



## Module 2

### State-Society Relations

This module introduces the definitions of the state-society relationship, the security sector, civil society. This module provides a conceptual foundation for analysis of the roles and responsibilities of each of these stakeholders.

**Lesson 5: Introduction to State-Society Relations in Diverse Contexts** identifies patterns of state-society relationships that support or undermine human security.

**Lesson 6: Introduction to the Security Sector** identifies the components and characteristics of the security sector.

**Lesson 7: Introduction to Civilians and Civil Society** identifies the components and characteristics of civil society.

**Lesson 8: Legal Frameworks on Civil-Military-Police Relations** identifies legal frameworks relevant to state-society relations and human security.



## Lesson 5

# State-Society Relations

### Learning Objectives

At the end of the lesson, participants will be able to:

- Define state-society relations
- Identify three approaches to state legitimacy
- Identify elements of good governance
- Compare and contrast different models of state-society relations

Every society has a unique relationship between the government and the broader society. A variety of factors shape these relations. This lesson explores different types of relationships between the state and the people who live within a state. Some models of state-society relations enable civil-military-police coordination to support human security. Other models make it coordination impossible. This lesson identifies the conditions for state-society coordination to support human security.

### 1. What are state-society relations?

*State-society relations* refer to the quality of relationship between state institutions and the public.<sup>11</sup> The state derives legitimacy from a *social contract* that defines what states will do to protect public interests and rights and what freedoms the public will give up in return. For example, in a democratic state, the state agrees to integrate the public in its decision-making processes and provide public services. Society agrees to give up some of its freedoms to follow the state's rule of law. The state exerts its authority and exercises its rights and responsibilities vis-à-vis the people who make up society.



## 2. Each state has a unique history.

A state is an organised political community. A government is a group of people who manage the state. States evolved in different ways. Some emerged from tribal kingdoms. Others emerged from colonialism. A state's history and evolution impacts the way a state relates to society - the local population – today.

Some see the role of the state as a service provider to society. This understanding sees state legitimacy as coming from the services that the state provides to society. Society supports the state because it sees the state as a public servant.

Others see society as a service provider to the state. This understanding sees state legitimacy as coming from a monopoly of force and its ability to coerce society to provide goods to elites in control of the state. Society may challenge the state because it is seen as illegitimate.

## 3. State-building is distinct from state formation.

State-building aims to improve the technical apparatus of the state's institutions to provide public services. State formation aims to improve the state-society relationship, to improve the social contract between people and a representative government to ensure there is accountability, perceived legitimacy, and a system of checks and balances on state powers.<sup>12</sup>

## 4. There are different approaches to the state legitimacy.

Historically, a group earned the right to rule a state by virtue of their “monopoly of legitimate force.” Today, the issue of state legitimacy is more complex.

- a. Legal Authority: Some argue state legitimacy comes through legal authority, such as through a legal election, a royal bloodline, or other rule for how governments are chosen.
- b. Monopoly of Force: Others assert that states legal legitimacy comes through their monopoly of force, the ability to physically dominate territory. A monopoly of force is thought to be essential to upholding the state's rule of law. In some states, the monopoly of force is a competition, with the group with most military power earning the right to govern. With the widespread availability of weapons to private individuals and non-state groups, today some governments take part in violent competitions with their own citizens and other states to earn legitimacy to govern.
- c. Public Support: A third approach sees states earning legitimacy through public engagement. Citizens support their government when they have opportunities to participate in decision making, when leaders make decisions that benefit all groups and do not disadvantage or persecute parts of the population. States win public support when they work to protect the human security of the whole population and not just the security of elite groups. A government's public legitimacy is a reflection of public perception of government performance in providing public goods. Elite-captured governments, especially those that use repression on civilians, are widely seen as illegitimate and unstable. Government legitimacy is thought to come through democratic reforms that enable civil society to both hold government to account and partner with government to provide public goods.

## 5. Governance

Government is not the same thing as governance. Governance refers to any type of governing structures; both formal and informal by state, business, or civil society. It includes any tradition and institution that makes decisions and provides resources to manage society's problems and affairs. Official state structures such help to manage a country's environmental, economic, political, and social affairs. No government can fill all of the social roles needed to ensure human security.

In most societies today, informal, non-state governance structures pre-date the existence of the state continue to complement formal state governance. Informal governance exists in every country. Many different groups outside of government help to manage resources, address social problems and meet human needs. For example, religious and community-based organisations in every country play a role in caring for people's basic needs. Tribal leaders carry out informal justice. For example, in Ghana, traditional leaders still play a major role in the resolution of land disputes or the provision of health care or education. And non-state armed groups such as private security contractors and militia groups protect private property and specific communities.

Non-state or informal governance can be abusive and corrupt, or it can be functional and cost-effective. In some countries, public concerns about government taxation lead to public attempts to limit government that in turn expands the role of non-state actors in governance. Even countries with strong central governments have robust forms of non-state governance. In some sectors, such as the environment, civil society, businesses, and the state collaborate to manage and build sustainable environmental systems. Watershed management boards are an example of such public-private partnerships.

## **6. Improving state-society relations requires coordinating formal and informal governance structures.**

Governments too often assume that their mission to improve state-society relations should be to “extend” the state into so-called “ungoverned spaces” rather than to *coordinate governance approaches* between the capital city and the informal governance structures already working at the provincial, district, and sub-district levels.

Judging the degree of functional or “good” governance requires assessment of the degree to which people participate in decisions that affect their lives and the degree to which governance institutions serve all people.

## **7. People can measure and perceive governance in different ways.**

There are general categories of governance that signal the quality of state-society relations.<sup>13</sup>

- Procedural fairness refers to whether people perceive public institutions operating in an impartial and transparent way. For example, people look at media coverage and ask whether it treats all groups fairly and provides information relevant to each of their interests.
- Decision-making access refers to whether people perceive that their interests and perspectives are reflected in public policies.
- Resource allocation refers to a perception of sharing or distribution of public resources, funds, and services.
- Quality standards refer to a perception that everyone receives the same quality of public goods and services.

Human security involves improving governance to make it more fair and responsive to all groups. Citizens can start this process by identifying shared values and collective interests to improve their lives and then working together to advocate for change. This can include implementing reforms to foster equal treatment of identity groups, setting minimum levels for participation and access to public institutions, using redistributive or preferential treatment to redress historic grievances, and ensuring that institutions have mechanisms for setting standards of quality assurance for the public.

## **8. State-society relations can also be measured by public perceptions in each of the following sectors.<sup>14</sup>**

Governance can be divided into five sectors.

Politically stable democracy. Do local people perceive they have political security to protect and promote human rights and processes to foster peaceful discussion and negotiation? What institutions address these needs? How legitimate, transparent, and effective is the government? Does it allow political parties and elections? Is there an independent legislature?

Sustainable economy. Do local people perceive that they have basic economic security to earn and access a basic income? What institutions address these needs? How well do government and nongovernmental service institutions meet citizen needs for water, education, health care, electricity, roads, markets, and so on? How well does the economic system work in terms of rewarding entrepreneurship, managing sustainable use of resources, reducing the gap between rich and poor, and fostering economic stability for all people?

Safe and secure environment. Do local people perceive that they have community security, freedom of movement, and freedom from fear? How well do security forces protect all civilians, regardless of their identity? Do institutions protect ethnic, religious, and cultural groups—particularly women, children, and minorities—from violence? What institutions address these needs?

Justice and rule of law. Do local people perceive that they have predictable social relations and a justice system that is coherent and legitimate, and that uses just legal frameworks to monitor and protect

human rights? What institutions address these needs? How fair and consistent are the police, courts, and corrections institutions to all people?

**Social and cultural well-being.** Do local people perceive that they have a sense of meaning and social order in their lives along with respect, dignity, identity, and a sense of belonging with others? Do people have freedom to practice their religious beliefs and cultural traditions? How independent, fair, and professional are the news media that are providing information to people about their context? What is the quantity and quality of civil society organisations and their ability to monitor human rights, hold government accountable to its functions, mediate public disputes, and so on? What institutions address these needs? Do people have access to programmes to aid psychosocial recovery and trauma healing?

#### 9. Citizen-oriented versus elite-captured governments.

So-called “elite-captured” governments serve the interests of elite groups within society. Such governments are similar to oligarchies because their leaders are usually self-appointed and tolerate little representation of society at large. In contrast, “citizen-oriented” governments – which in most cases are democracies – serve the interests of a state’s entire population. The population at large has elected their government and decisions are made by representative structures such as parliaments.

#### 10. A “citizen-oriented state” enjoys public legitimacy.

A state that orients its power and resources toward the needs and interests of its population is most likely seen as legitimate. A citizen-oriented state that works with socially responsible businesses is also more likely to enjoy human security. In a citizen-oriented state, an active civil society both partners with government to fill public services and to hold government to account, to press for accountability and for equal access to government services for all people.

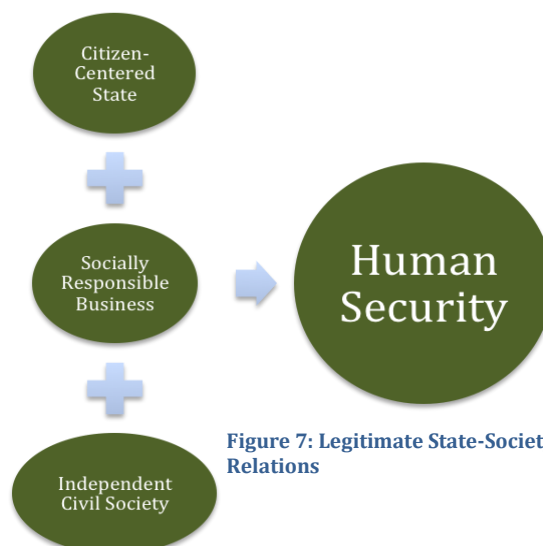


Figure 7: Legitimate State-Society Relations

#### 11. Most “elite-captured states” lack public legitimacy.

An elite-captured state serves elite interests, often those of a relatively small political, economic class, ethnic, cultural or religious group. Other groups do not receive fair treatment or access to government services, such as protection, justice, or access to healthcare, education, housing, or jobs. Elite-captured states often use state security forces to pacify and repress civil society’s demands for human rights, democracy and freedom. Armed insurgencies and/or nonviolent social movements often develop in response to elite-captured governments.

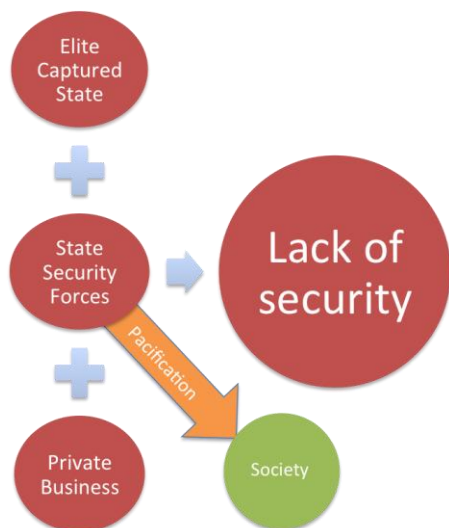


Figure 8: Repressive State-Society Relations

## 12. The nature of state-society relations impacts the mandate of security forces and their relationship with civil society.

