemmas)

### Practical challenge: from harmonised response to shared analysis

Early warning and action systems in fragile contexts require short term solutions to share data between international actors (see chapter 1: Start from context), while providing a longer term support to the national capacity of gathering indicators and producing such data. The harmonisation of donors is key in that regard. Such harmonisation also concerns an (ideally) joint or shared response of international partners when a situation is deteriorating, especially when the partner country does not willingly acknowledge such deterioration.

#### Key questions

Provided there is a willingness of international actors to share data (including in non-formal agreements based on personal relations between resource persons), how can coordination mechanisms be used or created to allow a joint response between donors? Have options such as joint funding, delegated cooperation or targeted trust fund mechanisms been examined.

The issue of conflict prevention should be analysed through a **3D-LO (diplomacy, development, defense, law and order) lens**. In particular, it emphasises the link between diplomacy and development, and indeed, conflict prevention is often seen as falling in the core business of diplomats. The role of development cooperation in conflict prevention may be easy to understand in terms of conceptual influence or wishful thinking, but it is less easy to implement. Political dialogue at a **higher level is more likely to contribute to conflict prevention**, but is often led by diplomats (e.g. Cotonou Agreement art. 8 dialogue), while political dialogue forums invested by development actors are considered merely technical.

At the same time, international coordination of global approaches, such as the peacebuilding frameworks (PBF) implemented in countries followed by the UN Peacebuilding Commission, generally include a platform for analysis and action in the field of conflict prevention. However, the OECD 2011 report on international engagement in Fragile States shows that in a country like Burundi, the development partners never mentioned the PBF in relation with conflict prevention in fragile contexts, which probably illustrates the fact that they considered it a political tool and did not align their strategies on it. The difficulty of adopting a Whole-of-Government Approach is further complicated by the difficulty of recognising the **inherent political nature of development interventions**, in particular in fragile contexts (see chapter 5: Adopt a Whole-of-Government Approach).

Nevertheless, lessons could be learned from the donor coordination mechanisms used to **accompany an electoral process**, which often serve as an interesting (though temporary) structure to enhance communications between diplomats and heads of cooperation services.

### **Key questions**

Besides a clear sharing of tasks and responsibilities between diplomats and development actors, what are the mechanisms of enhanced dialogue in fragile contexts? On the field, including through the development of personal links at the inter-individual level? And in headquarters, through more formal strategies, approaches, and/or communication routines?

## **Programmatic dilemma: project vs. approach of conflict prevention?**

Conflict prevention and peace-building interventions are too often supported on a project-based level. Several factors can explain such a situation: the legal and regulatory framework of the donor countries restricting the possibilities of a relevant risk management approach in non classical sectors of intervention; the difficulties of the partner government to drive reforms in its security sector, due to geographical or political constraints; the change of focus from supporting the central government on security-related issues, towards decentralised actors (e.g. at a provincial level), which may play a key role in conflict prevention on the long run. While important, these factors and their result have the negative consequence of scattering resources that are already scarce.

### **Key questions**

How can a better donor coordination be achieved through the alignment on a locally driven global programme focusing on conflict-prevention? How can decentralised actors, and potentially non-state actors, be associated to such mechanism? How can local organisations be supported in an inclusive perspective as to enhance civic responsibility and citizenship education, in order to prevent tensions that would culminate during electoral periods?

## **Case examples**

### **Swiss strategy in preventing and overcoming crises**

Switzerland developed a comprehensive and original approach to fragile contexts, the CSPM (Conflict Sensitive Programme Management). Five points can inspire Belgium with respect to the same issue.

|                            |  |
|----------------------------|--|
| <b>Context analysis</b>    | Besides an analysis of the dynamics of the conflict, the interaction between a programme and the context is scrutinised, and regularly updated.  |
| <b>Scenarios</b>           | Switzerland tends to forecast and anticipate trends in volatile contexts, to make sure programmes can be adapted in order to serve the overriding objective, and that they can keep running even when the situation deteriorates (see stay engaged). |
| <b>Management</b>          | Risk and security management are part of the planning and programming; interlocutors at the local level gather representatives of the various ethnic, religious or social groups.  |
| <b>Do no harm</b>          | Switzerland's development cooperation staff intervening in fragile contexts are trained on conflict sensitive approaches to make sure they don't unwittingly aggravate an existing conflict.   |
| <b>Regional approaches</b> | Since causes of conflict and roots of fragility often come from, and/or spread at a regional level, Swiss intervention can also be programmed and implemented at a regional level.   |

### The Netherlands' strategy 2008-2011: Security and Development in Fragile States

The national approach of the Netherlands (NL) on prevention in fragile contexts is based on three general assumptions, which can be of inspiration:

|    |   |
|----|---|
| 1. | Conflicts can be avoided through early warning and early mediation and by ensuring that problems are discussed by international organisations. The UN should take the lead in this, in conjunction with regional organisations like the African Union. NL is considering how to strengthen the UN's role in this area, in consultation with the UN Department of Political Affairs. |
| 2. | Where necessary, NL will raise the issue of latent conflicts by putting them on the agenda in multilateral forums, such as the EU or UN, or calling for them to be addressed in close cooperation with like-minded countries.   |
| 3. | NL can provide support for civil society organisations which contribute to the independent supply of information about developments in a country and implement projects to resolve the underlying causes of problems in fragile states (...). Islands of stability can sometimes be given support to prevent conflicts from spreading.  |

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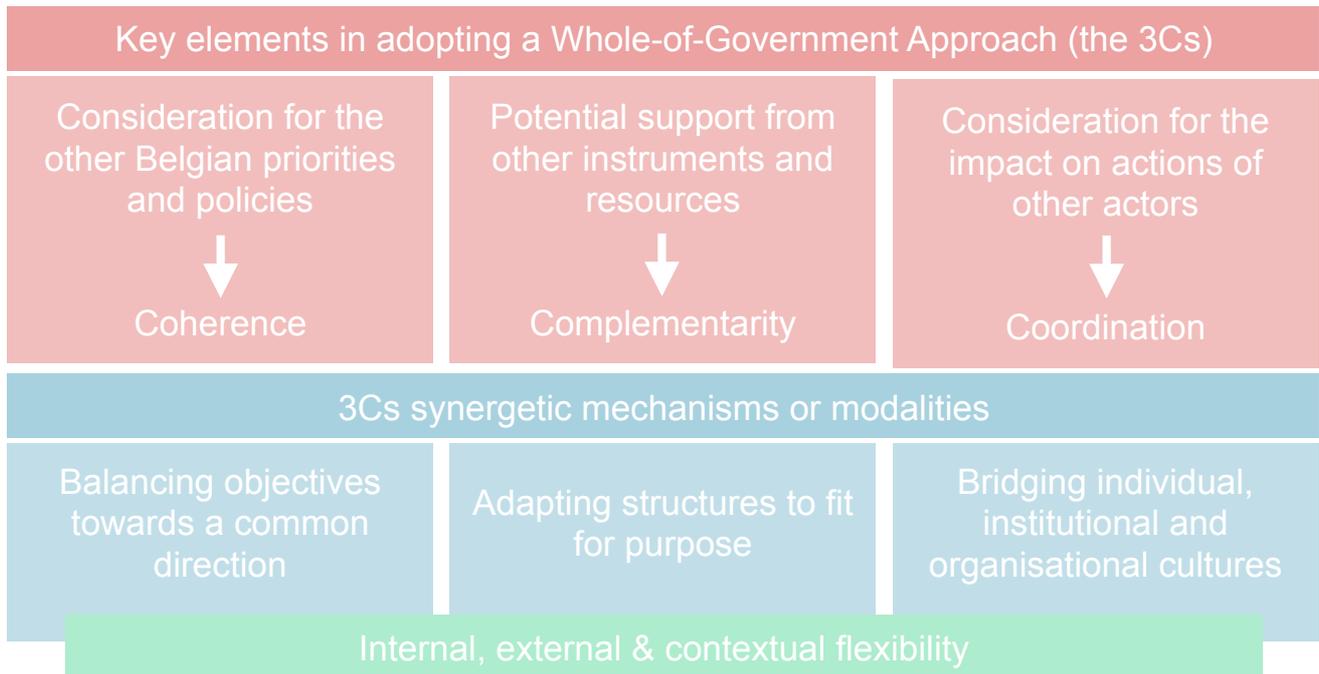
# CHAPTER 5

## Adopt a Whole-of-Government Approach

### Principle

A Whole-of-Government Approach (WGA) can be defined as “one where a government actively uses formal and/or informal networks across the different agencies within that government to coordinate the design and implementation of the range of interventions that the government’s agencies will be making in order to increase the effectiveness of those interventions in achieving the desired objectives” (OECD, 2006).

### Key elements



### Checklist

- How has the intervention taken into account all other relevant Belgian policies and priorities across departments?
- How can other instruments and resources from other departments contribute to the intervention?
- How has the intervention taken into consideration the likely impact on the actions of other Belgian actors?
- How can mechanisms or modalities be used or set up to facilitate coherence, complementarity and coordination between departments or policies and overcome cultural and institutional differences?

## Background – What is it & why is it important?

A Whole-of-Government Approach (WGA) can be defined as “one where a government actively uses **formal and/or informal networks** across the different agencies within that government to **coordinate the design and implementation** of the range of interventions that the government’s agencies will be making in order to **increase the effectiveness** of those interventions in achieving the desired objectives” (OECD, 2006).

A WGA is also required by the **nature and very definition of fragile contexts**. In the 2015 States of Fragility report of the OECD, fragility is determined along five dimensions: violence, justice, institutions, economic foundations and resilience (OECD, 2015). Neither binary nor isolated, in practice, these dimensions form a **continuum of fragility** in which they are linked by **interdependency, mutual reinforcement or transversality** (Patrick, 2008). Chance of success or risk of failure in one dimension may alter all others.

Adopting a WGA in fragile contexts is therefore the recognition that the **complex and whole-of-government nature** of issues in fragile situations **requires** a whole-of-government response in order to be effective. It is also grasping the cross-department policy trade-offs and the “consequences of the choices made”.

Nevertheless, the engagement towards a WGA is **neither a simple nor a smooth endeavor** and efforts have to be measured along a spectrum (Patrick & Brown, 2007). At the far end of the spectrum, a WGA assumes that when different departments have a **shared understanding** of a the problem, **exploit synergies** in the pursue of a **common strategy** and agree upon a **plan to implement, monitor and evaluate** such strategy, a country will not only have a more sustainable and meaningful impact, but also at a **lesser fiscal cost** and with a **greater legitimacy** in the eyes of its partner country (de Coning *et al.*, 2009; OECD, 2007; Mason & Lanz, 2009).

This chapter identifies the **key elements** to a WGA – the 3Cs of Coherence, Complementarity and Coordination – and provides **guiding modalities and mechanisms** to navigate between the dilemmas involved in a road towards a WGA.

