Foreword

Dear CIMIC-Operators, members of civilian agencies and all other interested folks.

This year started quite busy for the CCOE and it keeps on being challenging and interesting in the next upcoming months as well. We hosted some important conferences recently and we run different projects. Spring and Summer 2010 are expected to be very productive in releasing results and publications.

In this Messenger, we put focus on the Gender Conference and Good Governance. Both topics are ongoing and the articles match the current developments. In order to complement your knowledge, please have a look at our homepage for additional information.

Do you want to share your CIMIC expertise and use the Messenger as a platform for your own articles / publications? Just get in contact with us, details on the last page.
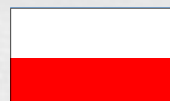

Sincerely yours,

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Colonel NLD Army

Deputy Director of the CCOE

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CCOE GENDER CONFERENCE

On Wednesday, 24 February, 2010, CCOE started its Gender Conference with over twenty participants from ten different nations, representing various military and civilian organisations.

The two days conference's format was a dynamic and challenging one: several key note speakers, syndicate workgroups and plenary moderated discussions set the framework conditions. It allowed to learn of the many new developments going on at several fronts in the operational setting of the gender perspective and offered ample opportunities for networking. Some of the many results reached during this Conference will be shared below.

After the first introduction of all participants, it became clear that the most expected and desired outcome of this Gender Meeting is a concrete action, a practical implementing of the outputs in doctrinal development and training.

In his opening speech Director of the CCOE, Col Kasselmann, placed Gender firmly within the Comprehensive Approach as an essential element of CIMIC. He saw this Gender Conference as a key benchmark in the mainstream of CCOE's conceptual development and the pursuit of its aim to create a more comprehensive understanding of the topic Gender in its military relevance. Additionally he stated that Gender is an issue in CCOE's doctrinal development, training and education since several years already.

Swedish Best Practices

Supported by the moderator, Mrs. Karin Grimm from Geneva Centre for the Democratic Control of Armed Forces (DCAF), the lecture from Mrs. Charlotte Isaksson from the Swedish Armed Forces Directorate led to the first conclusions: Gender issues are not a separated or a designated individual's specific task, but a common effort of all players involved. A knowledge gap between Gender experts and the troops on the ground must be overcome. The main goal is to derive a common military concept to integrate Gender in missions. And finally, Gender is not only an issue for land component forces, but for air force and navy components as well.

In order to kick start the gender process, the conference after Mrs. Isaksson key note speech looked at examples where gender was successfully implemented in the armed

forces. Through application of these best practices the conference, by then divided into syndicate working groups tried to find means to unblock the present impasse by presenting these. One highly successful example identified by the syndicates was the Swedish model. The Conference continued to present a generic description of the Swedish Armed Forces Gender Concept as will be publicized in its final findings.

Special mention is warranted of the extremely lucid presentation by key note speaker Ms. Louise Ollson from the Folke Bernadotte Academy (Sweden). She presented a Training model that could be implemented regardless of policy process in the military organization, consisting of:

A. What do we need to train personnel in to get results? – Content

B. Why is this relevant for military organisations? – Purpose and Effect

C. Who do we train to get the best results? – Personnel categories

D. How do we best go about training? – Depth, detail, method and trainers

E. Where should the training take place? – Facilities

F. When does training give the best result? – Timing

Full details of the model will be presented in the publication of findings (see below).

Publication of Findings

The above and following mentioned issues give only an impression of the many items covered during the Conference. In no way they do justice to the full spectrum of gender related issues and to the inspiring key note speakers, who–through their intellectually titillating and thought provoking presentations–hugely contributed to the conference's success.

In order to be kept fully abreast: the comprehensive findings are currently being processed by Professor Gunhild Hoogensen from Tromsø University. She will summarize the outputs of CCOE's Gender Conference and provide an academically analysis of the results. Her results will be publicized in April 2010.

GENDER THREAT MATRIX

Groups

Threats	Population Group 1			Population Group 2			Population Group 3		
	Men	Women	Children	Men	Women	Children	Men	Women	Children
Firewood Collection		x	x						
Conscription	x						x		x
People Smuggling		x	x		x			x	x
Winter Shelter	x	x	x	x	x	x			
HIV	x	x	x	x	x		x	x	x

Gender Threat Matrix

For many of the participants this was the first time they were introduced to the CCOE developed so-called Gender Threat Matrix. This Matrix enables a gender cell in a mission area to quickly make visible gender specific threats in the mission area by specifically charting it in a spread sheet. In the Y-axis a comprehensive list of all identified threats in the mission area are displayed, in the X-axis the several groups are identified, but here the difference kicks in. A sub category is being created, making a division between men, women, girls or boys. By thus specifying threats a completely new landscape emerges, which makes threats to different gender groups quickly visible.