Elite-captured governments may direct security forces to pacify or repress civil society in an attempt to quiet their public demands on government for accountability and equal access to public goods. Non-state armed groups often take root where they have public support, because the public distrusts the government. Authoritarian approaches to security rely on military and police force to repress civil society efforts to bring attention to the root causes of public violence. There are at least five distinct approaches or stages in security sector relationships with society. Figure 9 illustrates these approaches with the goal of enabling an analysis of why civil society-military-police coordination and local ownership of security is possible in some contexts but not others.



Figure 9: Security Sector Approaches to Civil Society

Historically, states have taken an adversarial and exploitative approach to civilians. Colonial governments predominantly viewed civilians either as potential enemies or cheap labour and waged atrocious wars against them to keep them subdued. Such "pacification" campaigns induced fear and terror in local populations as a means of control. Some governments today continue to repress civil society, executing and torturing civil society leaders and using scorched earth policies, including mass atrocities, against local populations to ensure that they will not press governing authorities for any public services, freedoms, or rights. Thanks to the work of courageous journalists, such forms of violence by security actors have been increasingly documented and as a consequence, international pressure has been building to expose and prevent violent pacification tactics – sometimes referred to as "state-based terrorism."<sup>15</sup> However, the legacy of this approach continues to influence security actors' attitude towards civil society, including security forces' distrust of NGOs and other civil society organisations, and civil society's distrust of security forces.

Today, civil society widely views counterterrorism laws to restrict civil society as a continuation of the pacification mind-set.<sup>16</sup> In this approach, counterterrorism legislation restricts civil society from contact with non-state armed groups identified as "terrorists" even if they have a legitimate set of political grievances and self-determination aims protected by international law. In many countries, counterterrorism laws also restrict funding for civil society, especially outside funding to support civil society's support for democratic freedoms. Counterterrorism "lawfare" (warfare by legal means) makes it impossible for civil society to offer humanitarian assistance, development assistance or engage in peacebuilding programmes that might have a moderating effect on non-state armed groups.<sup>17</sup>

But over the last fifteen years, security actors have been adopting less repressive approaches towards civil society. Some aspects of the concept of pacification continue to be found in counterinsurgency literature, which takes a cautious approach toward civilians, viewing them as potential allies or potential enemies. Rather than intimidating civil society, counterinsurgency aims to pacify local populations by

winning the hearts and minds through establishing or re-establishing local government responsive to and involving the participation of the people.<sup>18</sup> Rather than attacking civilians, military forces provide civilian assistance to local villages to gain acceptance and prevent local populations from supporting hostile non-state armed actors.

A fourth approach emphasises a new era prioritising civilian safety in security sector-civil society relations where states, regional organisations like the Africa Union, or the United Nations, mandate security actors with the task of “*protection of civilians*.” New military doctrine and training emphasises military and police roles in protection of civilians as well as avoiding civilian casualties and mitigating harm against civilians during military or police operations. New frameworks for international action such as the *Responsibility to Protect*<sup>19</sup> call governments to refrain from violent repression of civilians themselves, and to protect civilians from violence from non-state armed actors.

A fifth approach views civil society as service providers, contributing to peace and stability. States, regional organisations and international organisations view civil society organisations as contractors or “*implementing partners*.” They fund CSOs to provide healthcare, food, water and shelter to vulnerable populations such as the young, old, veterans and disabled members of society, to building the capacity of communities to govern effectively to maintain the rule of law, community safety, and economic development, to countering violent extremism. Many CSOs are wary of government funding, noting they lose their independence; their ability to respond to locally identified needs, and the trust and legitimacy they have with local communities when they are seen as for-profit contractors working on behalf of governments. Civil society specifically opposes the use of the term “implementing partners,” as it implies that CSOs do not have their own assessment or plans to address local needs.<sup>20</sup>

This *Handbook* illustrates a sixth approach where security forces and an empowered and independent civil society build understanding and coordinate with each other to address the root causes of insecurity and coordinate efforts to support human security. In a “coordination for human security” approach, conflict prevention and peacebuilding skills, values, and processes enable less antagonistic relationship capable of joint problem solving. It is important to recognise how this multi-stakeholder coordination for human security approach contrasts with other approaches. Unlike other approaches, a human security approach does not manipulate civil society as security assets. Instead it emphasises the empowerment of civil society to participate in identifying security challenges, designing and implementing human security programmes and overseeing the security sector’s performance.

In some contexts, different security actors may each be using a different approach simultaneously. Some national or international military and police units may focus on protection of civilians while others are actively using violent pacification. A government’s development agency may be funding programmes to support civil-military-police coordination on human security while other government agencies use legal frameworks to prevent CSOs from talking to armed groups, or keep CSOs busy with lucrative contracts to provide public services.

### **13. The case for armed forces supporting democracy.**

In his book *Military Engagement: Influencing Armed Forces to Support Democratic Transitions*, US Admiral Dennis Blair outlines an “elevator speech” for convincing armed forces to support society’s move toward democracy.<sup>21</sup>

- Democracy is spreading throughout the world. We are in the midst of the fourth wave of democratic transitions. Democracy in different forms is the aspiration of people on all continents: Africa, Asia, Eastern Europe, the Middle East and South America.
- No regime can remain in power if citizens do not support it. Dictatorships will one day call upon their armed forces to betray their oaths and will order them to use force against their own citizens.
- The loyalty of the armed forces should be to the people and their chosen representatives, not some self-chosen person or party. Armed forces in democracies serve only to defend their people and will never be required to use force against them.
- Service members in democracies are respected, adequately compensated, fairly promoted, and retire with honour. Democracies field the most capable armed forces in the world.
- The military heroes that history remembers have acted not to oppress their people but to defend them.



#### 14. The relationship between the government and the security forces is a critical factor in state-society relations.

The following diagram illustrates the different models of relationship between governments and national security forces. A military-led government will have a different state-society relationship than a civilian government that has authority over the military.

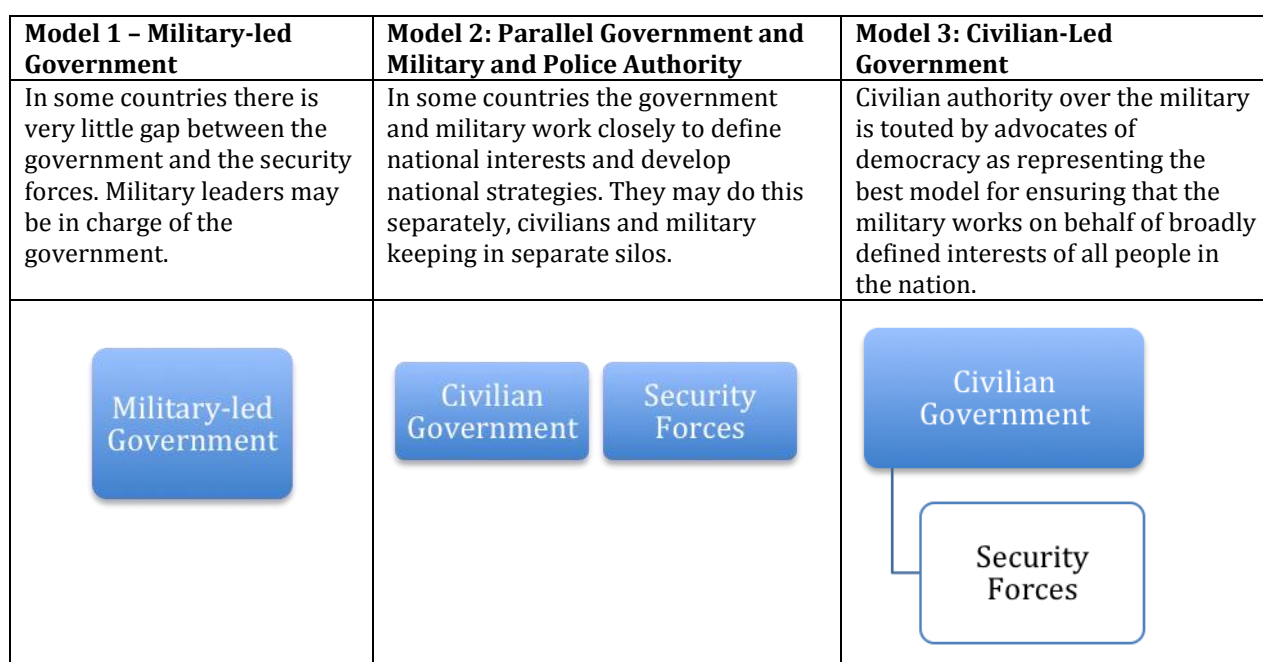


Figure 10: Government Relations with Security Forces

#### REVIEW

This lesson compared and contrasted different types of relationships between the state and society. The type of state-society relationship is a critical factor in determining whether civil society sees government and security forces as legitimate or illegitimate. It also determines whether the state views civil society as a menace or an asset for human security. This in turn influences all stakeholders' willingness and ability to coordinate in pursuing human security.

#### Citations

<sup>11</sup> Elisabeth Jay Friedman, Kathryn Hochstetler, Ann Marie Clark, *Sovereignty, Democracy, and Global Civil Society: State-Society Relations at UN World Conferences* (New York: SUNY Press, 2005).

<sup>12</sup> OECD 2008. Concepts and Dilemmas of State Building in Fragile Situations: From Fragility to Resilience. P. 8.

<sup>13</sup> Mark Rogers, Aaron Chassy, and Tom Bamat, "Integrating Peacebuilding into Humanitarian and Development Programming: Practical Guidance on Designing Effective, Holistic Peacebuilding Projects," Baltimore, Catholic Relief Services, 2010, 15.

<sup>14</sup> Adapted from Daniel Serwer and Patricia Thomson, "A Framework for Success: International Intervention in Societies Emerging from Conflict," in *Leashing the Dogs of War*, ed. Chester Crocker, Fen Osler Hampson, and Pamela Aall (Washington, D.C.: United States Institute of Peace Press, 2007), 369–87. It also draws on Luc Reyckler and Thania Paffenholz, *Peacebuilding: A Field Guide* (Boulder, Colo.: Lynne Rienner Publishers, 2001); Dan Smith, "Towards a Strategic Framework for Peacebuilding: The Synthesis Report of the Joint Utstein Study on Peacebuilding" (Oslo: PRIO, 2003); Thania Paffenholz, *Civil Society and Peacebuilding* (Boulder: Lynne Rienner Press, 2009); Lisa Schirch, *Strategic Peacebuilding* (Intercourse, Pennsylvania: Good Books, 2004); and Cooperation for Peace and Unity, *Human Security Indicators* (Kabul, 2010).