## Box 4.1 Belgian WGA initiatives

|   |  |
|---|--|
| <p><b>Interdepartmental meetings on Central Africa &amp; Sahel</b></p>                      | <p>The Belgian Ministry of Foreign Affairs hosts interdepartmental weekly or bi-monthly meetings on Central Africa at the headquarter's level to exchange information on the situation in the field and coordinate actions (planning &amp; implementation). Similar meetings, along with specific thematic sessions are also organised regularly on the Sahel region.</p>  |
| <p><b>Interdepartmental commission on the coherence of development policies (CICPD)</b></p> | <p>In 2014 was created an interdepartmental Commission on the coherence of development policies which mainly aims at elaborating recommendations for the Minister of cooperation as well as the other Ministers whose actions have a direct or indirect impact on development countries. It has so far focused its work on two themes: migration and peace &amp; security.</p>   |
| <p><b>Consultative Council on the coherence of development policies (CCCPD)</b></p>         | <p>Collaborating with the CICPD, a consultative Council on the coherence of development policies was also created in 2014, composed of experts from academia and civil society. The CCCPD provides recommendations on multiple topics (e.g. regional policy, peace &amp; security, migration &amp; development and can be at the Council's initiative or answer to a specific demand by the Minister of Cooperation or other Ministers (e.g. Minister of Sustainable development).</p> |
| <p><b>3D-LO working group</b></p>   | <p>The Belgian Ministry of Foreign Affairs has recently started elaborating a new structure to coordinate and implement a 3D-LO / Comprehensive Approach.</p>  |
| <p><b>Policy support academic research</b></p>  | <p>Starting in the spring of 2017 and via a university cooperation program, Belgian development is funding a research on integrated country policy and 3D-LO approaches. The aim is to feed Belgium Ministries and especially the Development cooperation directorate with theoretical reflections but also to contribute to the conception of operational strategies.</p>   |
| <p><b>Belgian Fund for Food Security (FBSA)</b></p>   | <p>Between 2010 and 2015, the National Lottery and Belgium development cooperation funded the Belgian Fund for Food Security. FBSA's specificity laid in its multidimensionality and synergetic implementation by different types of actors (BTC, Belgian NGO and multilateral organisations such as the FAO and IFAD) allowing for greater coherence, coordination and complementarity among them.</p>  |
| <p><b>Regional Strategic Note on Central Africa</b></p>                                     | <p>In August 2016, Belgium published a regional strategic note on Central Africa highlighting (1) the political, economic and contextual developments in the region, (2) Belgium's 3D-LO involvement and (3) its strategic vision on the future of Central Africa.</p>   |

# Key elements in adopting a WGA

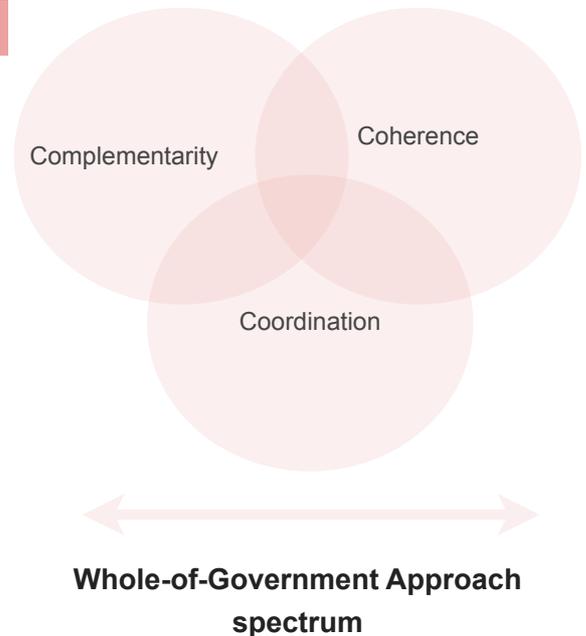
Critical to the effectiveness of development cooperation, **the 3Cs** (coherence, complementarity and coordination) constitute the backbone of a WGA and a spectrum against which it can be evaluated.

## Coherence

Essential component of an effective external action is **strategic, policy and operational coherence** among Belgian actors. Within a cooperation perspective, it firstly induces that development actors should take into consideration the policies and priorities of other actors when identifying and implementing interventions.

### Key question

How can you ensure that your efforts to promote developments are coherent with Belgium's other policy objectives (e.g security, diplomacy, economy, migration, etc.)?



## Complementarity

A second element is assuring and building **complementarity between interventions both within development cooperation channels** (direct, indirect and multilateral cooperation, humanitarian aid, etc.) and with other **areas of external action**, most notably defense and diplomacy. For development actors, it also involves assessing how can the intervention **benefit from** the actions of other departments.

### Key questions

How can instruments or resources of other actors (foreign affairs, defense, civil society, international organisations Belgium finances, etc.) contribute to the effectiveness of the intervention? What do Belgium's efforts in the other areas mean for the development intervention?

## Coordination

Last component to the triptych is the **coordination of actors**, both at the headquarters and field levels and across departments. Concretely, it implies to consider the **impact of an intervention** on the actions of other Belgian actors and, at most, reach synergies or, at least, make certain that there is no negative impact (see chapter 3: Do no harm).

### Key questions

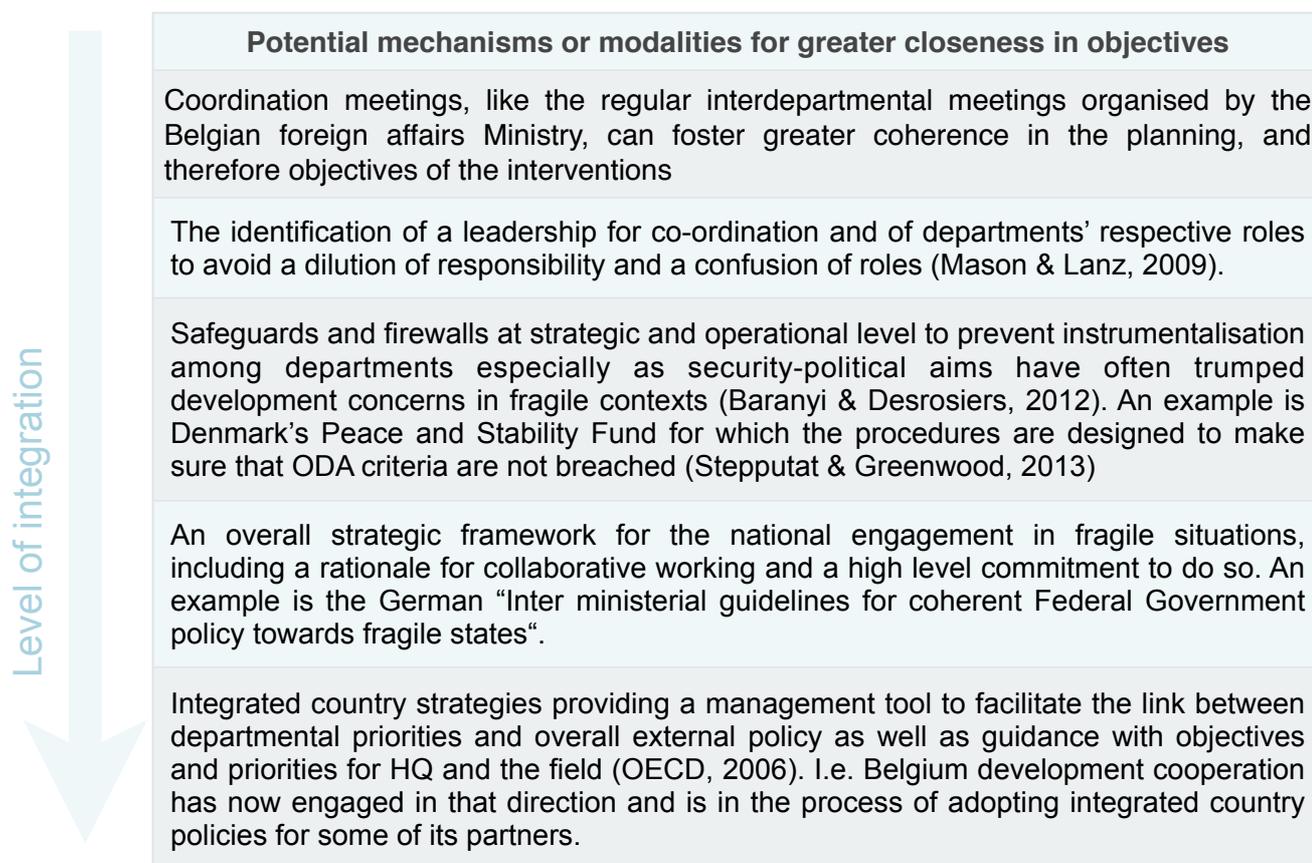
How has the intervention taken into consideration the likely impact on the actions of other Belgian actors? How has it been made sure that no negative impact arises from the intervention (in terms of objectives, transfer of resources or messages)?

## Guiding modalities and mechanisms

Knowing where to go does not provide the itinerary and several **dilemmas** specific to the **issue** or the **institutional context** have to be weighted when moving forward a WGA. The following sections discuss these dilemmas and provides **potential mechanisms and modalities**, at different levels of integration. It allows for a practitioner's perspective (e.g. cooperation staff at HQ or field) while not excluding wider, more macro initiatives.

### Balancing objectives towards a common direction

A major obstacle in the adoption of a WGA in fragile situations is the likely **differing objectives** of the various departments involved and therefore the absence of “a clear focus and a coherent agenda” among them (OECD, 2007). These differences can stem from **traditional priorities or mandates** of the different departments – the national interest of the partner country is, for instance, not conventionally of identical concern for development cooperation, trade or defense actors. They may also originate in or exacerbated by the **political system of the country** – for example, like Belgium, if it is characterised by coalition governments (where Ministers’ party and general government agendas may differ) or by a delegation of some competencies to subnational bodies. Exploring ways to assure the objectives among different channels and departments go in a common direction, or at least do not contradict one another is essential. Several mechanisms can be investigated.



#### Key question

What mechanisms can you use to ensure that the intervention’s strategy and objectives are coherent with those of the other relevant actors in the sector & partner country?

## Cost-benefit dilemma of whole-of-government structures

A second key element is striking the right **equilibrium between transaction costs and the nature of whole-of-government structures**. WGA efforts often require important **resources**, both **human** and **financial** and therefore trade-offs for departments. For instance, cooperation staff should spend less time and resources in a WGA in countries where little other Belgian external action exists, and on the contrary, more in countries where Belgium is very active through multiple departments.

And indeed, an **informal network**, an **integrated coordination mechanism** (with or without a secretariat) or a **standing interagency** unit will not demand the same resources and hence are not appropriate to the specific needs. Two major models have prevailed in practice, both having advantages and drawbacks: **ad-hoc task forces** involving personal from different departments devoting part of their time to coordination and cooperation and **stand-alone units** with dedicated staff, either seconded or newly recruited.