GOOD GOVERNANCE

Introduction

CCOE, as the custodian of the AJP-9, has adopted a Comprehensive Approach, recognizing that conflict resolution and security cannot be reached by military interventions alone. It thereby acknowledges that conflict debilitates the capacity of government organisations to carry out their main functions, which are the provision of security and stability. Supporting governance structures and capacities has therefore become an important pillar in international peace operations. With its focus on Comprehensive Approach, the term 'Good Governance' is increasingly integrated in NATO's doctrines, as AJP-9 shows. Government organisations in host nations are explicitly identified in the AJP-9 as partners with whom military actors should cooperate.

This article will inform on how Good Governance within CCOE is being approached and render its current state of affairs. First a quick overview will be given of the comprising elements of Good Governance, followed by the two aspects CCOE concentrates upon: Rule of Law (ROL) and local governance. The article finishes with a conclusion including the way ahead.

Good Governance

CCOE has only recently started to focus on Good Governance. Given its continuing high relevance for a Comprehensive Approach, Good Governance for the time to come will be in the forefront of CCOE's attention. In CCOE's view, Good Governance is of interest for military operations because it is a key component to achieve sustained success of a mission. As a prerequisite for political ownership and therefore as a part of the desired end state, the mission relevance of Good Governance is hard to overestimate. To provide relevant information about complex situations which cannot be solved by military means alone is one of CCOE's focal points within a Comprehensive Approach. The relevance of Good Governance for CIMIC stems from several of these cross-cutting and interlocking complexities:

• Democratisation: the democratic form of state is the form of state preferred by two thirds of the world population. The concept of political pluriformity, the right to chose one's own leaders, the system of checks and balances to control political power is at the forefront of the world's effort, in particular in military missions.

• Human Rights: to approach poverty and development from a Human Rights angle leads to a remarkable constructive way of tackling bottlenecks towards a sustainable development, guaranteeing that its beneficial effects will remain in place long after the mission.

• Rule of Law: the failed states and weak governments encountered during missions are almost invariably accompanied by institutions unable to provide adequate judicial services. If the military mission is to contribute to sustainable development, protection and promotion of institutes that facilitate Rule of Law is unconditional.

• Entrepreneurial Confidence. In order to facilitate an eco-

nomic take-off in the mission area, which in turn will lead to reduction of poverty through increase of income and employment, both a good entrepreneurial climate as well as investor's confidence is needed.

• Anti-corruption. Corruption (abuse of a public power position for private means) is a phenomenon not only encountered in mission areas but one that unfortunately appears worldwide. The difference is often only in the forms and size it takes.

CCOE's focus on Good Governance at this moment is two pronged, to Rule of Law and on local government. Both these aspects of Good Governance are well encapsulated in CCOE's Advanced Cultural Competence model (ACC). Within the ACC model these two are closely related in the political dimension of the model, and thus should not be addressed in isolation.

1. Rule of Law is being continuously monitored and worked on by CCOE's in-house legal expert in close cooperation with CCOE's Concepts, Interoperability and Capabilities (CIC) Branch. Within the Comprehensive Approach it is important not just to focus on security but on stability as well. Therefore it is paramount to pay attention to the Rule of Law. CCOE is researching the function of ROL within Good Governance, as an integral part of Advanced Cultural Competence, and how it can contribute to stabilise a post conflict situation. The lack of a well functioning justice sector dramatically impacts a government's legitimacy in a negative way.

2. The role of local governments, meaning government organisations on the level of provinces, districts, cantons, municipalities and villages in relation to the work of military forces during peace operations. CCOE's CIC Branch has developed close ties with the Governmental Organization VNG-I (Association of Netherlands Municipalities-International) to professionally expand on this expertise. Some of the material on local governance below has been developed by VNG-I with their expertise in local governance stemming from their specialisation in municipalities.

Rule of Law

The (re)establishment of an impartial, transparent and efficient justice system is a prerequisite to restore the Rule of Law in a post-conflict country. Reinforcing Rule of Law often

requires invigorating the judicial policy institutions of the host nation. This means in practice: improvement of the quality of the judicial process, aimed both at the efficiency as well as the legitimacy of the constitutional state of the host nation.

• One broad and general way to sustain Rule of Law is to concentrate on legal systems and jurisdictions.

> Legal systems: customary law (e.g. Pashtunwali or Canon of Lek); religion based law (e.g. shari'a); Anglo-Saxon law (common law); Roman law (civic law). Often a mix of legal systems exists.

> Jurisdictions: private law and public law

>> Private law encompasses law of persons; family law and law of juristic persons. The first two are amongst others of importance for the legal position of women, the last two for commercial firms and civil society. (See for their relevance the above bullets under 'Good Governance'.)

>> Public law comprises criminal law; state law and administrative law. This last one regulates the relations between citizens and government.