See also: Conflict Early Warning and Response Mechanism (CEWARN), Country Policy and Institutional Assessment (CPIA; World Bank), Crisis Watch (International Crisis Group), Failed States Index (Fund for Peace), Global Peace Index, Human Development Index (HDI) . Human Security Index, Peace and Conflict Instability Ledger (University of Maryland), Peace Research Institute Oslo (PRIO), Uppsala Conflict Data Program, World Bank's Institutional and Governance Reviews.

<sup>15</sup> For a complete set of correlates of attacks by non-state armed groups. *Global Terrorism Index 2014*, (New York, New York: Institute for Economics and Peace, 2014).

[http://www.visionofhumanity.org/sites/default/files/Global%20Terrorism%20Index%20Report%202014\\_0.pdf](http://www.visionofhumanity.org/sites/default/files/Global%20Terrorism%20Index%20Report%202014_0.pdf) accessed January 2016.



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<sup>16</sup> See, for example, Boon-Kuo, L., Hayes, B., Sentas, V and Sullivan, G. *Building Peace in Permanent War: Terrorist Listing & Conflict Transformation*, (London; Amsterdam: International State Crime Initiative- Transnational Institute. 2015).

<sup>17</sup> John Paul Lederach "Addressing terrorism: A theory of change approach" in *Somalia: Creating space for fresh approaches to peacebuilding*, John Paul Lederach, et al editors, (Uppsala, Sweden: Life & Peace Institute, 2011).

<sup>18</sup> Major Louis J. Ruscetta. *Education for Philippine Pacification: How the U.S. Used Education as Part of its Counterinsurgency Strategy in the Philippines from 1898 to 1909*, (Damascus, MD: Pennyhill Press. October 14, 2013).

<sup>19</sup> The International Coalition for the Responsibility to Protect at <http://www.responsibilitytoprotect.org>

<sup>20</sup> Brian Pratt, "Legitimacy and transparency for NGOs." (Oxford, UK: International NGO Training and Research Centre. 2009).

<sup>21</sup> Dennis Blair. *Military Engagement: Influencing Armed Forces to Support Democratic Transitions*, (Washington DC: Brookings Institution Press, 2013).

## Lesson 5

## Learning Exercises

### Anchor

*10 minutes*

Anchor the content in this lesson with an open question. Participants can share in groups of two or three people their response to these questions:

- How does the state relate to society in my home community?
- What does the state do for citizens?
- What do citizens do to support the community?
- Is there a relationship of trust or suspicion? Why or why not?

### Add

*20 minutes*

Present the PowerPoint slides or ask participants to discuss the lesson readings in a small group.

### Apply

*25 minutes*

The goal of this exercise is to compare and contrast different approaches to legitimate state-society relations. Each scenario stakeholder team will have fifteen minutes to prepare their analysis of the state-society relationship to present to other teams. Each team should draw on the content of the lesson. For example, each team may want to consider the following questions:

- From where does the state derive its legitimacy?
- What is your assessment of how well governance works in each of the five categories identified in point seven in this lesson?
- Which figure best illustrates state-society relations in your country – Figure 7 illustrating legitimate state-society relations or Figure 8 illustrating repressive state-society relations?
- In your scenario, who provides governance, for what purpose and by what process, with what resources?

Note the scenario instructions if teams want to assert something about the context that is not provided in the background. The facilitator invites each team to characterise state-society relations in the scenario. Is there common ground in the analysis or do teams perceive the legitimacy of the state in different ways? Debrief with open questions about the challenges and trade-offs in this role-play.

### Away

*5 minutes*

In a large group, participants can discuss this question:

- What will I take away from this lesson on state-society relations that might impact the way I do my work in the future?



## Lesson 6

# Introduction to the Security Sector

### Learning Objectives

At the end of the lesson, participants will be able to:

1. Identify at least four parts of the security sector
2. Identify the roles and responsibilities of the security sector
3. Compare and contrast different types of military forces
4. Compare and contrast different types of police forces

This lesson provides an introduction to the security sector. While this *Handbook* focuses on the military and police, these security institutions sit within a wider system of other related organisations and institutions. This lesson provides an introduction to how parts of the security sector or “system” interact with each other, and the roles and responsibilities of each group in the security system.

Most of this lesson is adapted from the Institute for Inclusive Security and the Geneva Centre for the Democratic Control of Armed Forces *Women’s Guide to SSR*.<sup>22</sup>

### 1. Security Sector

The security sector includes security forces, state oversight and management bodies, non-state armed groups that play a role in protection of civilians, independent oversight bodies, the justice and rule of law institutions. Since each part of the security sector is dependent on other parts, some refer to it as the security system.

### 2. State Armed and Security Forces

Security forces have responsibilities for protecting public order and security; preventing and responding to crime, providing assistance to people in need; and securing national interests. Security forces also have



certain powers that belong only to them. These include the legal power to arrest, detain, search and seize, and the use of force and firearms.

<b>Armed forces/Military/ Defence forces (may include gendarmerie)</b>	<ul style="list-style-type: none"> <li>• The military's primary function is to protect and defend the state and its population from foreign aggression. Some armed forces also participate in international peace operations.</li> <li>• The military should be used for other internal security purposes only when civilian forces cannot respond effectively alone (emergency situations).</li> <li>• The military should be equipped to deal with a wide range of threats, capable of cooperating with different state and non-state groups, and respectful of human rights.</li> <li>• Civilian authorities should oversee the military's activities, expenditures, and processes.</li> </ul>
<b>Border management agency</b>	<ul style="list-style-type: none"> <li>• This agency focuses on the rules and procedures regulating activities and traffic across defined border areas.</li> <li>• Their task is the prevention of unlawful cross-border activities, the detection of national security threats, and the control of persons and vehicles at designated border-crossing points.</li> <li>• Border guards are usually under the authority of a civilian or paramilitary law enforcement service.</li> </ul>
<b>Immigration and customs agency</b>	<ul style="list-style-type: none"> <li>• This agency is responsible for enforcing entry and exit restrictions, ensuring the legality of travel documents, identifying and investigating criminality, and assisting those in need of protection.</li> <li>• Ideally, it should also improve the prevention and detection of human trafficking and smuggling, strengthen the protection and promotion of human rights, and enhance local ownership, oversight, and collaboration.</li> </ul>
<b>Police</b>	<ul style="list-style-type: none"> <li>• The primary function of the police is to provide local law enforcement.</li> <li>• The police focus on prevention and detection of crime, the maintenance of public order, and protection of property and the population.</li> <li>• Civilian leadership should oversee their activities, expenditures, and processes.</li> </ul>

### 3. State Oversight and Management Bodies

These include the executive branch, national security advisory bodies, parliament; ministries of defence, internal affairs, foreign affairs; financial management bodies (finance ministries, budget officers, financial audit and planning units); civilian review boards; public complaints commissions and (some) ombudspersons.

<b>Head of Government</b>	<ul style="list-style-type: none"> <li>• This head can be a prime minister, president, or a monarch. The role, as it relates to the security sector, can vary from a ceremonial function, to chief of the army, to supreme commander in wartime.</li> <li>• Along with other agencies within the executive branch of government, he or she determines the budget, general guidelines, and priorities of the armed and security services.</li> </ul>
<b>Members of legislatures/ parliament</b>	<ul style="list-style-type: none"> <li>• Parliamentarians, or members of parliament, are responsible for initiating, debating, and approving or opposing laws.</li> <li>• They exercise oversight of policies, approve budgets, and can launch investigations.</li> <li>• Parliamentarians can hold public hearings, provide CSOs with pertinent information, and use town hall meetings to discuss government policy on security.</li> </ul>
<b>Ministry of Defence</b>	<ul style="list-style-type: none"> <li>• This ministry is responsible for managing and overseeing the armed forces, as well as setting and implementing defence policy.</li> <li>• The Minister of Defence is typically the principal defence advisor to the</li> </ul>



	<p>head of government.</p> <ul style="list-style-type: none"> <li>• The Ministry of Defence is distinct from the armed forces themselves, which are more operational.</li> </ul>
Ministry of the Interior	<ul style="list-style-type: none"> <li>• This ministry is generally responsible for policy, funding, and oversight of civilian law enforcement organisations, including police, border security, and special investigation units.</li> <li>• In some countries, the Ministry of the Interior can be responsible for prisons, immigration, and local governance, including provincial, municipal, and district administration.</li> </ul>
Ministry of Gender/ Women's Affairs	<ul style="list-style-type: none"> <li>• This ministry is responsible for providing guidance so that all government policies, structures, and programmes meet both men's and women's needs.</li> <li>• It often focuses on integrating gender issues across government agencies as well as empowering women, in particular through dedicated programmes and funding.</li> <li>• It can play a role in ensuring that SSR processes and security sector institutions are inclusive of women, and meet the needs of women and girls.</li> </ul>
National security council	<ul style="list-style-type: none"> <li>• This body is responsible for reviewing the national security policy, a framework for how the country provides security for the state and its citizens.</li> <li>• This group can be the permanent cabinet or an ad hoc committee that advises the head of government.</li> <li>• The national security council usually consults widely with governmental security actors and may also consult with non-governmental actors.</li> </ul>
Parliamentary finance/ budget committee	<ul style="list-style-type: none"> <li>• These committees have the final say on the budgets of all security sector institutions (in addition to possibly the public accounts committee, which reviews the audit reports of the entire national budget, including the defence budget).</li> </ul>
Parliamentary defence and intelligence committee	<ul style="list-style-type: none"> <li>• This committee gives advice and makes recommendations to the parliament concerning laws or decisions pertaining to national defence and intelligence.</li> <li>• It should focus on matters related to the size, structure, organisation, procurement, financing, and functioning of the state actors mandated to use force and of civil management bodies that make decisions about the use of force.</li> <li>• All parliamentary committees should exercise broad oversight powers to investigate major public policy issues, defective administration, accusations of corruption, or scandals.</li> </ul>

#### 4. Independent Oversight Bodies

These include civil society organisations (CSOs), including media, think tanks, and professional associations; human rights commissions; (some) ombudspersons.

National human rights institutions, ombudspersons, and specialised oversight bodies	<ul style="list-style-type: none"> <li>• These are established by law or in the constitution. They are permanent bodies, independent from government, but usually reporting to the parliament.</li> <li>• National human rights institutions and ombudspersons exist in order to review the activities of government authorities, including the security sector (although the armed forces are often excluded from their jurisdiction).</li> <li>• Other specialised oversight bodies may have a mandate to oversee either specific agencies or sectors (e.g., police, prisons) or thematic issues (e.g., corruption).</li> <li>• In some countries, there are also specialised defence ombudspersons that are not independent from the armed forces. Likewise, police, prisons, and other security sector institutions may have internal oversight bodies (e.g., inspectors) that are not independent of the institution.</li> </ul>
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CSOs (e.g., human rights organisations, victims' assistance organisations, women's organisations)	<ul style="list-style-type: none"> <li>• CSOs may monitor the security sector, conduct research, advocate for policy change, and provide services to the population around security issues.</li> <li>• They often have strong networks in the population and among other CSOs.</li> </ul>
Media	<ul style="list-style-type: none"> <li>• The media can play a role in overseeing the public authorities and informing citizens about security risks.</li> <li>• It can help raise public awareness and create support for SSR. It can have a negative influence if it is not independent from the state.</li> </ul>
Think tanks	<ul style="list-style-type: none"> <li>• Think tanks and public policy research institutes are a type of CSO that can influence policy through the provision of information, analysis, and advice.</li> <li>• These security research and policy institutes can also help to inform the media and the broader public on policy issues.</li> </ul>

## 5. Justice and Rule of Law Institutions

These include judiciary and justice ministries; prisons; probation services; criminal investigation and prosecution services; customary and traditional justice systems (such as elders, chiefs, traditional councils).