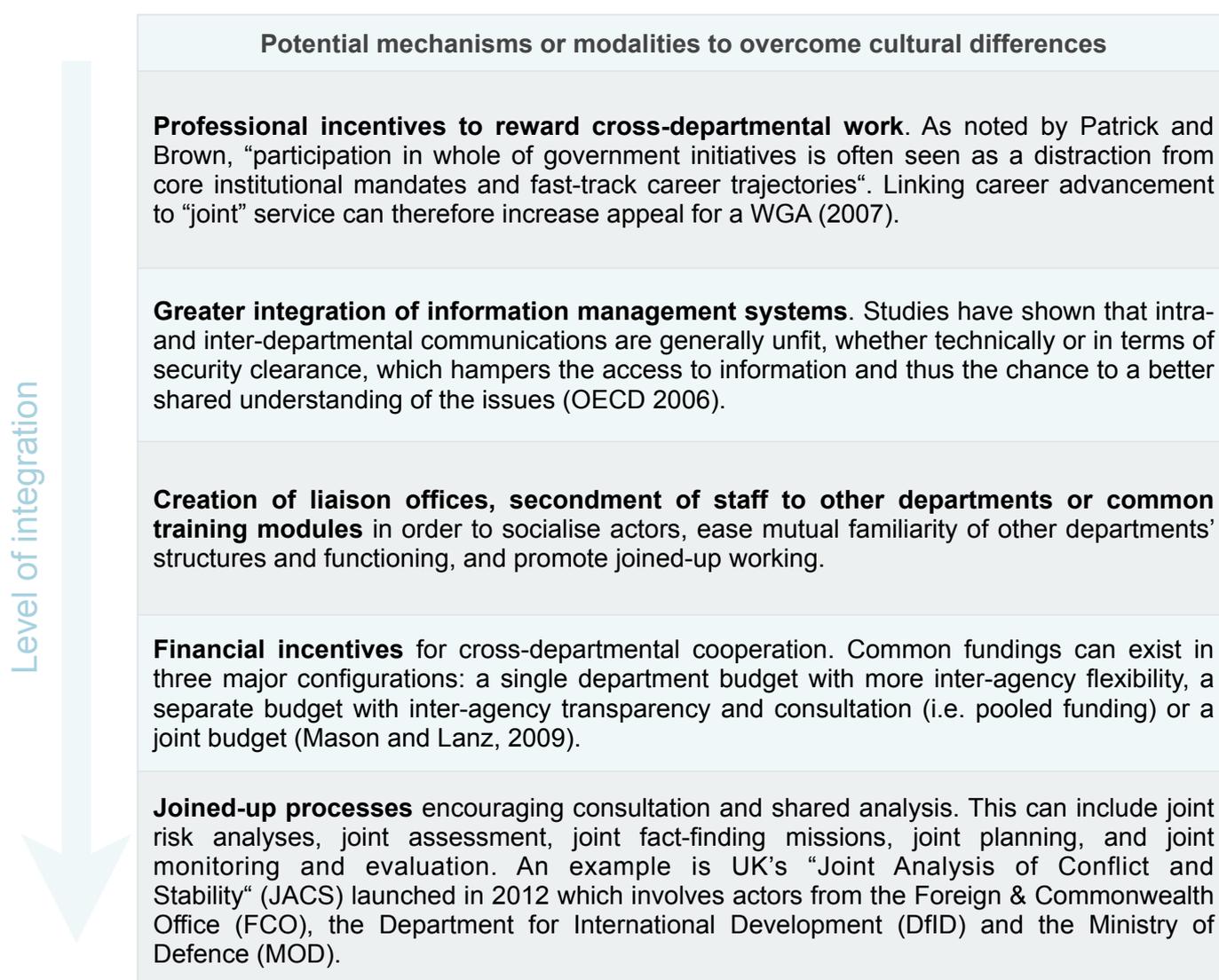
| Nature of the mechanism | Main advantages  | Main limits  |
|-------------------------|--|--|
| Ad-hoc task forces      | This architecture favors process over structure and facilitate the coordination of input from different ministries in policy formulation and implementation. Some are being placed outside the classical channels of ministries to facilitate access to ministerial level in the aim of gaining flexibility and speed.   | The main downside to task forces is the time-consuming coordination it involves and the risk of losing institutional memory if the task force is dissolved (Patrick & Brown, 2007; OECD, 2006).  |
| Stand-alone units       | Stand-alone units often offer the advantages of not having to “reinvent the wheel in each contingency, increasing the prospect for rapid response and institutional learning” as well as “clarify mission leadership, (...) expose unspoken tensions, and force reconciliation of objectives” (Patrick & Brown, 2007). Recourse to seconded personal may also facilitate diffusion and collaboration with home agencies. | Standing interagency units entail the risk of a lesser buy-in from departments and of becoming “part of the coordination problem and bureaucratic turf battles, competing for funds, power, influence and prestige with the existing departments that they are supposed to coordinate” (de Coning <i>et al.</i> , 2009). |

### Key questions

What is the most relevant structure you can consult, participate or suggest to create in order to best fit the context? How can the intervention or specific elements of the intervention be discussed with the Defense and Foreign affairs sections of the Embassy? How can the intervention be put at the agenda of the interdepartmental weekly meetings? What coordination mechanism can be suggested within the interdepartmental commission?

## Bridging individual, institutional and organisational cultures

A crucial challenge to a WGA is **bridging individual, institutional and organisational cultures** among departments, and sometimes among services. Often disregarded as a central issue of WGA, the “**soft issues**” organisational cultures, values and routines, professional beliefs, or institutional values and preferences have nevertheless revealed to be **invisible impediments** to an effective WGA (OECD, 2006). Mistrust and wrong impressions are often topped up by a lack of individual and organisational incentives to a greater buy-in for collaborative-working. The result often being a lack of an effective WGA – even when structures of coordination or cooperation exist – where individuals and departments or services rarely go **beyond information-sharing** and end up “**doing the same differently**”. Different modalities or mechanisms – at different levels of integration – can be envisaged to stem this challenge.



### Key question

What incentives modalities or mechanisms, what integration initiatives or joined up processes can be joined or suggested to create in order to facilitate a process or an intervention?

## Internal, external & contextual flexibility

A final transversal key element to keep in mind when envisaging WGA modalities are the trade-offs between coherence and the need for flexibility that the internal (headquarters-field), external (other bilateral and multilateral actors) and local contexts require. If a specific chapter of this guidance is dedicated to flexibility in fragile situations, three issues need particular attention for a WGA.

| Nature of the flexibility                              | Trade-offs / dilemma   |
|--|--|
| Headquarter-field (internal flexibility)               | An equilibrium should be found between strategic coherence and implementation reality for which field level is key. Experiences have shown that the expertise, role and information potential of field offices are often underestimated and that they have a critical value in the development of strategy and planning. Responsibilities have therefore to be delimited so that headquarters focus on high level strategy, policy and coordination and greater responsibility for operational and tactical implementation to the field (with the possible staff reinforcement that it may involve) (Stepputat & Greenwood, 2013; van Beijnum & van de Goor, 2006) |
| Harmonisation with other actors (external flexibility) | A WGA can only be efficient if it falls in coherence with other international partners and should thus be built with enough flexibility to allow adaptation to the international context within the country and coordination with like-minded actors   |
| Context-driven WGA (contextual flexibility)            | Too much of a pre-agreed and donor-driven strategy can hamper dialogue with the national partner and lack sensitivity to the rapidly evolving local context of fragile situations (see chapter 1: Start from context).   |

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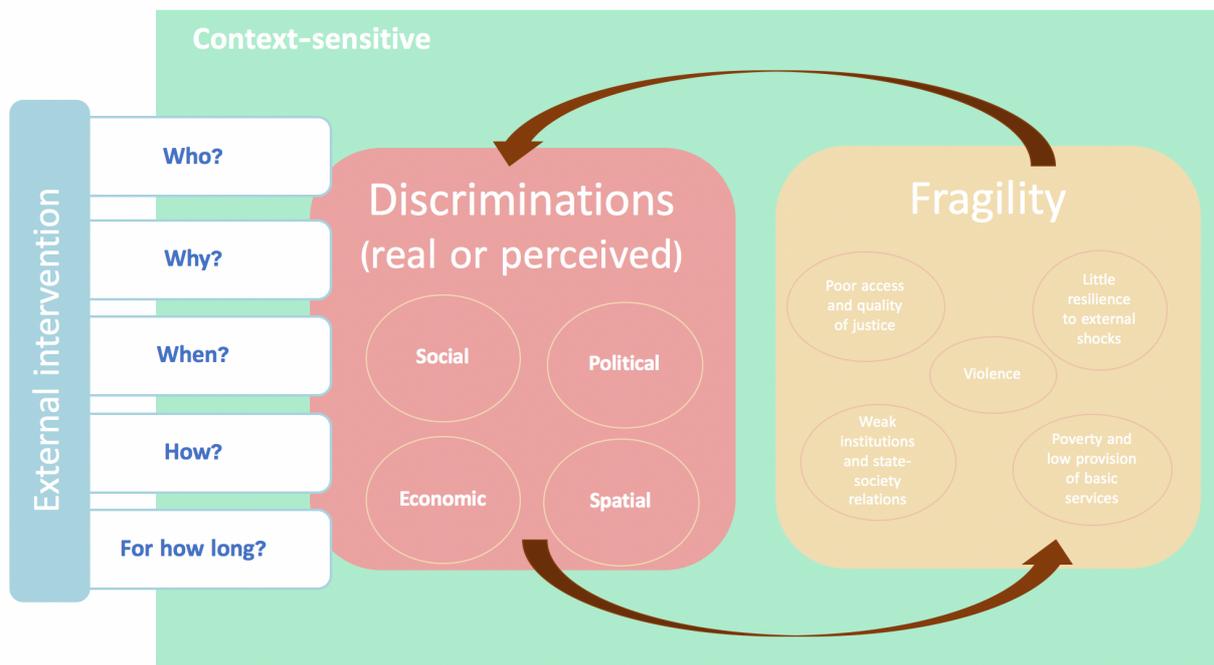
# CHAPTER 6

## Promote non-discrimination

### Principle

One of the principles for good international engagement in fragile states and situations urges international donors to promote non-discrimination as a basis for inclusive and stable societies. This means to promote for instance human rights, gender mainstreaming, social and political inclusion, equity and fair access to basic services. This also means to fight all forms of exclusion and inequalities. Addressing these issues supports constructive state-society relations and is thus crucially related to any positive state-building process (see chapter 2: Focus on state-society relations).

### Key elements



### Checklist

- How have the existing real and perceived discriminations of particular social groups (women, youth, disabled, ethnic, religious, regional, political, etc.) been taken into account?
- What are the political, cultural, social, physical and economic factors that cause discrimination? How can they slow down any progress towards more inclusive societies?
- Can the intervention potentially increase discrimination? And how?

## Background – What is it & why is it important?

Discrimination can be defined as the **denial of human rights**. It is multidimensional and associated with inequality and exclusion at social, political, economic or spatial level. **Social** discrimination is based on people's identity, such as gender, age, ethnicity, race, religion, disability, etc. It may occur through "horizontal inequalities" between groups and can lead to social exclusion. Moreover, people may be socially discriminated either in public spaces (like education or health services) or private ones (like households) (Khan *et al.*, 2015). **Political** discrimination is based on one's political beliefs or activities and entails real or perceived exclusion from political processes. It may occur through formal or informal mechanisms and institutions, such as for example official or customary limits to voting (DfID, 2010). **Economic** discrimination is related to the unequal access by citizens to economic opportunities, services and benefits of economic development (DfID, 2010). **Spatial** discrimination is based on where people live, including for example remote and isolated areas or neighborhoods associated with poverty, violence and criminality (Beall, Goodfellow *et al.*, 2011). These different kinds of discrimination are often intertwined. Why addressing all these forms of discrimination is important?