• A much more focussed way to reinforce the Rule of Law is by strengthening the chain of Justice. The functioning of this chain has a direct relation with Human Rights, another element in the abovementioned bullets of Good Governance. This chain, in the time phase of a normal process, consists of:

> Police, to maintain public order and prevent and solve crime

> Public prosecution, to investigate criminal cases

> Judicial bodies, to guarantee a fair trial

> Prison system, to confine the convicted

> Instances tasked with victim aid; legal assistance and parole, in particular for vulnerable groups such as ethnical or religious minorities but also women and children (gender, which is another focal point within CCOE's Advanced Cultural Competence model) require special attention.

NB that rather than to take over these roles, CCOE aims for higher understanding and competence among CIMIC personnel on the above issues in order to be able to better support other (civilian) actors.

Earlier in this paragraph the elements efficiency and legitimacy in the Rule of Law were mentioned. A certain balance between the two offers the best guarantee for sustainable development in a mission. Efficiency means here: maintaining the internal legal order and crime fighting; while legitimacy means the popular acceptance of a governing regime as right, expressing itself in confidence of the local population in the judicial procedures (their access to justice) and in the (local) governance in general.

Local Governance

CIMIC personnel at the tactical level of the military mission seem to be the ones best suited to deal with local governments in the framework of Good Governance. Local government is in place in the mission area already and constitutes an important part of the civil environment in which the military forces in the area carry out their operations. An understanding of the position and working of local governments in the region will not just foster these relations but also increase effective communication and cooperation.

Local governments should be considered as important partners in the planning and implementation of CIMIC activities, both because local governments have the potential to contribute to security and stability, and because functioning local governments are part of the desired end state. Building up the capacity of local governments to carry out their functions is crucial in order to put up a 'local face'.

Obviously there are unknown factors, opportunities as well as risks that the military may encounter while working with local governments. Amongst these risks are challenges like corruption, local politics and resistance among local governments to cooperate. CCOE, together with VNG-I, is in the process of formulating basic analytical guidelines that can be used to assess local governments. An as yet preliminary and inconclusive checklist, with the above mentioned cross-cutting and interlocking sides in mind, would include the following:

• Chart local conflict dynamics, including ethnic divides, power structures, local disputes, etc and the role/position and interests of local government herein.

• The presence (and power) of different governance institutions, including both state and non state actors, taking into account the different levels of institutionalization (visibility and formalization) of these organisations and procedures. An informal flow chart, covering political power, religious power, military power (militias) and inherited forms of power, can make clear potential overlap and interplay between formal and informal structures.

• Presence of Judicial Power (both formal as well as informal) in order to facilitate Rule of Law.

• The relations and dynamics between the Executive, Legislative and Judicial Powers. In order to foster democratisation Montesquieu's theory of the division of power, checks and balances, as formulated in his 'Trias Politica' is indispensable.

A radical change in local governance is an utopia, but increasing its capacity to provide basic services (while meeting the criteria of Good Governance) is a good starting point. <u>Although an active involvement of military forces herein is not part of military mandates</u>, they should be aware of the responsibilities they have in their cooperation with local governments. The work of military actors should, at a minimum, not jeopardize the work done by others in the support of Good Governance practices; the 'do no harm' principle. In practice this means that military actors should prevent supporting bad governance practices through e.g. the attachment of conditions (such as transparency, accountability and participation) on access to CIMIC budget and decision making.

The success of CIMIC Good Governance related activities depends on a complexity of factors. Analysis of local governments with whom CIMIC elements are working can help. A baseline assessment ideally provides a good understanding of the situation and needs, including the challenges that governments face, their strengths and weaknesses in meeting those challenges. Furthermore, a desired 'end state' in terms of governance which functions as a reference point at the horizon, including governance capacity and legitimacy, should be identified. A good analysis provides insights in both potential obstacles that might hinder the process from baseline to end state (including internal factors, such as resources, capacity and mandate as well as external factors, such as political resistance, donor politics and renewed violence) and opportunities in working towards the end state, such as a clear division of tasks between military forces, and international organisations and NGOs.

Conclusion

CCOE focuses on two aspects of Good Governance. The first is the Rule of Law which is in particular approached through CCOE's Legal Advisor in close cooperation with the CIC branch. The other aspect is special attention for local governance where CCOE's CIC Branch can enjoy the support of VNG-I. The whole issue of Good Governance is approached as an integral part of CCOE's Advanced Cultural Competence model.

As Good Governance definitely is a grow market within CIMIC, CCOE plans to expand its activities in this field through:

• Tackling more as yet unexplored aspects of Good Governance;

• Charge interns or trainees with projects on Good Governance;

• To continue the cooperation with VNG-I both in the field of doctrine development as well as training.

Any comments or suggestions to this information leaflet?

Please contact us!

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