<b>Ministry of Justice</b>	<ul style="list-style-type: none"> <li>• This ministry is responsible for organising the justice system, overseeing the public prosecutor, and maintaining the legal system and public order. It normally has responsibility for the penal system, including prisons.</li> <li>• Some ministries also have additional responsibilities in related policy areas, overseeing elections, directing the police, and law reform.</li> </ul>
<b>Judicial system</b>	<ul style="list-style-type: none"> <li>• The judicial system includes the courts that administer justice and constitute the judicial branch of government.</li> <li>• Judiciaries, prosecution services, and other dispute resolution mechanisms should be impartial and accountable.</li> <li>• The judicial system plays a role in overseeing other parts of the security sector, when cases involving security sector personnel or institutions are brought before the courts.</li> </ul>
<b>Penal system</b>	<ul style="list-style-type: none"> <li>• The penal system is responsible for executing the punishments or other measures ordered by the courts. The penal system includes prisons, but also alternatives to custody, such as systems for bail and community service orders, as well as (where existing) parole boards, probationary services and inspectorates, and traditional and informal sanctions systems.</li> <li>• A functioning penal system should have sufficient staff that is trained and properly paid to avoid corruption; respect human rights and the different needs of women, men, boys, and girls; and provide rehabilitative and educational activities.</li> <li>• Prisons should be monitored by independent groups/civil society to prevent abuse.</li> </ul>
<b>Traditional authorities</b>	<ul style="list-style-type: none"> <li>• Customary, local authorities (such as village heads, chiefs, elders, and councils) can wield important influence over local attitudes, customs, and behaviours.</li> <li>• They may play a significant role in dispute resolution.</li> </ul>

## 6. Non-state Security Sector Actors

Private military and security companies can also be considered part of the security sector. Governments, businesses and even civil society organisations may hire private military and security companies to address their specific safety and security interests. In some places, insurgents, rebels, non-state militia, mafias and gangs provide security services to certain groups. While not part of the official security sector, these groups are included as being part of the broad security sector.

<b>Private military and security companies</b>	<ul style="list-style-type: none"><li>• These are for-profit companies that provide military and security services to a state.</li><li>• They perform duties typically similar to those of military or police forces, but often on a smaller scale. They may consist of foreign or local staff. They are often involved in running detention facilities and training security sector personnel.</li><li>• Notably, they are often not subject to the same degree of oversight and accountability as state armed and security forces.</li></ul>
<b>Paramilitaries and Civilian Defence Forces</b>	<ul style="list-style-type: none"><li>• Armed groups whose organisational structure, training, subculture, and (often) function are similar to those of a professional military, and which is not included as part of a state's formal armed forces.</li></ul>

## 7. International armed forces can also be considered part of the security system if they are present within a country.

This may include multinational forces, regional forces, bilateral forces, peacekeeping forces and forces that are re-hatted to be a peacekeeping mission.

## 8. There are four widely accepted principles guiding the security sector.

- **Civilian control:** of all security sector institutions. This means ultimate responsibility for a country's strategic decision making is in the hands of the civilian political leadership rather than professional military or police;
- **Accountability:** so that security sector institutions are held responsible for the actions they take and subject to the oversight of the judiciary, the media, and civil society organisations;
- **Transparency:** so that parliament, civil society, and the population understand how and why decisions are made and actions are taken; and
- **Rule of law:** so that no security sector institution can abuse its power or restrict the rights of individuals.

Module 10 in this *Handbook* provides more detail on security sector governance, accountability and transparency.

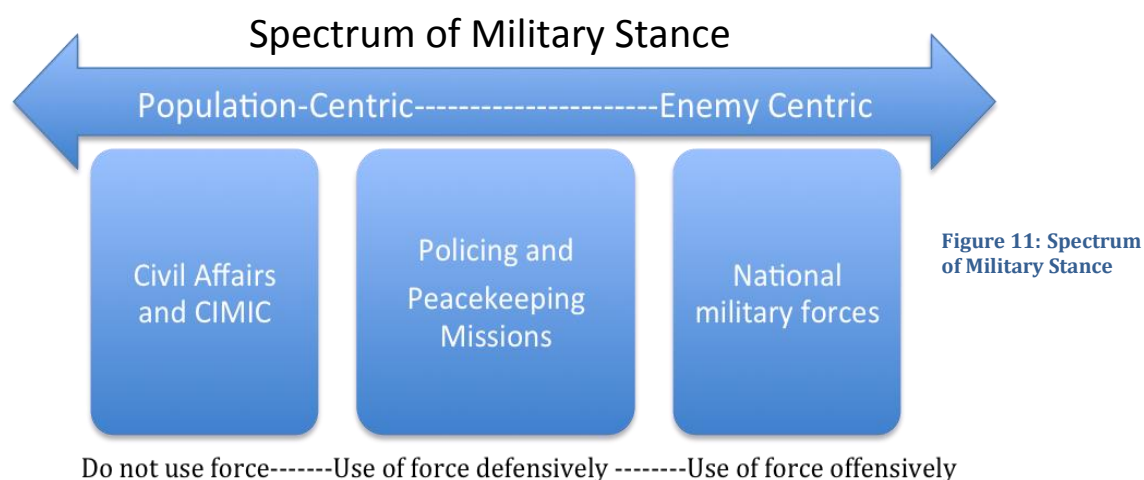
## 9. Comparison of different types of military roles

Not all military and police forces are the same. Military and police forces have different goals, different types of training, and different types of relationships with civilians in government and civil society. Different types of military and police personnel hold a range of stances in relation to direct use of force. Perceptions of the legitimacy of military and police forces and their acceptance by local communities and non-state armed groups vary widely from context to context, even within different provinces or districts in the same country. Military and police forces also hold a diversity of national experience and doctrine. UN peacekeeping forces come from many different countries. Likewise, individual national NATO members also have their own unique histories and experiences that shape their approach.

Civil affairs officers facilitate relationships between military forces or peacekeepers and the local government and civil society. The UN, NATO and individual states define the roles of civil affairs officers in different ways. Civil affairs conduct civil-military cooperation or "CIMIC" types of activities.

The level of acceptance and legitimacy of a military and police forces or a non-state armed group has direct implications for civil-military-police coordination. UN Security Council mandated peacekeeping forces may enjoy greater political legitimacy and public acceptance than military forces without this explicit multi-lateral support. Where there is widespread legitimacy and acceptance of military and police

forces, civil-military-police coordination may be easier as civilians have less need to maintain their distinction from armed parties to the conflict. Where the public disputes the legitimacy of police, military or peacekeeping forces, and public acceptance is low, civil-military-police coordination will be more difficult as civilians will need to be more careful of how local populations and opposing armed groups view their coordination with military and police forces.



### 10. Comparison of different types of police

Policing also takes diverse forms. Some policing looks similar to war fighting. Military-style policing uses military-style weapons and tanks to protect property and state interests. This approach aims to project an intimidating force within communities in an attempt to dissuade individuals and groups of committing crimes or acts of violence. This approach to policing is often found when police officers come from a different racial, ethnic, religious, or class background than the people in the communities where they serve. This approach may not hesitate to use lethal force against community members. Training for this approach to policing may place emphasis on getting around laws or the constitution.

At the other end of the spectrum, community policing aims primarily to protect citizens and communities. This approach to policing favours developing close relationships and trust with communities in order to identify potential problems and prevent crime by addressing root causes and conditions that lead to criminal behaviour. This approach favours the use of non-lethal weapons and justice processes that can affirm the rule of law by addressing harms done to people and communities by holding offenders accountable to victims for their crimes. Lesson 13 details these different approaches to policing and justice in more detail.

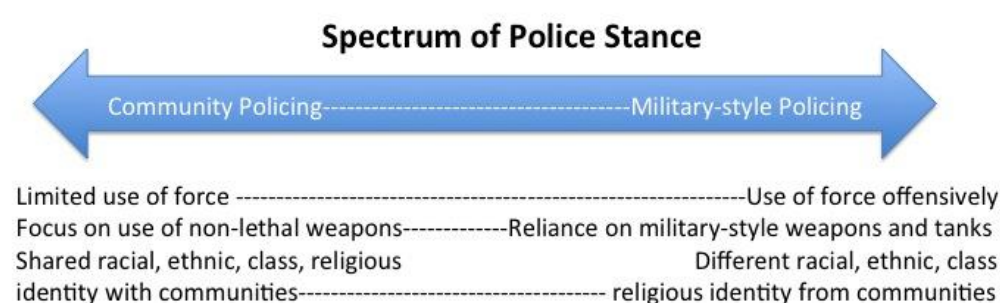


Figure 12: Spectrum of Police Stance

### REVIEW

This lesson provides a foundation for understanding the components of the security system and their roles and responsibilities. The security sector must address the different needs, perceptions, and experiences of men and women in all parts of society. Module 5 builds on this lesson by exploring different definitions of and approaches to security in more depth.

### Citations

<sup>22</sup> Megan Bastick and Tobie Whitman, *A Woman's Guide to Security Sector Reform*, (Washington, DC: Institute for Inclusive Security and Geneva Centre for Democratic Control of Armed Forces, 2013).



## Lesson 6

## Learning Exercises

### Anchor

*10 minutes*

Anchor the content in this lesson with an open question. Participants can share in groups of two or three people their response to these questions:

- Which parts of the security sector work well?
- Which parts of the security sector are not working well?

### Add

*20 minutes*

Present the PowerPoint slides or ask participants to discuss the lesson readings in a small group.

### Apply

*25 minutes*

The goal of this exercise is to practice a basic assessment to understand the security sector in a specific context. Each scenario stakeholder team will have fifteen minutes to prepare their characterisation of the security sector to other teams. Each team should draw on the content of the lesson. For example, each team may want to consider the following questions:

- Which parts of the security sector work well?
- Which parts of the security sector are not working well?
- Based on point seven in the lesson, are all four of the principles for the security sector evident? Does your community or country struggle with any of these principles?
- On the “Spectrum of Police Stance” where would you put the police in your scenario on the spectrum?