According to the OECD, "real or perceived discrimination is associated with fragility and conflict and can lead to service delivery failures" (OECD, 2007). Indeed, **discrimination can be both a cause and a consequence of fragility**. Thus for example, when peaceful mobilisation of excluded groups does not succeed in improved equalities and inclusion, their frustration may cause insecurity and conflict. Meanwhile, groups may be marginalised in the aftermath of a fragile situation such as a conflict. The risk of violence may be even increased in case of interlinked forms of discriminations. A particular issue is that of **gender discrimination**, which is not usually a cause of conflict and has long been a minor priority in donors' peace- and state-building interventions. A gender perspective is today considered as key to any interventions in fragile contexts, as it can contribute both to pursuing women's rights in their own and to achieving development, peace- and state-building goals (OECD, 2013).

**A rights-based approach is key to Belgium development cooperation interventions.** This approach conveys different forms of human rights: civil, political, economic, social and cultural ones. It recognises them to be universal, indivisible and inalienable, as well as interdependent and interrelated. It promotes equality and non-discrimination, but also participation and inclusion of citizens in all domains where rights and freedoms can be realised. A rights-based approach entails to build capacities both of "duty-bearers" to meet their obligations about human rights and be accountable for them and of "rights-holders" to claim their rights.

### Box 6.1 Belgium engagements to fight discrimination and promote human rights

2016. The political strategy for international development 2017 define a right-based approach as one key political line.

2016. The strategy on gender dating from 2002 was updated and accompanied by an action plan.

2014. The political strategy for development cooperation resumed the right-based approach as one key political line, to be mainstreamed in all Belgian interventions.

2013. The new Law on international cooperation defined the fight against discrimination as being one of Belgium main goals.

2013. The Belgian Strategic Note on Fragility Situations included the principle on non-discrimination and urged development actors to pay more attention to the reduction of inequalities and the promotion of inclusive development.

2013. The first action plan (2009-2012) for the implementation of the United Nations Security Council Resolution 1325 on "Women, peace and security" was updated for a three-year period (2013-2016).

2009. The Belgian strategic note for the respect of children's rights was adopted.

## Multidimensional context-related discriminations

Real or perceived discriminations may take **different forms**, such as for example unequal rights to political participation, unfair access to education and social services, unequal opportunities in the labour market, exclusion from housing, etc. They are multidimensional and may be caused by a **variety of factors** related to political, cultural, social, physical or economic constraints. Finally, they may affect **different societal or political groups**, such as women, youth, disabled, ethnic, religious, political minorities, etc. The nature of and the linkages between these different forms, factors and victims of discriminations closely depend on the context in which they are perpetrated.

**Discrimination is relational and power-related.** It depends on which stakeholders are involved and when in development and state-building processes. It also depends on how powers are shared between society actors at different levels: gender-related, generational, political, economic, etc. These power relations are not only related to structural and institutional factors, but also to cultural norms that influence how discrimination is implemented and perceived both by victims and perpetrators. Moreover they are far from being set in stone; they actually evolve and change over time, so that the nature and forms of discrimination may vary over time too.

**Discrimination is related with development results and state-building in multiple ways.** On the one side, as mentioned above, discrimination may be a critical cause of fragility. However, this causal link is not always straightforward. Thus for example, although social or political discrimination may be associated with poverty, not all excluded people are poor: economically successful groups may also be politically excluded because of their ethnic or religious origin. Likewise, although discrimination is a key source of social tensions and may undermine public trust in the state, it does not always lead to insecurity. For example, excluded groups may decide to claim their rights engaging in non-violent forms of mobilisations (DfID, 2005). On the other side, discrimination may also be a consequence of fragility. However, the effects that conflicts and fragility more in general have on discriminations are also very context specific. Looking at gender inequalities for example, conflict can both negatively or positively impact on women's rights. They can be victims of violence or suffer from displacement. But they can also obtain new roles in society, becoming head of their households or taking on political responsibilities in the absence of men (Khan, Combaz *et al.*, 2015).

### A Belgian project to empower rural people through community listening clubs

The Dimitra project was an information and communication project about gender and development in rural areas which aimed at promoting non-discrimination in Democratic Republic of Congo and Niger through the establishment of "community listening clubs". These provided rural populations with spaces to discuss problems and needs related to discriminations encountered by vulnerable groups and to think together to possible solutions. Communities radios and mobiles phones were also used to share informations about the meetings held. One of the issues more frequently discussed was that related to women difficulties in accessing services and resources and in participating to decision-making. This approach favored social mobilisation and empowerment of rural people, especially women. Funded by Belgium, this project was executed by FAO.

Source: DGD (2013).

## Key questions

- Who is discriminated and why? How do people experience discrimination, both as victim and perpetrators? How do people mobilise to claim their rights?
- To what extent is power limited to some specific groups and why? What formal and informal institutions drive or limit any change in power relations? Which groups participate to public policy-making and peace-building processes? What processes and institutions cause and perpetuate discrimination?
- What is the impact of discrimination on development and peace? In turn, how do development constraints and fragility impact on discrimination?

## Challenges of fighting against discrimination

Programming and implementing a relevant intervention to fight against discrimination is challenging and erroneous choices when engaging in this field may entail the risk of increasing discriminations instead of reducing them (see chapter 9: Manage risks).

A first challenge relates to the difficulty of choosing **who are the best partners and targets groups**. Indeed, it may be difficult to identify which actors could better drive change and favor human rights. In some cases, it could even be difficult to distinguish between victims and perpetrators of discrimination. The effective opportunities of working with and supporting these partners and vulnerable groups are also at stake. Indeed, as discriminations are associated with power relations between actors, any intervention aiming at fighting against them entails changes in society and is thus necessarily politically sensitive. Thus for example, to promote equality and human rights, interventions should target both actors responsible for respecting human rights (“duty bearers”) and those entitled to exercise these rights (“rights holders”). However, national or local authorities may not tolerate any external support to domestic civil society groups and could restrain any efforts to empower politically discriminated groups. In such contexts, support to discriminated or excluded societal or political groups may arise social tensions.

Another challenge relates to **what (and whose) priorities should be pursued**. Indeed, although every society share some concepts of fairness, equality and freedom, tensions may exist between traditional and cultural norms spread at national / local level and international standards. Moreover, different groups in society may have different expectations of the state and of other groups with regard to human rights. Fighting against discrimination may thus contribute to disrupt existing balances among societal groups and in state-society relations (Alexander *et al.*, 2012).

An additional challenge relates to timing and the difficulty to identify **when best to intervene**. In fragile context and especially in conflict situations, it is sometimes assumed that discriminations could be tackled only when reconstruction and peace are underway. On the contrary, it is important to take them into account from the very beginning.

Interlinked to this latter aspect, another difficulty is to define **for how long to stay**. The short-term need to end specific forms of discrimination may contrast with the rather long-term adaptation of people to changing behavior and shifting power dynamics (Alexander *et al.*, 2012).

### DfID support to renegotiation of the political settlement in Kenya

Kenya elections in 2007 led to contested results and violence falling the country into a severe political crisis. A political resettlement appeared as a urgent solution to avoid a civil war. Negotiations were led by the Panel of Eminent African Personalities (led by Kofi Annan and backed by the Africa Union). It succeed in ending violence and defining an agenda for in-depth political reforms. After that, a Kenya National Dialogue and Reconciliation was launched and resulted in a series of deals leading to the creation of a government of National unity. Among others solutions, the deals planned the creation of a truth, justice and reconciliation commission and included long-term issues, such as addressing youth exclusion and land policy. The process was partly funded by UK government through the Africa Conflict Prevention Tool.

Source: DfID (2010).

### Key questions

- What are the main barriers to tackling discrimination?
- How does the intervention tackle discrimination on the short and long-term?
- Which mechanisms does the intervention include to take into account the point of view of vulnerable and marginalised groups ?
- What potential risks have been assessed in relation to the intervention? What mechanisms have been planned to reduce them?

## A discrimination-sensitive approach from the outset

Fighting against discriminations is complex as they are related to **multiple context-sensitive dimensions**, which – if not well assessed – could hinder the intervention and make it counterproductive.

Working in this field, Belgium development actors should thus undertake in-depth analyses of the local context to better understand the nature of discriminations, their root causes and their consequences (see chapter 1: Start from context). These **contextual analyses** should lead to a better understanding of local perceptions of discriminations, of actors' readiness to change, and of possible tensions between local cultural norms and international standards on human rights. Moreover, to better understand power dynamics at play in fragile contexts, thorough political economy analyses could help to better assess how power and resources are distributed among actors and what impact the intervention could have on social cohesion (DfID, 2009).

These contextual aspects should be taken into account to make the right choices in terms of priorities, partners and targets groups, timing and activities. They should also be translated in **appropriate differentiated approaches**.

Finally, addressing discrimination is **a key early priority**. Indeed, understanding from the outset the processes and actors involved in existing forms of exclusion and inequalities reduces the risk of doing harm though interventions and favors the introduction of inclusive measures in state-building and service delivery programs (see chapter 3: Do no harm; DfID, 2010). It is thus important that Belgian development actors introduce a discrimination-sensitive approach from the outset of their intervention, and that they work both on short and long term activities.

## Key questions

- What context analyses have been planned / conducted to better understand the nature of the discrimination? What are the contextual specificities of the discrimination? What causes and consequences have been assessed?
- To what extent are international standard in line with local norms? What differences exist?
- How power and resources are distributed among actors? What impact could the intervention have on social cohesion?
- How does the intervention include a discrimination-sensitive approach from the outset?

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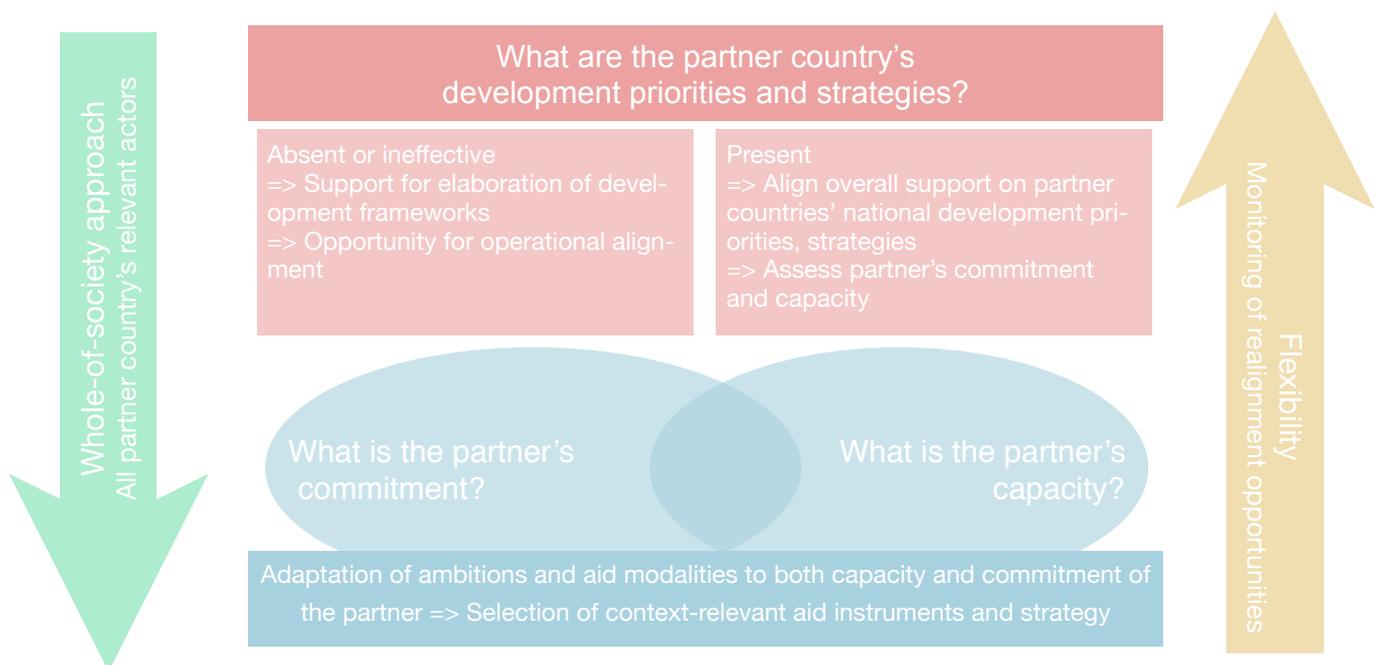
# CHAPTER 7

## Align with local priorities

### Principle

Aligning with local priorities is at the core of the Paris Declaration. According to this principle, donors should wherever and whenever possible use the partner country's (1) priorities and strategies (strategic dimension) and (2) policies and systems for aid financing, management and delivery systems (operational dimension) to guide their action.