The facilitator invites each team to characterise state-society relations in the scenario. Is there common ground in the analysis or do teams perceive the legitimacy of the state in different ways? Debrief with open questions about the challenges and trade-offs in this role-play.

### Away

*5 minutes*

In a large group, participants can discuss this question:

- What will I take away from this lesson on the security sector that might impact the way I do my work in the future?



## Lesson 7

### Introduction to Civil Society

#### Learning Objectives:

At the end of the lesson, participants will be able to:

- Identify diverse types of civilians that may be working in complex environments
- Identify the two main functions of civil society
- Identify at least five functions of civil society in human security
- Identify women's distinct contributions to civil society and human security
- Identify at least three ways of measuring local ownership and community engagement
- Identify three NGO and CSO security strategies

This lesson defines civil society and includes the roles and responsibilities of civil society organisations and social movements in supporting human security. Like the last lesson, this lesson examines, compares, and contrasts different types of civil society organisations and the way they operate.

#### 1. What is civil society?

The term *civil society* refers to non-governmental, voluntary groups of people that organise themselves on behalf of interest groups or local communities. By definition, civil society takes collective action for shared interests. Civil society is non-profit and independent from government. Civil society is by definition, unarmed. Civil society has two basic functions:

- To partner with the state to complement and supplement its capacity
- To hold the state to account for its responsibilities and transparent governance

Civil society is neither all good nor all bad. Like governments and security forces, civil society has the potential to contribute to or detract from human security. While civil society faces challenges such as

corruption and lack of capacity in some cases, overall human security correlates with an active civil society. An active local civil society is a clear indicator of a functioning, stable and citizen-oriented state. Governments are increasingly recognising the need to support civil society and social movements to increase democracy and stability and to reduce corruption and violence.<sup>23</sup>

## 2. Defining Terms

Just as there is a spectrum of types of military and police, there is also a spectrum of different types of civil society organisations and purposes.

Social movements are large, informal groups of individuals or civil society organisations that work together to advocate for change on specific political or social issues. Examples include the “Arab Spring,” decolonisation movements in India, the anti-apartheid movement in South Africa, or the civil rights movement in the US. NGOs sometimes play a powerful role in preparing, training, and developing a strategy for social movements so they are nonviolent. Social movements may use the term “civic resistance” or “nonviolent resistance” to describe their goals and methods of increasing civic participation, human rights, and freedoms. Social movements hold the state to account for its responsibilities.

Uncivil society refers to civilians outside of government that use violence against others.

Civil society organisations (CSOs) are non-governmental, voluntary groups of citizens that organise themselves on behalf of some public interest. There are diverse types of CSOs.

Traditional civil society includes religious, tribal, cultural, and informal organisations.

Modern civil society includes universities, community-based organisations (CBOs), professional and trade associations, media, charities, artists, and nongovernmental organisations (NGOs).

More people in government and the security sector are familiar with the acronym “NGO.” This *Handbook* uses the acronym CSO as an umbrella term, but sometimes includes the acronym NGO for the sake of familiarity and clarity.

## 3. Accountability

CSOs (and all NGOs) have both formal and informal mechanisms for accountability, legality and structure.

CSOs are not-for-profit entities. If they begin operating to make a profit, they become a business entity, a private contractor.

CSOs are “self-mandated.” This means that they work on behalf of the public good, according to their own public needs assessments. CSOs are accountable to the people whom they serve and to the donors who fund their work.

CSOs are independent, meaning they make their own decisions, within legal frameworks, of what work they will do. They are not contractors for hire. CSOs may choose to work with governments. If they receive government funding, they are accountable to this government.

Government laws regulate all civil society organisations. Governments monitor CSOs and NGOs and close them down if they are found to be corrupt or not obeying the country’s laws. All CSOs must meet specific legal requirements for organisational oversight and accountability.

CSOs often relate to NGO networks and professional associations to identify best practices and lessons learned. CSOs are also accountable to each other.

Private contractors are not part of civil society. But NGOs are often confused with private contractors. Contractors are for-profit organisations that work directly for a government or military. Contractors take orders from those that pay them. NGOs are non-profit and independent from a government or military. Some NGOs will take a specific contract with the government, but most retain their independence. NGOs that rely on government grants are sometimes referred to as “project society” instead of “civil society” because they are seen to focus on getting government grants and this tends to shift their accountability to governments rather than to the local populations whom they serve and attempt to represent.

#### 4. Types of NGOs

NGOs vary in a number of ways:

- Size and budget
- Faith-based and secular
- Level of independence and willingness to work with governments and military
- Locally based and international
- Humanitarian and multi-mandate

##### Locally based and international NGOs

- Locally-based NGOs are also known as “LNGOs” or “civil society organisations”(CSOs) as they are part of the local civil society within a country but in some cases have foreign donors
- Internationally-based NGOs or “INGOs” tend to have their headquarters outside of the country but they usually partner closely with local organisations
- Most NGOs, be they local or international, strive to be closely connected and accountable to local communities

International NGOs and local NGOs often work in partnership. Local NGO staff often has far more access, networks, relationships, language skills and cultural knowledge than international NGO staff. These capacities enable them to travel more freely to access communities even in the middle of armed conflict.

##### Humanitarian and Multi-Mandate NGOs

- Humanitarian NGOs aim to relieve immediate suffering following a crisis. There are relatively few NGOs that are strictly focused on humanitarian aid, such as Médecins Sans Frontières.
- Multi-mandate NGOs may conduct humanitarian assistance as well as long term development work to address root causes of conflict or human suffering. Most NGOs and CSOs are multi-mandate.

Depending on their mandate, some CSOs are more open to collaborating with government forces and private contractors than others. Humanitarian NGOs may coordinate with military forces to achieve their goal of humanitarian relief of suffering. But humanitarian organisations are reluctant or opposed to collaborate with military forces as it may undermine their operational requirements. Their objective is to provide temporary and immediate relief to populations affected by conflict. In order to access and assist victims on all sides of the conflict without being perceived as serving one side more than the other, these agencies must remain at distance to political and military stakeholders.

In contrast, multi-mandate NGOs have broader and more long-term objectives. They may deliver humanitarian assistance but they will also carry out development programmes focused on changing political, social and economic structures of societies. Multi-mandate NGOs may work to address root causes of poverty or improve governance and social justice via projects in education, capacity-building, micro-finance, agriculture or water systems. These objectives may overlap with those of foreign governments, which is why some governments fund NGOs. But even if multi-mandate NGOs share some government goals and accept grants from them, they may disagree with aspects of government policy. For example, a multi-mandate NGO may share the government’s objective that there should be programmes on girls’ education, but they may not share the strategic and political objectives of a government.

#### 5. Civil Society Roles in Human Security

Civil society organisations lay the foundation for human security via their work in economic development, human rights promotion, prevention of environmental degradation, strengthening governance, addressing tensions between groups by facilitating dialogue and promoting tolerance. For most CSOs, *HOW* work is done is as important as *WHAT* is done. Many CSOs strive follow best practices widely identified in international guidance. Civil society roles that support human security include the following:

- Advocacy for Good Governance and Human Rights: Seek the creation and strengthening of a citizen-focused, functioning state that can protect and provide for its population through policy advocacy and dialogue.
- Early Warning and Conflict Analysis: Monitor and document human rights abuses, map key stakeholders driving and mitigating conflict, analyse and communicate a conflict analysis of the factors and then mobilise the political will for conflict prevention.
- Protection of Civilians and Violence Mitigation: Create “peace zones” to protect civilians and humanitarian aid corridors, deliver humanitarian relief to war-affected communities.
- Track II Diplomacy: Facilitate unofficial communication and dialogue between armed groups or



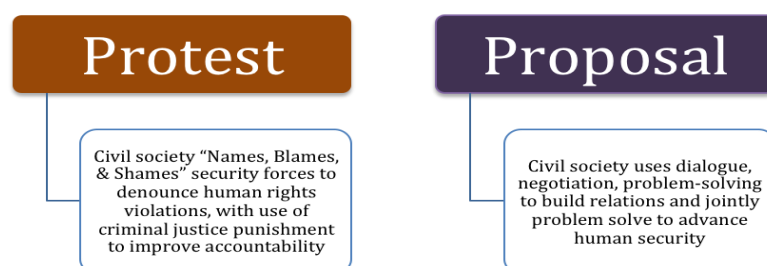
- opponents and their supporters in civil society both during and after armed conflict.
- **Facilitation and Mediation:** Work with groups in conflict to develop shared analysis, negotiation agendas, identify common ground, develop confidence-building measures (CBMs), and build political agreements.
- **Social cohesion:** Building relationships between individuals and groups across the lines of conflict.
- **Conflict-Sensitive Journalism:** Collect and share information about the costs and consequences of violence and the details or options for peace agreements.
- **Capacity-Building and Education:** Train local and national leaders in principled negotiation and problem-solving techniques, rule of law, civil resistance, human rights, protection of civilians, and training armed groups in civilian harm mitigation (to prevent, count, & respond to civilian casualties).
- **Civil resistance:** Build social movements pursuing democracy.
- **Psycho-social trauma healing and support:** Address the psychological wounds of those who have been affected by conflict and foster resilience.
- **Transitional Justice:** Facilitate post-conflict reconciliation, trauma healing, and restorative justice processes in war-affected communities.
- **Security Sector Reform:** Participate in the design of improved security infrastructure to protect both human and national security.

## 6. Civil Society Stance to Security Sector: From Protest to Proposal

In some citizen-oriented states, civil society widely supports and accepts the security sector. They view military and police as legitimate representatives of society and may also decide to voluntarily sign up for service. In such countries, a growing number of civil society organisations are also working as implementing partners providing public services to contribute to the security agenda of governments, regional organisations and international organisations.

In countries where there is forced recruitment into the military or police, or recruitment excludes certain racial, ethnic or religious groups, there may be wide public opposition to security forces. This is also true in countries where security forces repress or violate human rights. Given the prevalence of this problem in the security sector, in many countries, CSOs – especially human rights organisations – adopt an adversarial approach to the security sector. Some groups document human rights violations and publish reports to denounce and protest against abuses committed by security forces and seek accountability. Human rights organisations play an important role in holding governments to account for their duties to protect civilians. The “*protest*” approach relies mostly on “naming, blaming, and shaming” state security forces and non-state armed groups for human rights abuses. Civil society protests play an important role in drawing attention to and disrupting corruption and injustice.<sup>24</sup> Social movements have helped unstable, authoritarian countries move to democratic systems all over the world.<sup>25</sup>

Figure 13 illustrates that some civil society organisations are shifting from *protesting* to making *proposals* to improve human security. While sharing the same human rights concerns that protesters denounce, these peacebuilding CSOs use a *persuasive* theory of change to build relationships with the security sector through direct dialogue, negotiation, and problem solving to address human rights abuses. As illustrated below, peacebuilding skills and processes help civil society to move from a sole reliance on “protest” to also include their ability to make “**proposals.**” While sharing concerns about human rights violations and firmly supporting human security, civil society leaders in diverse corners of the world have come to the conclusion that they must go beyond protesting security policies. Civil society’s interest in “**coordination for human security**” developed as civil society reached out to build relationships with the security sector, engaged in joint problem solving, and articulated security policy alternatives. Peacebuilding skills and processes such as conflict analysis, negotiation, mediation, and dialogue often inspired this coordination to support human security. This report documents case studies illustrating how peacebuilding CSOs have coordinated with the military and police to support human security.



**Figure 13: Civil Society Move from Reliance on Protest to include Proposals on Security**

## 7. Civil Society's Operational Requirements

Civil society, including NGOs, operates the most effectively when the following conditions can be established within a complex environment. In contexts of political conflict, civil society must navigate between state and non-state armed groups to maintain their legitimacy among their constituents and their safety amidst these armed groups. This requires the adherence to operational requirements that guarantee its independence. The more empowered, independent, distinct, accepted, and free civil society organisations are, the better they can contribute to improve human security. Disempowered civil society organisations that are dependent on government funding, indistinguishable from security forces, and lacking operational freedom, will likely be rejected by local communities. The text box below describes the key operational requirements for civil society working in contexts of political conflict.

### Operational Requirements for Civil Society Organisations (CSOs) in Complex Environments

**Empowerment:** CSOs need to have the power to influence public decisions. To acquire this power, they need to be able to organise, mobilise and inspire communities to work together; gain access to information, education and training; receive funding or invitations (voluntary or donor-mandated) to participate in public decision-making processes.

**Independence:** While CSOs share common goals to support human rights, CSOs need to be viewed as independent of explicit political and security interests tied to political parties or regimes. Independence enables CSOs to be accepted by all communities and armed groups that might otherwise threaten or attack them if they are viewed as a proxy for state interests. CSOs need to be able to *independently assess* the needs of local populations to identify local human security priorities rather than government or donor interests that might target specific groups to achieve specific political goals.

**Distinction:** CSOs depend on the distinction of unarmed civilians and armed groups encoded in International Humanitarian Law. This is to prevent attacks on the civilians they represent or on their own staff. Distinction can be achieved through clearly identifiable clothing, separate transportation, and housing of civilians and security forces in different locations.

**Consent and Acceptance:** CSOs depend on the consent and acceptance of local citizens and all state and non-state actors controlling the territory on which they want to operate. In order to secure consent to facilitate dialogue or mediation, CSOs negotiate with a variety of actors including governments and non-state armed groups, informal traditional governing bodies such as tribal elders or religious authorities, local authorities, or armed actors at checkpoints, airports, ports or regions.

**Access and Freedom:** CSOs need to be able to speak and move around freely, unhindered by legal constrictions or security threats. In many countries, counterterrorism laws are restricting civil society's ability to contribute to human security by limiting their access to communities or organisations involved in armed conflict.

Figure 14: CSO Operational Requirements

## 8. Range of independent stance of different civilian agencies

A wide range of civilian actors working for international organisations, state civilian agencies, private contractors, humanitarian organisations, multi-mandate NGOs and local civil society organisations all share operational environments and conduct diverse civilian tasks in multilateral interventions, as illustrated below.

Like UN diplomats and civilian peacekeepers, humanitarians require similar principles of neutrality, impartiality and independence (see left side of spectrum). These principles relate directly to operational requirements:

- To be accepted by armed groups and local communities which allows have access to people in need
- To not be perceived as a threat which makes it easier to be accepted in a region
- To not be targeted, so that civil society staff and beneficiaries are safe and have the consent of armed groups to work in an area.

## Spectrum of Civilian Stance

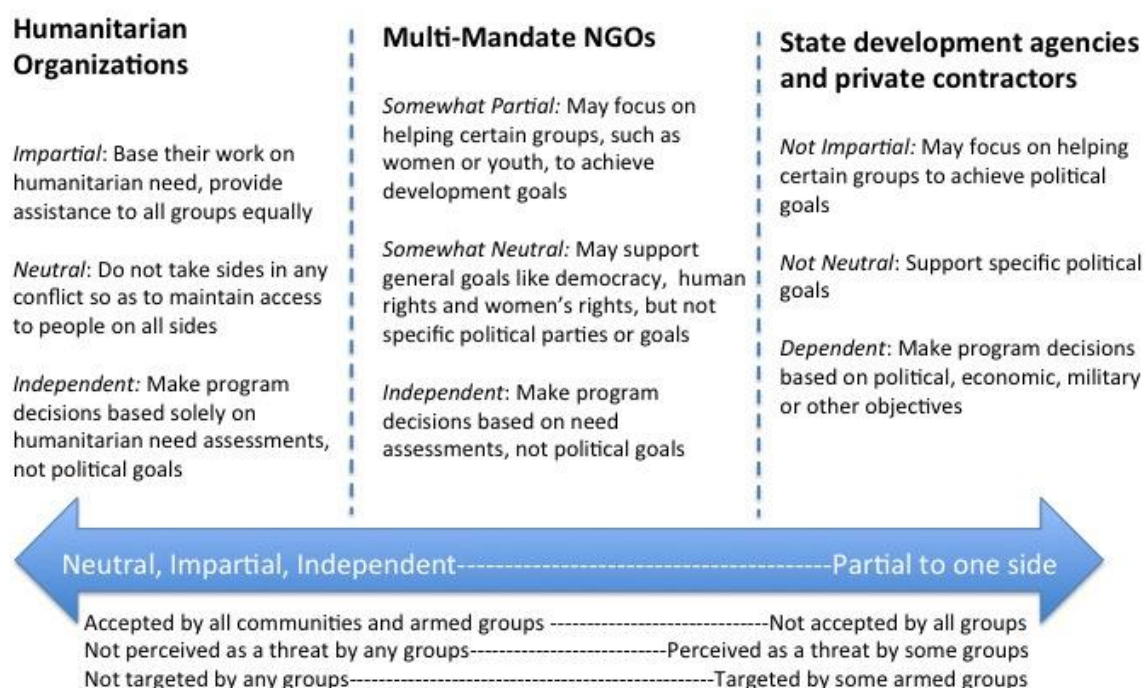


Figure 15: Spectrum of Civilian Stance

There is a debate within the NGO community about how closely NGOs can affiliate with governments while maintaining the humanitarian principles of impartiality, neutrality, and independence. Likewise, NGOs and aid agencies fall into a spectrum, with some observing these more closely than others. The diagram above illustrates that the concepts of impartiality, neutrality, and independence are relative, not absolute. In the middle of the spectrum, other types of civilian agencies and multi-mandate NGOs may work on behalf of general political goals like human rights or democracy, but they do not take political sides in terms of supporting specific political parties or regimes. They are sometimes perceived as having a general political goal, but they do not support specific political parties or regimes, and they conduct independent needs assessments irrespective of political goals or allies. These groups practice a form of political impartiality with the local groups they support.

Unlike government civilians who work on behalf of the state, civil society organisations are independent and accountable to the communities where they work. On the other end of the spectrum, civilian government agencies and private contractors usually develop explicit political goals that may include support for a specific political party or regime.

### 9. Civil society does not take part in armed groups or activities.

Civilians are not combatants and should never be treated as combatants. The formal definition of a combatant set out in the Third Geneva Convention of 1949<sup>26</sup> is a person who:

- is a member of a national army or an irregular military; or
- is actively participating in military activities and hostilities; or
- is involved in recruiting or training military personnel; or
- holds a command or decision-making position within a national army or an armed organisation; or
- arrived in a host country carrying arms or in military uniform or as part of a military structure; or
- having arrived in a host country as an ordinary civilian, thereafter assumes, or shows determination to assume, any of the above attributes.

In the middle of hostilities, some civilians may sympathise with the grievances of one side or another particularly if they themselves are experiencing repression or harm from one of the sides. In some places, civil society receives violent repression from both the state and armed opposition groups. Any attempt to use civilians as military “assets” or “informants” may make them a target for armed opposition groups.

## 10. Strengths and challenges of CSOs and NGOs

Like all organisations including those representing government, military, and police, civil society organisations have strengths and challenges. Just as there are some military or police units charged with corruption or abuse, so too are some civil society organisations charged with illegal activities. The great diversity among types of CSOs and NGOs means that some are very effective and responsible, and some are not. Understanding CSOs and NGOs makes it easier for security forces to distinguish between those that contribute to peace and human security, and those that do not.<sup>27</sup>

Civil Society's Strengths	Civil Society's Challenges
<p><b>Commitment:</b> Long term commitment and responsibility in local context</p> <p><b>Local Knowledge and Analysis:</b> Many local CSOs have a high capacity to understand local languages, cultures, religious, political, social and economic issues</p> <p><b>Technical Skills:</b> Many CSOs have highly trained staff with graduate degrees</p> <p><b>Access:</b> Some CSOs are capable of working in areas where government cannot reach</p> <p><b>Trust:</b> Some CSOs has long term legitimacy and trust with local populations</p> <p><b>Flexible:</b> Many CSOs are able to quickly adapt to changes in the local context</p>	<p><b>Diversity:</b> Missions, capacities and strength of ties to local constituencies varies greatly among different CSOs</p> <p><b>Capacity:</b> Staff, funding, and skills are sometimes lacking in CSOs</p> <p><b>Tensions with Government:</b> Mistrust between government and civil society in many countries means that governments will not work with or support civil society</p> <p><b>Security:</b> Some CSOs are unable to work in times of great civil violence because of personal risks to their staff</p> <p><b>Substitution:</b> Some CSOs may compete with the state by delivering public services in parallel ways that may weaken rather than complement the state</p> <p><b>Corruption:</b> Some CSOs are prone to corruption. If money or power is the primary motivation of an CSO, it has lost its credibility as a non-profit organisation dedicated to addressing human suffering and need</p>

Figure 16: Civil Society's Strengths and Challenges

## 11. Indicators of Local Ownership

*Local Ownership* engages local communities in a set of processes to identify security challenges, jointly develop and implement security strategies, and monitor and evaluate the security sector to ensure it works to improve the safety of every man, woman, girl and boy. The security sector tends to speak about *community engagement* instead of local ownership when they refer to their efforts to have local communities participate in their policies and programmes, e.g. in community policing projects. Civil society uses the term "*civil society oversight*" to describe their ability to monitor and contribute to security sector policies and programmes. All of these terms refer to joint meetings between civil society and the security sector where local people have the ability to participate in security sector programmes and policies.

Local ownership is not a process of checking donor boxes or of finding a handful of local political leaders to run a project. Local ownership is also not about having just a handful of elite local civil society leaders who run a project. By definition, local ownership requires participatory strategies that include gathering input from dozens, hundreds or even thousands of local people including both men and women representing diverse cultural identity groups in the context. Diverse local people (insiders) work in partnership with external donors and experts (outsiders) to identify security challenges, plan and implement security strategies, and monitor and evaluate the performance of the security sector.

Lesson 10 in Module 3 describes the concept of local ownership in more detail. The companion to this *Handbook, Local Ownership in Security*, provides case studies of civil-military-police coordination.