### Key elements



### Checklist

- How are the partner country's priorities and strategies (strategic dimension) taken into account?
- How does the intervention take into account the opportunity to align with the partner country's policies and systems (i.e. public procurement, budgeting procedures, national implementation units, national reporting formats, etc.)?
- How committed is the partner to the implementation of the strategy; what other state and non-state actors should be included to increase local alignment and commitment?
- How does the intervention take into account the institutional capacity of local partners at all levels?
- How does the intervention consider all relevant actors using a whole-of-society approach?

## Background – What is it & why is it important?

Aligning with local priorities is at the core of the Paris Declaration. According to this principle, Donors should wherever and whenever possible use the partner country's (1) priorities and strategies (**strategic dimension**) and (2) policies and systems for aid financing, management and delivery systems (**operational dimension**) to guide their action.

**What is it?** Donors align when they base their overall support on partner countries' national development priorities, strategies and systems (OECD, 2010).

**Why is it important?** Aligning with local priorities is presented as a key factor for ensuring better aid effectiveness, better ownership, and sustainable and endogenous development. Beyond aid effectiveness, early alignment with local priorities is also very important because disregarding the partner's strategies, policies and systems risks undermining the very capacity and legitimacy of the state (see chapter 3: Do no harm and chapter 9: Manage risks).

**Challenges.** Yet, alignment has far reaching consequences for donors and can be difficult to achieve even in partner countries with detailed and articulate strategies and well running national execution systems. This is even more the case in fragile situations where donors are confronted with specific challenges: absence or ineffective strategies and policies (content and buy-in limitations), weak administrative and budgetary systems, illegitimate authorities, partial control over the territory, etc. In that context, donors should be realistic regarding the partner's capacities and consider strengthening them wherever possible.

**Assessment.** The implementation of the principle was assessed in the 2010 OECD Fragile States Principles Monitoring Survey as moderate and improving. It recognised a "lot of progress in terms of aligning on broad strategic priorities set by national counterparts". Yet, it advocated that international actors support to partner countries in developing national strategies should be further strengthened and that alignment should be deepened in operational terms: use of country systems; alignment on sector-wide approaches; alignment on sub-national priorities and planning; avoid to set up too many parallel project implementation units (PIUs) for too long (OECD, 2010, p. 30).

### Strategic alignment

In fragile situations, donors are often confronted with **ineffective or even lack of strategies and policies** at national but also more frequently at regional and local level (intervention zones). On the other hand, the multiplication of **incoherent or incomplete** policy strategies and documents can also challenge alignment. Donors action can be specifically designed to **promote and support the elaboration or revision** of national and local **development frameworks** (technical assistance and capacity-building).

In DRC for instance, the Plans d'Actions Prioritaires (2006-2008) and country assistance framework (2007-2010) brought clearer priorities within the existing Poverty Reduction Strategy Papers (OECD 2010).

#### Key questions

How effective is the partner's national framework document stating its strategy, its priorities and policies? How is the intervention aligned on the partner's strategy?

## Commitment & capacity

Even if an effective strategy exists, stating clear priorities, the **partner buy-in may be absent or limited**. Where there is no or little commitment to development and poverty reduction strategies, the selection of **context-relevant aid instruments** is the key to find a balance between supporting long term state-building and mitigating the risk of supporting an authoritarian or repressive regime (such as Multi-Donor Trust Funds, see box 1: Aid instruments and alignment dilemmas). Donors should also consider **working with other state actors** where it is possible (eg. local government) and **non-state actors** (local communities, private sector, civil society organisations). Specific technical cooperation projects can also be designed to support game changing actors in central government and administration.

### Key questions

How committed is the partner to the implementation of the strategy? With which other state and non state actors can we partner in order to ensure alignment to local priorities (whole of society approach)? How can shadow alignment with state systems be used in order to stay ready to realign?

Where a committed partner has **little capacity**, donors have more opportunities and a responsibility to align and work **with and through the State**. Indeed, (non) alignment strategies of donors have an impact on the partner. Use of national systems for aid financing, management and delivery contribute to capacity-building while use of PIUs can reduce national administration capacity (notably through the qualified staff it diverts from national or local administration)(see chapter 2: Focus on state-society relations).

### When there is commitment, but little capacity: some recommendations (Leader and Colenso, 2005)

- Ensure an overarching strategic framework is in place between government and donors covering political, security and development strategies.
- Establish multi-donor trust funds for budget support, large investment projects, security sector reform, etc.
- Provide technical cooperation for capacity-building, but ensure it is government-led, not donor-led.
- Align behind government budgeting and planning by ensuring all donor projects and programmes are “on budget”, even if not “through budget”.
- Complement with social fund/social protection arrangements to get resources to communities and begin to build from the bottom up.
- Use direct contracting of UN and NGOs where national programmes are insufficient, but “on budget”, not “off budget”.

### Key questions

What is the capacity of the partner to implement the strategy? What technical support for capacity building does the intervention provide?

## Box 7.1. Aid instruments and alignment dilemmas

|  | Opportunities   | Risks   |
|--|---|---|
| <b>General budget support</b>                  | <p>Major opportunity to link resources to core capacity building and outcome achievement, while providing incentives to further strengthen country systems.</p> <p>Can finance recurrent expenditure that is central to state functioning.</p> <p>Lower transaction costs for partner country.</p> <p>Joined-up resourcing and dialogue with development partners create a more predictable partner country-development partner relationship.</p> | <p>There may not be a centralised budget to work with. Requires high standards of public financial management to mitigate fiduciary risks.</p> <p>Demanding in terms of the level/type of dialogue with development partners; political objectives and constraints may undermine predictability.</p> <p>Can seem “remote” from short-term improvements in service delivery in the early phases.</p>   |
| <b>Sector budget support</b>                   | <p>Supports state functioning through an owned sector program or strategy, while providing incentives to strengthen country systems.</p> <p>Focuses resources on a priority sector. Lower transactions costs than pooled approaches.</p> <p>Joined-up sector dialogue</p>   | <p>Sector institutions may face particular capacity challenges - for example, with respect to PFM systems. Focused engagement on a priority sector may distort engagement in other key priorities, undermining government decision-making and allocative efficiency</p>   |
| <b>Government-managed pooled funds</b>         | <p>Pooling of development partner resources.</p> <p>Aligned with government strategy, but allows narrower earmarking (often to specific activities) than budget support. Can accommodate safeguard measures where PFM systems are weak.</p>   | <p>Earmarking may undermine government’s ability to prioritise public investments. Poses management challenges for recipient. Transaction costs may be higher than budget support. Heavy focus on systems and procedures for pooling; decision making can detract from delivering outputs/outcomes. Pooled funds may delay the transition to budget support when conditions allow.</p>  |
| <b>Jointly managed trust funds</b>             | <p>Joint governance and management arrangements mitigate fiduciary risk.</p> <p>Opportunity to develop government systems and capacity for management of resources.</p> <p>Can reduce transaction costs for both development partners and partner countries.</p>  | <p>Management challenges for both development partners and partner countries.</p> <p>Attention to improving government systems may in early stages slow down delivery of outputs.</p> <p>Use of trust funds may delay the transition to other aid modalities making greater use of country systems when appropriate.</p>  |
| <b>Project support</b>                         | <p>Can target specific priorities/gaps, through earmarking for specific activities.</p> <p>Project support can use country systems to differing extents.</p> <p>Flexibility in design.</p> <p>Quick wins.</p>   | <p>Can privilege short-term impacts over longer-term engagement.</p> <p>Narrow earmarking can undermine government decision-making and allocative efficiency.</p> <p>Can result in a “dual public sector” and undermine incentives to support state capacity where parallel structures and processes are used.</p> <p>Can create sites of patronage and decision making that rival the state or undermine government processes where parallel structures and procedures are used.</p> |
| <b>Support to and through non-state actors</b> | <p>Can help to meet short-term service delivery needs where state capacities are weak.</p> <p>Can support citizen engagement and effective channels of participation for marginalised groups.</p> <p>Can foster innovation in service delivery.</p> <p>Flexibility in design.</p> <p>Quick wins.</p>  | <p>Can undermine strengthening of government systems.</p> <p>Can undermine transparency and domestic accountability.</p> <p>Can raise social expectations beyond state capacity, fueling frustration.</p> <p>Can happen in an under-regulated environment.</p>  |

Source: OECD, 2011

## Whole-of-society approach

In fragile situations, alignment should be understood in the **context of state-society relations**. The relationship of the state with society is a key foundation of statebuilding and it is important to view alignment with local priorities in a “**whole-of-society**” perspective including all key stakeholders and not only central government authorities. If state capacity is weak, the opportunities to **work with local government, communities, civil society, and the private sector** have to be considered even more closely. In that perspective, a **bottom-up alignment** strategy can consist in aligning with local priorities that emerge from consultations with local actors (provincial and local authorities and civil society). Among those priorities a focus can be given to strengthening the capacity of vulnerable communities (see chapter 6: Promote non discrimination).

When state institutions have little capacity and the relations between the state and social groups are weak, **community-driven development** approaches can be used as a strategy to strengthen the capacity of local community actors (including local authorities), by giving direct control to the community over planning and resource allocation decisions and increasing accountability through participatory processes (OECD, 2010).

### Key question

Is the intervention considering the partner country relevant actors using a whole-of-society approach?

## Flexibility

Donors should adapt their ambitions and aid modalities to both capacity and commitment of the partner. The potential for alignment can evolve over time and across a partner country’s ministries, regions and local entities. It depends therefore heavily on the context and donors should **align flexibly, in different ways in different contexts**. Opportunities for alignment should be assessed periodically (monitoring) and not be based on a “one size fits all” approach (see chapter Take context as a starting point). Donor may have to identify strategies for **partial and shadow alignment** but need to stay ready and realign fully with national structures and systems when and where possible.

Shadow alignment consists in mirroring government systems (such as budget cycle) to increase future compatibility of international aid with national systems.

### Key question

Has the context changed and new opportunities for fuller alignment with national structures and systems can be seized?

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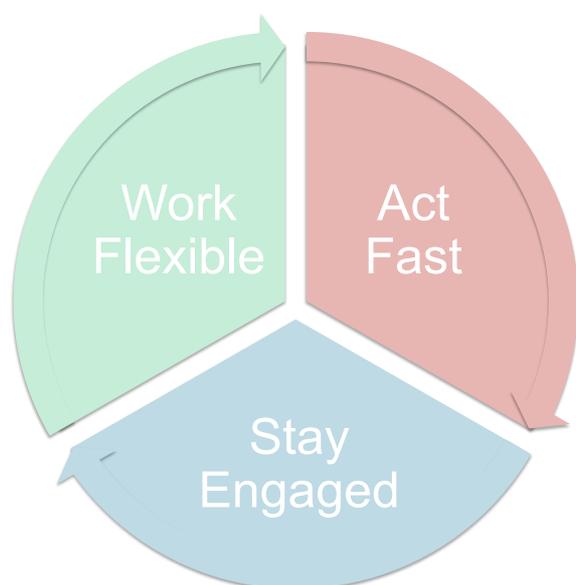
# CHAPTER 8

## Act fast Stay engaged Work flexible

### Principle

Assistance in fragile contexts must be flexible enough to take advantage of windows of opportunity and respond to rapidly changing conditions on the ground. At the same time, given the complexity of the challenges facing fragile contexts, long-term and flexible engagement is crucial as change can only be expected after a long period of time.

### Key elements



- In order to act fast donors should overcome or deal with **contextual** (difficulty of places in which to intervene), **political** (international and national political will) and **technical** (aid disbursements, reallocation of funds) stumbling blocks.
- In order to initiate a long-term engagement donors need to **go beyond rapidly shifting policy agenda's**, both at the domestic political level as on the international level.
- In order to work more flexible donors should **counter their fiduciary risk aversion and short-term accountability demands**.

### Checklist

- What strategy is in place to guarantee a rapid response when a crisis situation occurs and what approach will assure an effective linking of relief, rehabilitation and development (LRRD)?
- What long-term vision (approx. 10 years) will guarantee sustainable engagement?
- What flexible and participatory planning process will guarantee that engagement remains relevant in a changing context?

## Background – What is it & why is it important?

Assistance in fragile contexts must be flexible enough to take advantage of windows of opportunity and respond to rapidly changing conditions on the ground. At the same time, given the complexity of the challenges facing fragile contexts, long-term and flexible engagement is crucial as change can only be expected after a long period of time. The principle is subdivided into three key elements.

**Act fast.** In order to tackle emerging crisis situations but also to take advantage of new windows of opportunity, it is important to have the capacity to act fast. Contextual, political and technical factors impede fast action. First, fragile situations are in many cases difficult places to intervene: poor, badly-governed, politically-fragile and conflict-affected. In many cases donors are not willing to invest the necessary financial and human resources to deal with such circumstances, mainly because of the fiduciary and (reputational) political risks that go together with such interventions. Second, fast action can also fail because of the absence of political will, both on the national and international level. Third, the slow pace of aid disbursements and difficulties to reallocate funds are highlighted as the main stumbling blocs on the technical level. In general, the debate is often narrowed down to these technical stumbling blocks, and as such, remains much of the time blind for the need for political will and substantial financial resources.

**Stay engaged.** An engagement of at least 10 years is often seen as a minimum for engagement in fragile situations. First, such a long-term timeframe is necessary to align engagement with the pace of social change in difficult circumstances, hence going beyond the urge for the fast and easy and have modest expectations on the contribution of external aid to complex internal processes. Second, it improves aid predictability – ideally in a coordinated way among donors – and reduces aid volatility: not only volatile aid volumes, but also discontinuous or incoherent diplomatic engagement and field presence have all potential destabilising effects and result in an ineffective stop-go engagement.

Although most donors express their commitment to long-term engagement in fragile states, in practice aid remains unpredictable. Reasons are mainly twofold. First, shifting policy agenda's in donor countries (new policy priorities when new Ministers arrive) and on the international level (following the issues of the day: fragile states, private sector, migration crisis, terrorism, ...) hinder long-term engagement and long-term policy coherence. Second, the aid effectiveness agenda remains very much based on a short-term value for money logic that focuses on disbursement rates, sets unrealistic expectations, manages fiduciary instead of strategic risks, and works through short-term financial commitments.

**Work flexible.** Even more than in “normal” circumstances, fragile situations do not follow a linear logic, making traditional programme planning even more ill adapted. Thus, throughout a long-term engagement it is not only enough to act fast, but also to adapt continuously towards rapidly changing contexts. Concretely this means another way of programming, which accepts that not all can be planned and controlled for before the programme starts. Mainly fiduciary risks and accountability demands dissuade donors of taking up a more flexible approach to programme planning. However, this flexibility seems necessary to avoid strategic failure in the long term.

## Act fast

**Development partners capacity to respond to short-term shocks remains variable** (OECD 2010). They are generally able to act fast on humanitarian crisis, but the lack of linkages between humanitarian and development assistance remains a long-standing debate without substantive progress in practice. The challenge is twofold: in many cases development assistance is too slow to take over at the right moment, as a consequence, sustained use of humanitarian assistance – with sometimes quasi-development aspects – counteracts an effective and timely transition to development assistance.

However, the old debate on the **humanitarian-development nexus and the sequencing dilemma** that results from it has only become more sophisticated in recent years, adding a multiplicity of sometimes overlapping sequences: disaster relief, early recovery, stabilisation, reconstruction, and so on. Important is that the sequence should not be thought of as a continuum from relief to development: this is a too linear and mechanistic representation of reality. Instead, conflicts and crises are dynamic and always require a unique mix of funding channels, sometimes running parallel to each other, sometimes succeeding each other.

An example that illustrates very well that **“acting fast” is not equal to humanitarian action** is a Quick Impact Project of DfID in Afghanistan with a conflict prevention focus (see chapter 4: Make prevention a priority). It illustrates that acting fast should not always result in rapid, visible results, but that there is also need for intangible quick impact with potential long-term effects. In particular such projects are difficult to finance because they need to be implemented fast but have no humanitarian focus.

### Acting fast – Quick Impact Projects (DfID, Afghanistan)

Although QIPs generally seek to provide rapid, visible results, some of the most successful are those which focus on “enabling communications” or “improving relations between populations and the state”.

In Sangin District of Helmand Province, the Stabilisation Team identified that the youth of Sangin were particularly susceptible to Taliban influence: they were old enough to carry communications and parts for improvised explosive devices but not mature enough to understand the consequences of their actions. A QIP was actioned to hold “Youth Shuras”. These were designed to expose the youth to traditional Afghan methods of debate, community dialogue and decision making. It also enabled them to discuss issues between themselves and to highlight their concerns and make proposals to adults. Support was on hand from the governor, the mayor and other line ministry representatives to help with any proposals. There was very little international involvement in the set up of the Shuras.

This project delivered important, if intangible, results: it opened channels of communication between a sector vulnerable to Taliban influence (youth) and representatives of the Afghan state; it also enabled youth to express their concerns and to develop non-violent options to address those concerns.

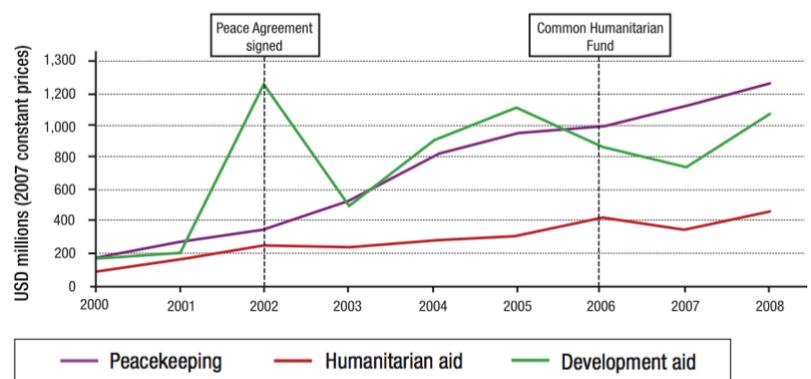
## Stay engaged

**Development partners almost uniformly express their commitment to long-term engagement, but their commitments are undermined by their limited and short-term financial engagements (OECD, 2010).**

Associated with this issue is not only the **length of engagement**, but also the **predictability of aid**. In particular in fragile situations aid can be volatile, resulting in **stop-and-go aid**. For example, the graphic on DRC shows that humanitarian assistance remained steady between 2000-2008, but that development aid was highly volatile for the same period.

Staying engaged is also associated with the crucial trade-off between **maximising short-term impact** and **build long-term sustainability**: fragile situations are mostly confronted with massive short-term needs in combination with the need to initiate slow, long-term and complex societal change processes that tackle the root causes of fragility and conflict. Because of expenditure pressure and strict accountability requirements it is for donors difficult to withstand the urge for the fast and easy.

Figure 7. DRC: while humanitarian assistance and peacekeeping remain steady, development aid is volatile, albeit with an upward trend (2000-08)



Source: OECD-DAC online database and "Annual Review of Global Peace Operations 2009".

### Stay engaged – Development Partnership Agreement (DfID, Rwanda)

Rwanda was one of the first countries to which DfID made a long-term financing commitment, in order to demonstrate support for the first post-genocide government. A Memorandum of Understanding (MoU) was concluded in April 1999, offering predictable support over ten years. The Government of Rwanda committed to advancing the six core areas of its national development strategy, as well as to reducing conflict, promoting national unity and reconciliation, prioritising measures to overcome social exclusion, building an open and inclusive state, promoting sound macroeconomic policies and improving public financial management.

The MoU provided for periodic independent review of progress, providing the basis for annual UK/Rwanda Development Partnership Talks. The MoU was substantially revised five years later (in the process helping to establish the current DPA format). It contained a detailed monitoring framework and an annual review process, which from 2007 also included an assessment of DfID's progress against its aid effectiveness commitments. This is now being superseded by a Common Performance Assessment Framework for all the budget support donors, which will include a donor assessment framework incorporating the Paris Declaration indicators.

## Belgium

Currently, **multi-annual budgeting** gives good predictability of funding to Belgium's partners. A budget envelope is attached to each Indicative Cooperation Programme (ICP), which usually covers four years. However, as noted in the last previous review and observed in Rwanda, predictability is undermined by significant delays in committing the ICP budget to programs and projects. Also, multi-annual budgeting has its **downside**, as it gives less flexibility to adapt funding to changing requirements and capacities of partner countries and to evolving contexts (OECD, 2015). It still needs to be seen how the forthcoming reform of Belgian development cooperation will manage to find a better balance between the need for long-term engagement and flexibility.

## Work flexible

**Fiduciary risk aversion and high accountability requirements are the main stumbling blocks to shift from a traditional “pre-planned” programme approach toward a more flexible way of programming.** Risk aversion and accountability requirements favor pre-planned programming: fixed outputs are much easier to show accountability; demands for budget predictability, pipeline management and strict disbursement rates all favor pre-planned programmes with clear budgets from in the beginning; the more rigid the planning, the lower the risk on corruption, programme failure and reputational risks for the donor in general (Tyrel & Cole, 2016).

However, in **fragile situations**, characterised by uncertain and volatile environments, a **flexible, iterative planning will reduce risks automatically.** But this goes against the orthodox mindset that everything should be controlled in advance in order to assure that results will be realised. But the contrary is true, **one big bet is more risky than multiple small bets:** flexible iterative planning tests small innovative approaches before scaling up (multiple small bets), instead of pre-planning an entire programme with almost no guarantees that it will actually achieve for what is was planned for (one big bet).