## 12. Women in Civil Society

Communities that use all the talents, experience, and wisdom of both men and women are more able to meet all of their member's needs. If women are excluded from participating in community decisions and leadership, or are so busy with household responsibilities that they do not have time to go to community meetings, then the talents, experiences, and wisdom of half of the population will not contribute to community life and human security. Men and women both suffer from war and have ideas about how to build peace. However, the differences between male and female experiences during war and their capacities for peacebuilding are significant enough to make the case that men cannot represent women's interests and needs when building peace. With the advent of the Women, Peace and Security agenda in UN Security Resolution 1325 in 2000, the attention to the gendered experience of violence and a commitment for the equitable inclusion of women into peace processes and post-conflict institution building became priorities for gender mainstreaming in security.

## 13. Civil Society Security Strategies

The [International NGO Safety & Security Organisation](#), the [International NGO Safety Organisation \(INSO\)](#), and [The Aid Worker Security Database](#) all keep track of attacks against aid workers and provide resources to support NGO security. The number of civil society leaders targeted and killed each year is increasing.<sup>28</sup> Researchers argue that this is due to several reasons: an increase in the number of CSOs working in complex environments, decreasing respect for International Humanitarian Law, an increase in military-led development activities targeted at stabilisation or counterinsurgency that leads to public confusion about the distinction between military and civil society staff, and decreasing ability for humanitarian and civil society to maintain an independent stance apart from governments. All of these factors may contribute to making CSOs in general "soft targets" for armed opposition groups.

CSOs are responsible for their own security. As a general rule, they do not ask military forces or use armed guards for their security - except in extreme circumstances. CSOs prefer "area security" as opposed to personal escorts, as area security allows CSOs to maintain the independence necessary to maintain trust with local populations and the neutrality and impartiality that may prevent attacks on them and their beneficiaries by armed opposition groups. NGOs seek to mitigate security risks by striking a balance between three approaches:<sup>29</sup>

- **Acceptance:** CSOs reduce or remove threats to their staff and communities with whom they work by increasing the acceptance (the political and social consent) of an agency's presence and its work, particularly with all armed groups within the context.
- **Protection:** CSOs use protective devices and procedures to reduce their vulnerability to the threat, without directly affecting the threat itself. In security terms, this is called hardening the target.
- **Deterrence:** CSOs deter threats with counter-threats such as the use of legal, economic or political sanctions or use of force, usually by private guards.

The majority of CSOs rely primarily on the acceptance strategy to ensure their own staff security. Acceptance is generally acknowledged to be the best method of gaining and maintaining access and security for staff, beneficiaries and programming over the long-term. Protection or deterrence-heavy strategies, which are more often used for short-term activities, tend to reduce trust and engagement with the beneficiary community.

An acceptance strategy refers to how NGOs gain and maintain consent for their activities from beneficiaries, local authorities, belligerents and other stakeholders. When all stakeholders accept the presence and work of aid agencies, NGOs are not perceived as a threat and not targeted by armed groups.

## 14. CSO Coordination with Armed Groups

In complex operational environments, all types of NGOs (especially humanitarian NGOs, but also other civil society organisations) may need to negotiate directly with armed groups -- both state and non-state armed actors (e.g. insurgents, local power-brokers, criminal groups) -- to ensure their access to affected communities and the safety of their beneficiaries and staff.<sup>30</sup> Negotiations with armed groups sometimes take place formally (e.g. a memorandum of understanding with governments) or informally (e.g. verbal agreements), directly (in-person) or indirectly (via a third party, such as a community leader).<sup>31</sup>

## REVIEW

This lesson provides a common understanding of the types, roles, capacities, strengths and challenges of civil society. The lesson helps civilian, military, and police personnel to hold a shared understanding of civil society. The lesson also details the operational requirements of civil society organisations as it

relates to civil-military-police coordination on conflict assessment, approaches to security, civilian assistance, protection of civilians, and trauma.

## Citations

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<sup>23</sup> Jeremy Kinsman and Kurt Bassuener, *A Diplomats Handbook for Democracy Development Support*, (Waterloo, Ontario: Centre for International Governance Innovation, 2013).

<sup>24</sup> Erin McCandless, *Polarisation and Transformation in Zimbabwe: Social Movements, Strategy Dilemmas and Change*, (South Africa: University of Kwazulu-Natal Press, 2011).

<sup>25</sup> Erica Chenoweth and Maria J. Stephan, *Why Civil Resistance Works: The Strategic Logic of Nonviolent Conflict* (New York, NY: Columbia University Press, August 2011). See also Dennis Blair. *Military Engagement: Influencing Armed Forces to Support Democratic Transitions*, (Washington DC: Brookings Institution Press, 2013).

<sup>26</sup> Relative to the Treatment of Prisoners of War in relation to persons engaged in international armed conflicts

<sup>27</sup> Catherine Barnes, *Agents for Change: Civil Society Roles in Preventing War & Building Peace*, (Den Haag The Netherlands, European Centre for Conflict Prevention, 2006).

<sup>28</sup> See for example the websites of the following organisations:

- [International NGO Safety & Security Organisation](#)
- [International NGO Safety Organisation \(INSO\)](#)
- [The Aid Worker Security Database](#)

<sup>29</sup> *Good Practice Review: Operational security management in violent environments*. 8 ed. (London: Humanitarian Practice Network, Overseas Development Institute, 2010,) 55.

<sup>30</sup> Larissa Fast, Faith Freeman, Michael O'Neill, and Elizabeth Rowley. *The Acceptance White Paper*. (Washington, D.C.: Save the Children, 2011), 4.

<sup>31</sup> Gerard Mc Hugh and Manuel Bessler, *Humanitarian Negotiations with Armed Groups: A Manual for Practitioners*, (Geneva, Switzerland: United Nations Office for the Coordination of Humanitarian Affairs (OCHA) in collaboration with members of the Inter-Agency Standing Committee (IASC), 2006).

## Lesson 7

## Learning Exercises

### Anchor

*10 minutes*

Anchor the content in this lesson with an open question. Participants can share in groups of two or three people their response to these questions:

- What are examples of civil society in my home community?
- What are examples of “uncivil society” in my home community?
- What roles does civil society play?
- What would happen if civil society did not perform these roles in my community?

### Add

*20 minutes*

Present the PowerPoint slides or ask participants to discuss the lesson readings in a small group.

### Apply

*25 minutes*

The goal of this exercise is to practice a basic assessment to understand civil society in a specific context. Each scenario stakeholder team receives a request from the president of the country to help them understand local civil society and “map local capacity.” Each team will design a plan to research civil society. Each team shares their plan with the large group. Debrief with open questions about the challenges and trade-offs in this role-play. What were the differences between groups? What insights or ideas were surprising?

### Away

*5 minutes*

In a large group, participants can discuss this question:

- What will I take away from this lesson on the security sector that might impact the way I do my work in the future?



## Lesson 8

# Legal Frameworks for Civil-Military-Police Relations

### Learning Objectives:

At the end of the lesson, participants will be able to:

- Identify five relevant legal frameworks guiding civil-military-police relations:  
National constitution, International Human Rights Law, International Humanitarian Law/Law of Armed Conflict, International Refugee Law and International Criminal Law
- Define the central content of these five legal frameworks; including definitions and principles
- Identify three principles of the Law of Armed Conflict and International Humanitarian Law (LOAC/IHL)
- Identify the relevance of LOAC/IHL to civil-military-police coordination

This lesson provides a concise overview of legal frameworks that are relevant to civil-military-police relations. This lesson provides a foundation for other lessons in this *Handbook* that explore civil-military-police coordination.

### 1. National Legal Frameworks

Every country has its own national security framework that describes how security forces relate to civilians and civil society organisations. Each country's constitution lays out the legal responsibilities of the security forces toward civilians, and civilians' responsibilities to the security sector. (Training Note: If conducting this training course within a specific country, a guest speaker with a background in the specific legal frameworks of the country can provide a one-hour lecture here).

National legal frameworks usually contain the following:

- A description of the relationship between civilian government agencies and institutions with the security sector. This often includes an outline of civilian government oversight.



- A description of the relationship between civil society and the security sector. In most cases, legal frameworks uphold international legal standards that include the prioritisation of the protection of civilians. In most countries, security forces have an explicit mission to protect the state's territory and its citizens. Some countries also include a provision for civil society's rights and capacity to provide oversight to the security sector.

## 2. Both national and international legal frameworks provide guidance for how civilians (both governmental and civil society) relate to the military and police.

This chart compares five relevant legal frameworks that shape civil-military-police relations.<sup>32</sup> The chart compares the purpose of the legal framework, the stakeholders responsible for upholding the legal framework, and the time period in which the legal framework is relevant.

Legal Framework	Purpose	Responsible Stakeholders	Relevant Time
National constitution and other legal frameworks	Identifies responsibilities and obligations	All national stakeholders	At all times
International Human Rights Law (IHRL)	Identifies responsibilities of the state to protect basic human rights of individuals in their jurisdiction	All stakeholders	At all times
International Humanitarian Law (IHL)/ Law of Armed Conflict (LOAC)	Identifies responsibilities of all parties to a conflict to protect persons and property not participating in the conflict and that may be affected by an armed conflict; to balance military necessity with humanitarian concerns	All stakeholders	During international armed conflict and, in part, during non-international armed conflict
International Refugee Law	Identifies state responsibilities toward protection of individuals at risk of persecution and who have crossed an international border	States	At all times; peacetime and during armed conflict
International Criminal Law	Identifies state responsibilities to prosecute individual perpetrators of crimes against humanity	All stakeholders	During armed conflict; both internal and international

**Figure 17: Comparison of Legal Frameworks**

## 3. International Human Rights Law (IHRL)

International human rights law (IHRL) details the obligations and duties of states to respect, to protect, and to fulfil human rights of those persons under their jurisdiction. All stakeholders are responsible for upholding human rights law. IHRL enables individuals and groups to claim benefits from a state authority in times of peace and in times of armed conflict, crisis and disaster.

## 4. IHRL includes a variety of treaties and legal guidance including:

- Treaties such as the International Covenant on Civil and Political Rights and Economic, Social and Cultural Rights
- Conventions such as
  - Prevention and Punishment of Genocide
  - Rights of the Child
  - Rights of Persons with Disabilities
  - Elimination of Discrimination against Women
  - Elimination of all forms of Racial Discrimination
  - Against Torture
  - Protection of Persons from Forced Disappearance
  - Protection of Migrant Workers and their families
- International Customary Law
- Judicial decisions from human rights bodies such as the International Court of Justice
- Guiding Principles on Internal Displacement (non-binding)

## 5. International Humanitarian Law (IHL)/ Law of Armed Conflict (LOAC)

International Humanitarian Law (IHL) also known as the Law of Armed Conflict (LOAC) applies to state and non-state parties during situations of armed conflict and contains certain key principles that inform and guide civil-military relations. IHL/LOAC comprises the customs, conventions, laws, and regulations that regulate the conduct of armed conflict. IHL/LOAC consists primarily of four Geneva Conventions (1949) and two Additional Protocols (1977).