Therefore, flexibility also requires a **shift from outcome to process accountability.** If it is impossible to be held accountable on the basis of activities linked to clear pre-defined outcomes (because these will change accordingly to context) one should be **held accountable for the participatory process** that guides the iterative planning. The **quality of the participatory process** will be the single **most important indicator** hinting progress in the right direction.

### Belgium - Call for proposals (BTC, DRC)

BTC runs a capacity reinforcement programme for vocational training centers in DRC. Instead of using a pre-planned approach that identifies a one-size-fits-all approach for all centers in a particular province, it works through a call for proposals. The centers are invited to prepare themselves a proposal for capacity reinforcement that is then submitted through a call for proposals. This facilitates a more bottom-up approach, in line with local needs, and resulting in a more tailor-made and individual support trajectory.

## Dealing with Uncertainty (Asia Foundation)

There are many ways to make pre-planned projects somewhat more flexible. In one of its papers, the Asia Foundation lists a few of them that are widely used:

- **“Project bundling”**: “Project bundling” achieves two things. First, funds can be moved among projects to reduce the overall risk of over- or under-spending and achieve an overall level of budget predictability. Second, bundling allows project success or failure to be assessed at the aggregate level, and for the financial or reputational risks of underperforming projects to be absorbed.
- **Keeping overall project costs low**: Simply keeping costs low is another way donors mitigate potential pipeline issues resulting from increased flexibility. However, it does not allow donors to scale up promising new innovations that require greater flexibility.
- **“Buffering” the donor from negative consequences when things go wrong**: Some donors have chosen to use a buffer approach to reduce political risk, i.e. funding projects through a respected intermediate organisation and as such transferring risks to that organisation.
- **Periodic reviews, rolling annual plans, long inception phases, and “light” or rolling design approaches**. These are four methods that donors use to increase the frequency at which project activities or strategies can be adjusted during implementation.
- **Bolting on flexible components**: Adding a small pot of flexible funds to a tightly planned aid project allows for a degree of exploration of more than one Theory of Change (ToC) in a single project.
- **Results-based payments or payment by output**: These are two methods for shifting emphasis away from how the aid delivery partner goes about achieving something (i.e. completing prescribed inputs, activities, etc.) to focus, instead, on the quality of what aid delivery partners achieve. This approach is often coupled with periodic reviews and rolling annual plans, as well as use of core or un-earmarked funding for organisations with a strong performance history.

(Tyrel & Cole, 2016)

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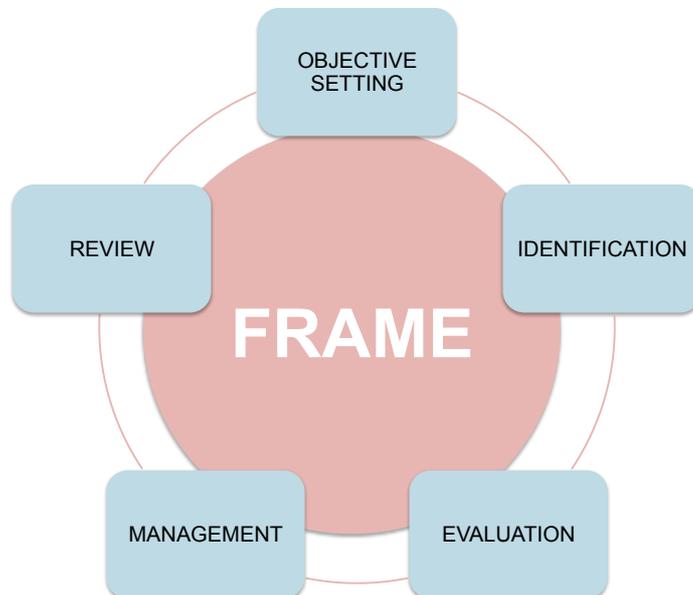
# CHAPTER 9

## Manage risks

### Principle

Programming in fragile contexts is inherently risky, in that we may have relatively limited control over the outcomes. Failure is therefore more likely, explaining the tendency towards risk aversion by many donors. However, fragile contexts also confront donors with high and urgent needs and therefore opportunities to support resilience where it is much needed. Therefore, in order to prevent failure and adapt interventions it is important to have an in-depth understanding of the risks and opportunities you will be confronted with when working in such fragile contexts. A Fragility Resilience Assessment Management Exercise (FRAME) has been developed as a supporting tool to assess and manage risks and opportunities when working in fragile contexts.

### Key elements



### Checklist

- What are the results the intervention wants to achieve, and what level of risk appetite is accepted to achieve these results?
- How might the 10 components of fragility affect the achievement of these results?
- What are the risks and opportunities that are very likely to occur and will have a high impact?
- How will you accept, share, mitigate or avoid the identified risks, and how will you exploit, enhance, share or neglect the identified opportunities?
- How will risk management be implemented, and how will it be monitored and reviewed?

## Background – What is it & why is it important?

Programming in fragile contexts is **inherently risky**, in that we may have relatively limited control over the outcomes. However, in the long term, the risks of failing to engage in these settings – both for the countries themselves and for the international community – outweigh most of the risks of engagement (OECD, 2011a). Hence, risk management is one of the ten principles that should guide and increase the impact of engagement in fragile and transitional contexts.

### Fragility & Resilience

Fragility can be defined as the combination of exposure to risk and insufficient coping capacity of the state, system and/or communities to manage, absorb or mitigate those risks (OECD 2016: 16). A crucial aspect of this definition is the absence of coping capacity: a context with a high risk exposure is not necessarily fragile as long as there is sufficient capacity to cope with these risks. Thus, when engaging in fragile contexts you will be confronted with a double challenge: a higher exposure to certain risks, and insufficient capacity (or willingness) to cope with them. This coping capacity reflects the resilience of a state, system and/or community. However, ideally, resilience is more than only coping: it is also positively adapting and transforming means for living in the long-term (OECD 2016: 102).

Several studies (e.g. OECD 2011a & b) indicate that current donor behaviour is driven by **risk-aversion**, i.e. avoiding security, fiduciary and reputational risks for the donor. However, low institutional risk or “playing it safe” may come at the cost of strategic failure: risk-taking is essential to effective engagement in fragile and transitional situations to deliver longer-term, transformational results. Therefore, donors should find a correct balance between risk and opportunity, and taking advantage of sometimes narrow windows of opportunity.

In order to do so **FRAME** (Fragility Resilience Assessment Management Exercise) has been developed as a supporting tool to assess and manage risks and opportunities when working in fragile contexts. The tool has been developed through field-testing in Mali, Burkina Faso and the Democratic Republic of Congo. Initially it is designed to help the Belgian Embassies to identify the right priorities and modalities for their engagement in fragile contexts, and to monitor such contexts. However, the analysis is flexible and can be adapted according to the needs and objectives of the end user. The reminder of this chapter gives a brief overview of the FRAME tool while explaining the different steps of conducting an risk exercise.

### FRAME

The name of the tool is no coincidence. Risk is an exercise in power: whoever controls the definition of risk, controls the rational solution to the problem at hand (Slovic, 2000). In other words, risk analysis has the ability to **FRAME** problems, and put some solutions in the picture while excluding others. Therefore, it is necessary that we are aware of the fact that a risk analysis is not a technical question, but a political one (see chapter 1: Start from context).

## Objective Setting - what am I trying to achieve?

The first step to achieve a useful risk exercise is to have a clear answer on the question why we need risk management. Risk management is not an end in itself. Risks are managed in function of the **objectives** you set. Thus, each time a risk exercise is done it is important to define your goal. As the principle clarifies appropriate risk-taking is essential to effective engagement in fragile contexts to deliver longer-term, transformational results. In other words, it should be clear what particular kind of longer-term, transformational results you are aiming at before the risk exercise starts.

A second related question is one of timing: for what period do you want to assess risks? Risks are measured against a particular **time horizon**. Logically, this time horizon equals the time limit you have set to realise the predefined results.

And third, at the policy level there should be clarity about the accepted level of **risk appetite**. What is the risk tolerance of the donor organisation? What kind of risks are acceptable, what kind of risks are not negotiable? Are there any conditions that should be met in order to engage, and/or are there any red lines that clearly define when to disengage.

## Risk Identification - what might affect me?

In order to answer the question how a fragile context can affect the achievement of the set objectives, a **holistic approach** to fragility is needed.

The new OECD framework considers **five dimensions of fragility** based on classic contextual risk typology: economic, environmental, political, security and societal risks. Each of these dimensions is composed of two components.

The description of these **10 fragility components** can be based on an analysis of the sub-components of each component. Not all sub-components will be relevant in all fragile contexts. As such, working with components and sub-components enables us to find a good balance between standardisation (10 standard components) and contextual adaptation (set of sub-components) of the exercise. This can result in a systematic and structured, yet contextual-sensitive qualitative description of the fragile context (see chapter 1: Start from context).

| 5 FRAGILITY DIMENSIONS | 10 FRAGILITY COMPONENTS   |
|------------------------|---|
| <b>Economic</b>        | Long-term drivers of economic growth                                  |
|                        | Labour market imbalances  |
| <b>Environmental</b>   | Household, community and state vulnerability                          |
|                        | Natural disaster risks  |
| <b>Political</b>       | Checks and balances and protection of human rights                    |
|                        | Political stability   |
| <b>Security</b>        | Rule of law and state control of territory                            |
|                        | Armed conflict, terrorism, organised crime and interpersonal violence |
| <b>Societal</b>        | Access to justice, accountability and horizontal inequality           |
|                        | Vertical and gender inequalities                                      |

## Risk Evaluation - What are the most important risks and opportunities?

Risk management is not about the current state of affairs, but about potential change in the future. In other words, evaluating risks is asking the question if and how the 10 fragility components will change in the future.

“If” relates to **probability**: how likely is it that we will observe change with respect to certain fragility components? “How” relates to **impact**: if change happens, what kind of effect can we expect? This effect or impact can be both positive and negative. If it is positive we call it an opportunity, if the impact is negative, we call it a risk. In other words, an **opportunity** reflects a potential improvement of one of the fragility components; a **risk** reflects a potential deterioration.

### Risk

Risk is an uncertain event or condition that, if it occurs in the future, will have a negative impact on the achievement of your objectives.

### Opportunity

Opportunity is an uncertain event or condition that, if it occurs in the future, will have a positive impact on the achievement of your objectives.

## Contextual vs. Donor impact

A second important issue is that impact is not similar to everyone. Impact can even be opposite: the risk of losing a market share is at the same time an opportunity for other competitors. In fragile contexts it is of crucial importance to differentiate between contextual and donor impact. Consider a conflict situation: in order to reduce security risks a donor can decide to retreat its staff to the capital, but at the same time, this retreat of international staff can have a deteriorating effect on the local security situation because of absence of international observers. This difference between contextual and donor impact reflects the **balance between the risk of engagement and the risk of non-engagement**: low aid risks or “playing it safe” may come at the cost of strategic failure to help the local population.

The classical criteria of probability and impact will help you to prioritise the most important risks and opportunities. If it is very likely that a certain risk will realise and have a critical impact on both you as a donor and the population it should draw your attention. Similarly, if it is very likely that a certain opportunity with a crucial positive impact will realise it would be a pity if this opportunity is not exploited. In other words, risks and opportunities with a potential high impact that are likely to realise should be prioritised.