IHL/LOAC seeks to **balance military necessity with considerations of humanity** through rules to protect people who are not or are no longer participating in hostilities and by restricting the methods and means of warfare. While most of IHL/LOAC addresses the conduct and responsibilities of parties to conflict, neutral states and individuals engaged in hostilities – in relation to each other and to “protected persons” -- it also importantly addresses the role of impartial humanitarian organisations and how they relate to the military forces involved in the armed conflict.

IHL/LOAC applies to *both* state and non-state parties to conflict. In addition to seeking to limit undue suffering on the part of soldiers, for example, through the prohibition on the use of certain weapons, IHL/LOAC establishes the notion of “protected persons”, namely those not participating in hostilities (“civilians” in the sense of those who have never taken part in fighting) and those no longer participating in hostilities (those who have been wounded, captured or have laid down their arms). Under IHL/LOAC, protected persons must, at all times, be treated humanely whereby violence to their life or person, humiliating or degrading treatment and hostage taking are strictly prohibited. In particular, parties to conflict are obliged to take all necessary measures to refrain from causing harm to civilian populations and must ensure that the civilian population remains well supplied with basic necessities.

LOAC represents minimum standards of civilisation agreed upon by nations to prevent unnecessary suffering and destruction while not impeding the effective waging of war. For example, the requirements of uniforms and markings exist not only to assure combatants that enemy targets, and not their own, are being attacked, but to reinforce the protection afforded to civilian populations and civilian objects. Non-state armed groups are similarly obliged to offer protections for prisoners of war, wounded and sick, and the civilian population to the maximum extent possible.

To avoid violations of the LOAC, military commanders must ensure that its principles and requirements are known and understood by all subordinate personnel. The military commander’s servicing Staff Judge Advocate (SJA) is the appropriate person to arrange for or provide training in IHL/LOAC for all personnel.

## 6. Origins of IHL/LOAC

Customary laws developed over time prescribed basic moral and ethical standards for the conduct of war, particularly concerning the treatment of civilian populations. The codification of these norms emerged in the latter half of the 19<sup>th</sup> century, forged primarily in the context of the U.S. Civil War and a variety of European wars.. Florence Nightingale brought attention to the needs of wounded soldiers during the Crimean War. During the U.S. Civil War, the Lieber Code established a code of conduct for the humane treatment of civilian populations by the Union Army. Europeans used the Lieber Code as the basis for negotiations that ultimately resulted in The Hague Convention of 1899, the principles of which are still evident in the Geneva Conventions and its Additional Protocols.

Early humanitarians, such as Henri Dunant who began the Red Cross Movement, and Clara Barton, who later started the American Red Cross, argued that in order to help people on all sides of the conflict, those offering humanitarian assistance should be considered neutral, independent and allowed safe passage to relieve human suffering in an impartial manner without becoming targets themselves.

## 7. Three Principles of IHL/LOAC

Distinction: Distinction obliges parties to a conflict to distinguish principally between the armed forces and the civilian population, and between unprotected and protected objects. Only combatants and military objects are legitimate targets under IHL. The principle of *distinction* obliges parties to a conflict to take certain measures, in offence or defence, to help ensure that military forces and civilians can be visually distinguished from one another.

Proportion: Parties to conflict are further required to adhere to the principle of *proportion*, whereby any use of force which may be expected to cause some civilian harm, must be proportional and not excessive in relation to the concrete and direct military advantage anticipated by an attack on a military objective.

**Precaution:** Furthermore, parties to conflict are required to exercise *precaution* in their use of force, whereby all feasible precautions must be taken to reduce the risk of harm to civilians and other protected persons and objects.

## **8. IHL and humanitarian assistance**

During armed conflict, civilians commonly suffer displacement and destruction of their homes and property, are killed and injured during hostilities, and are subject to various forms of unlawful violence, coercion and deprivation. While the state and non-state parties to a conflict are obliged to refrain from harm to civilians, and have the primary responsibility for the protection and wellbeing of the civilian population under their control, they may be unable or unwilling to do so. In such cases, an impartial humanitarian body may offer their services to prevent and alleviate human suffering of the civilian affected population. In order to proceed with humanitarian aid, this offer of services must have the consent of the parties to the conflict. However, this consent must not be arbitrarily withheld and the parties to the conflict are then obliged to facilitate and allow rapid and unimpeded passage of humanitarian relief for civilians in need.

These rules regarding the wellbeing of the civilian population, and the role of humanitarian organisations, provide the basic framework for international humanitarian action. Not only must the services offered be strictly humanitarian in character, they must be provided on a solely impartial basis. In other words, the aid provided must be based on need alone and make no distinctions on the basis of nationality, race, religious beliefs, class or political opinions.

In addition, in order for humanitarian actors to obtain consent from the parties to conflict, these parties must have confidence in the *neutrality* of the humanitarian organisation offering its services. If there is reason to believe that the entity offering its services favours one party to the conflict over another, or has a political purpose underpinning its motivations, this may serve as a reason to deny consent on the grounds of national sovereignty and military necessity. In order to provide an assurance of their neutrality, the strictly humanitarian character of their services provided on a solely impartial basis, humanitarian organisations additionally need to maintain their *independence* and autonomy from other actors present in the operational context.

This is the origin of the four *humanitarian principles* detailed in Module 7 on Civilian Assistance. While IHL/LOAC does not specify neutrality and independence explicitly, the principles of neutrality and independence are operational requirements to adhere to the principles of humanity and impartiality in highly complex environments. These principles provide a foundation for how humanitarian actors conduct themselves, how they relate to parties to conflict, and how military forces should understand the role of humanitarian organisations.

## **9. Applicable law in situations other than armed conflict**

LOAC only applies in situations of armed conflict. However, humanitarian action – and sometimes military deployments to support civilian assistance – takes place in situations other than armed conflict, including other situations of violence and civil unrest, and in natural or environmental disaster. In these contexts, the national law of the affected state applies. Where a humanitarian crisis exceeds their capacity to respond, other states, multi-lateral organisations such as UN entities and international NGOs, may offer assistance. These and other principles relating to the use of foreign military assets in disaster relief are discussed in Module 7 on Civilian Assistance related to civil-military-police guidance.

## **10. International Refugee Law**

International Refugee Law is a set of rules and procedures that aims to protect and assist individuals who have crossed an international border and are at risk or have already suffered from persecution in their country of origin. International Refugee Law applies to states in both peacetime and during armed conflict.

## **11. Refugees are defined by three basic characteristics:**

- they are outside their country of origin or outside the country of their former habitual residence;
- they are unable or unwilling to avail themselves of the protection of that country owing to a well-founded fear of being persecuted; and
- the persecution feared is based on at least one of five grounds: race, religion, nationality, membership of a particular social group, or political opinion.

It is important to stress that the term “asylum seekers” refers to persons who have applied for asylum but whose refugee status has not yet been determined. .

### **12.The principle of “non-refoulement”**

The obligation exists under Article 33 of the *1951 Refugee Convention* not to return a refugee to a country of territory where he/she would be at risk of persecution: “No Contracting State shall expel or return (“refouler”) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.”

### **13.Internally displaced persons**

The 1998 Guiding Principles on Internal Displacement defines IDP as “persons or groups of persons who have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters, and who have not crossed an internationally recognised State border.”

IDPs and refugees are distinct in several ways. IDPs do not leave their state. The definition of an IDP is wider than that of a refugee, who by definition fear persecution. An international treaty does not guide treatment of IDPs.

### **14.International Criminal Law**

International Criminal Law seeks to hold individual perpetrators accountable for crimes such as war crimes, crimes against humanity and genocide. States have primary responsibility to prosecute crimes. The International Criminal Court includes a list of war crimes under both internal and international armed conflict. Attacks against humanitarian personnel vehicles, buildings and materials are considered serious violations, since civilians are entitled to protection and humanitarian assistance.

### **15.Responsibility to Protect**

International norms and legal framework continue to evolve. For example, in response to an escalating sense of urgency for humanitarian interventions in situations involving mass atrocities toward civilians, the UN General Assembly endorsed a political framework of states’ “Responsibility to Protect” (R2P). R2P is not a mandate for intervention to establish democracy or to remove a government. Its purpose is to guide states in terms of their obligations to protect their citizens and to guide international action in specific situations of mass atrocities where states are unable or unwilling to offer such protection. R2P relates to the responsibility of states and the international community to prevent crimes against humanity, war crimes, ethnic cleansing and genocide. R2P puts victims’ rights to survival above national sovereignty. The 2001 Report of the *International Commission on Intervention and State Sovereignty* (ICISS) that outlined the following R2P principles:<sup>33</sup>

- A State has a responsibility to protect its population from genocide, war crimes, crimes against humanity and ethnic cleansing (mass atrocities).
- If the State is unable to protect its population, the international community has a responsibility to help build state capacity for early warning, mediating conflicts, security sector reform, and many other actions.
- If a State fails to protect its citizens from mass atrocities or commits these acts against its own citizens, the international community has the responsibility to intervene at first diplomatically using a wide array of peaceful measures, then more coercively through various forms of sanctions, and using force as a last resort.

### **REVIEW**

Legal frameworks outlined in this lesson create a foundation for guidance and coordination on conflict assessment, civilian assistance, and protection of civilians detailed in Modules 3-8.

### **Citations**

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<sup>32</sup> See also Huma Haider. *International Legal Frameworks for Humanitarian Action: Topic Guide*. (Birmingham, UK: GSDRC, University of Birmingham, 2013).

<sup>33</sup> International Commission on Intervention and State Sovereignty (ICISS), *The Responsibility to Protect* (Ottawa: IDRC, 2001).



## Lesson 8

## Learning Exercises

### Anchor

*10 minutes*

Anchor the content in this lesson with an open question. Participants can share in groups of two or three people their response to these questions:

- What legal frameworks guide the relationship between security forces and civilians?
- How have these legal frameworks impacted you positively or negatively in the past?

### Add

*20 minutes*

Present the PowerPoint slides or ask participants to discuss the lesson readings in a small group.

### Apply

*25 minutes*

The goal of this exercise is to practice using legal frameworks in a specific context. Each scenario stakeholder team has fifteen minutes to determine which legal frameworks are relevant to the scenario. In each scenario, the national constitution asserts that the role of the state's security forces is to protect citizens and to pursue national interests. Each stakeholder team can interpret this point and draw on relevant international legal frameworks to make their case. A national television station will host a live debate on national security with one representative from each stakeholder team. The scenario facilitator will moderate the televised debate, giving each representative two minutes to make their case on relevant legal frameworks. Debrief with open questions about the challenges and trade-offs in this role-play.

### Away

*5 minutes*

In a large group, participants can discuss this question:

- What will I take away from this lesson on the security sector that might impact the way I do my work in the future?