In addition to the traditional criteria of probability and impact it is also useful to look at **agency**, i.e. the availability of certain actors that are (in)capable or (un)willing to mitigate risks and enhance opportunities. Risk management sometimes tends to focus too much on structural factors while forgetting that it is crucial to identify agency that is capable of changing these structural factors, for better or worse. Hence the need to look for spoilers and/or change agents when assessing risks and opportunities.

## Risk Management - What should we do?

Donors have different risk management options at their disposal: accept, mitigate, share or avoid risk. Donors should make efforts to find a correct balance between these options: not all risks can be reduced, but it is necessary to find an equilibrium between accepting certain risks, avoiding others, while mitigating some yourself and transferring/sharing certain risks with others. The above probability and impact criteria are a good starting point to reflect on finding this correct equilibrium: the more likely a risk will realise and have a substantial impact, the less likely it becomes to simply accept the risk.

**Accept, avoid, mitigate or share risks**

Similarly, donors have several options at their disposal to deal with potential opportunities. A donor can decide to exploit, enhance, share or neglect opportunities. Also here it is important to prioritise as not all opportunities can be exploited (taking action that guarantees that the opportunity will realise) or enhanced (taking measures in the hope that the probability and/or impact of the opportunity will increase). Again, the likelihood and impact can help to prioritise: the more likely an opportunity will occur and have a high impact, the less likely it becomes to neglect the opportunity.

**Exploit, enhance, share or neglect opportunities**

When deciding on how to respond and manage the identified risks and opportunities, the following criteria can help to assess the potential for success and effectiveness of the risk management response. Similarly, they can help to detect factors to explain failure when the risk response did not work.

### RISK RESPONSE EFFECTIVENESS

- **Appropriate**—the correct level of response must be determined, based on the “size” of the risk or opportunity.
- **Actionable**—a time horizon should be determined within which responses need to be completed.
- **Achievable**—responses should be realistically feasible, either technically (capacity), financially (budget) or politically (political backing).
- **Assessed**—it should be assessed if and how the response will indeed make a difference.
- **Agreed**—the consensus and commitment of stakeholders should be obtained.
- **Allocated and accepted**—each response should be owned and accepted on the most appropriate level within the organisation.

## Risk Review - How will risk management be implemented, monitored and reviewed?

**The proof of the pudding is in the eating.** It is impossible to know if risk management is successful before it is implemented. This is perhaps the most difficult step: too many risk studies are gathering dust on the shelves. In order to tick the box donors order a risk assessment, but then go ahead with plans as scheduled because the conclusions of the risk assessment do not fit the predefined policy goals or are not in line with the actual level of risk appetite of the donor organisation. In other words: taking appropriate risks requires political backing, the right incentive structures, sufficient staff capacity and appropriate institutional processes and control measures. Only if these are in place, risk studies will be translated into actual risk management, which can then be monitored and reviewed.

By now it should be clear that risk management is a continuous process. Dependent upon the volatility of context, the time horizon of the risk exercise and the criticality of the identified risks, a decision should be made on the monitoring cycle of the risk exercise: this could be on the basis of a fixed timetable (monthly, yearly, etc.), on an ad hoc basis (when context changes), or a combination of both.

### Key resources and references

- DANIDA (2013), *Guideline to risk management*.
- DfID (2010), “Working effectively in conflict-affected and fragile situations”, *Briefing Paper H: Risk Management*.
- OECD (2011a), *Aid risks in fragile and transitional contexts – improving donor behaviour*, OECD Publishing.
- OECD (2011b), *Managing risks in fragile and transitional contexts, The price of success?*, OECD Publishing.
- OECD (2016), *Towards a multi-conceptual concept of fragility, Working paper describing a new way to describe fragility for OECD*. DRAFT.
- OECD (2014), *Development assistance and approaches to risk in fragile and conflict affected states*, OECD Publishing.
- Slovic (2000), “Trust, Emotion, Sex, Politics, and Science : Surveying the Risk- Assessment Battlefield”, *IIFET Proceedings*.

# ANNEX 1

## Fragility Checklist

### Introduction

The checklist translates the Belgian principles for engagement in fragile situations into **concrete questions that should be taken into account in order to ensure that any process, exercise or decision integrates a fragile sensitive approach**. It can be used to guide, monitor or evaluate any process such as intervention design, monitoring or evaluation, or political dialogue and other political decision-making.

In particular, it can be used in three concrete situations:

1. **Terms of Reference:** add the checklist to the ToR of any process, exercise or decision to assure that fragility aspects are taken into account from the beginning.
2. **Monitoring:** use the checklist to assess how a process, exercise or decision is taking into account fragility issues throughout implementation.
3. **Evaluation:** use the checklist to assess what has been the effect of a process, exercise or decision on fragility issues.

Not all aspects of all principles will be relevant for each process, exercise or decision: relevant aspects should be selected, and additional ones could be included. In other words, this checklist is by no means “rigid” and should always be adapted towards the particular context and process, exercise or decision. Therefore, the column “comments” is also available to provide more additional and detailed information.

The checklist is an integral part of the Guidance on Fragility. Each set of questions corresponds to a chapter covering definitions, explanations, dilemmas and examples. This fragility checklist has been designed as a daily work reference, for all Belgian actors that are invited to systematically integrate a common approach to fragility at an operational level.

## Start from context (chapter 1, p. 12)

| Key questions  | Comments / Explain |
|--|--------------------|
| <p><b>What relevant</b> (internal and external) <b>analyses are available</b> in order to have a well-informed view of the context (specify when possible: e.g. political economy analysis, conflict sensitivity, risk analysis, institutional capacity assessment, ...)?</p> <p><b>What additional analyses are needed</b> (specify)?</p> |                    |
| <p><b>What</b> (internal and external) <b>expertise</b> is available in order to analyse and monitor the context on a continuous basis?</p>  |                    |
| <p>How and when have the <b>relevant actors been consulted in order to have a comprehensive view</b> of the context (partners, beneficiaries, other donors, drivers and spoilers)?</p>   |                    |
| <p>How do management tools and procedures <b>allow effective adaptation towards a changing context</b> (specify)?</p>  |                    |

## Focus on state-society relations (chapter 2, p. 19)

| Key questions  | Comments / Explain |
|--|--------------------|
| <p>How does the intervention contribute to build <b>constructive state-society relations</b> and enhance the <b>legitimacy of the state</b>?</p>           |                    |
| <p>How does the intervention promote a process that includes <b>all relevant actors</b> (both formal and informal) engaged <b>at different levels</b>?</p> |                    |
| <p>What <b>factors</b> influence state-society relations?</p>  |                    |
| <p>What <b>impact</b> prevailing state-society relations may have on the intervention? How does the intervention take it into account?</p>                 |                    |
| <p>What <b>negative effects</b> the intervention may have on them? How does the intervention take it into account?</p>                                     |                    |

### Do no harm (chapter 3, p. 25)

| Key questions   | Comments / Explain |
|---|--------------------|
| How are the negative side-effects related to the <b>objectives</b> of the <b>intervention</b> taken into account, especially in regards to <b>peacebuilding and statebuilding processes</b> ?             |                    |
| How are the negative side-effects related to the <b>injection of resources</b> of the <b>intervention</b> taken into account, especially in regards to <b>peacebuilding and statebuilding processes</b> ? |                    |
| How are the negative side-effects related to the <b>messages</b> sent through the <b>intervention</b> taken into account, especially in regards to <b>peacebuilding and statebuilding processes</b> ?     |                    |

### Make prevention a priority (chapter 4, p. 34)

| Key questions  | Comments / Explain |
|--|--------------------|
| How have the conclusions of the risk and context analysis and its management been taken into account?  |                    |
| How has a conflict-sensitive approach been integrated within the intervention (land conflict, ethnic tensions, etc.).                              |                    |
| What are the internal or external monitoring mechanisms for conflicts (eg. early warning systems) that should be kept under observation (specify)? |                    |

## Adopt a Whole-of-Government Approach (chapter 5, p. 39)

| Key questions  | Comments / Explain |
|--|--------------------|
| How has the intervention taken into account <b>all other relevant Belgian policies and priorities</b> across departments (development, security, migration, trade, diplomacy)?   |                    |
| How can other <b>instruments</b> and <b>resources</b> (budgets, staff) from <b>other departments</b> contribute to the intervention?   |                    |
| How has the intervention taken into consideration the <b>likely impact</b> on the <b>actions of other Belgian actors</b> ?   |                    |
| How can <b>mechanisms</b> or <b>modalities</b> be used or set up to facilitate <b>coherence, complementarity</b> and <b>coordination</b> ? (eg. joint vision or processes, collaboration, information sharing, country strategy, etc.) |                    |

## Promote non-discrimination (chapter 6, p. 48)

| Key questions   | Comments / Explain |
|---|--------------------|
| How have the existing real and perceived <b>discriminations of particular social groups</b> (women, youth, disabled, ethnic, religious, regional, political,...) been taken into account? |                    |
| What are the <b>political, cultural, social, physical and economic factors</b> that cause discrimination? How can they slow down any progress towards more inclusive societies?           |                    |
| Can the intervention <b>potentially increase discrimination</b> ? And how?  |                    |

## Align with local priorities (chapter 7, p. 54)

| Key questions   | Comments / Explain |
|---|--------------------|
| How are the partner country's <b>priorities</b> and <b>strategies</b> (strategic dimension) taken into account?   |                    |
| How does the intervention take into account the opportunity to align with the partner country's <b>policies and systems</b> (i.e. public procurement, budgeting procedures, national implementation units, national reporting formats, etc.)? |                    |
| How <b>committed</b> is the partner to the implementation of the strategy; what other state and non-state actors should be included to increase local alignment and commitment?   |                    |
| How does the intervention take into account the institutional <b>capacity</b> of local partners at all levels?  |                    |
| How does the intervention consider all relevant actors using a <b>whole-of-society approach</b> ?   |                    |

## Act fast, stay engaged and work flexible (chapter 8, p. 60)

| Key questions   | Comments / Explain |
|---|--------------------|
| What strategy is in place to guarantee a <b>rapid response</b> when a crisis situation occurs and what approach will assure an effective <b>linking of relief, rehabilitation and development</b> (LRRD)? |                    |
| What <b>long-term vision</b> (approx. 10 years) will guarantee sustainable engagement?  |                    |
| What <b>flexible and participatory planning process</b> will guarantee that engagement remains relevant in a changing context?  |                    |

Manage risks (chapter 9, p. 66)

| Key questions  | Comments / Explain |
|--|--------------------|
| <p>What are the <b>results</b> the intervention wants to achieve, and what level of <b>risk appetite</b> is accepted to achieve these results?</p>                         |                    |
| <p>How might the <b>10 components</b> of fragility <b>affect</b> the achievement of these results?</p>   |                    |
| <p>What are the <b>risks</b> and <b>opportunities</b> that are very likely to occur and will have a high impact?</p>   |                    |
| <p>How will you <b>accept, share, mitigate or avoid</b> the identified risks, and how will you <b>exploit, enhance, share or neglect</b> the identified opportunities?</p> |                    |
| <p>How will risk management be <b>implemented</b>, and how will it be monitored and <b>reviewed</b>?</p>   |                    |