Conflict Sensitivity: Taking it to the Next Level

Handschin, Sabina (Ed.); Abitbol, Eric (Ed.); Alluri, Rina (Ed.)

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Sabina Handschin
Eric Abitbol
Rina Alluri (eds.)

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Editorial
A Critical and Policy-Relevant Conflict Sensitivity

The impetus for this special Working Paper on Conflict Sensitivity (CS) emerged as KOFF swisspeace hosted a three-day Conflict Sensitivity Expert Retreat from 30 September to 2 October 2014 in Oberhofen, Switzerland. The retreat brought together some 40 leading international experts in CS from think tanks, NGOs, universities and donor agencies aiming to 'take conflict sensitivity to the next level'. Skillfully guided through a facilitated process, retreat participants engaged in critical reflection and experience-sharing in a creative and innovatory spirit.

The process laid the foundation for the emergence of a community of practice on CS – the Conflict Sensitivity Community Hub (CSC-Hub) – which launched a range of actions intent on ensuring the topic continues to receive dynamic attention, critique and reflection. This Working Paper collection, comprising the reflections of different CSC-Hub participants, is one such action. Covering much discursive ground, the Working Paper is structured into four analytical chapters made up of thirteen concise yet substantive contributions.

The first chapter launches into critical reflections on CS. It traces the origins and trajectories of CS, starting with Thania Paffenholz's piece, going right back to the seminal debates of the 1990s on the linkages between development, conflict and peacebuilding. This piece sets the stage for discussion on possible ways forward for CS, mindful of the multiple challenges and obstacles of such a thing happening, but also bringing to light the innovative frameworks, policies, practices and other factors that have sustained and ensured the continued relevance of CS. Building onwards from there, Sabina Handschin argues that the introduction and pursuit of conflict sensitivity may desirably thought of as an organizational change management process whose success or failure depends on how it is pursued. Thus far, the attempts of development and peacebuilding agencies to mainstream conflict sensitivity have been foredoomed. Handschin proposes a shift away from the notion of "mainstreaming" and towards the "institutionalization" of conflict sensitivity, drawing on experiences of transformation processes undertaken and tested by the corporate sector. The political nature of CS, is a point made by Matthew Scott and also one that is recurrent throughout this Working Paper. Given the enormous pressures for aid to be delivered quickly, CS analysis remains under-prioritised, which is a serious matter for consideration given what we know about resources of all kinds, including aid, in conflict environments. On the basis of CS being understood as a discourse of power, Marieke Fröhlich argues the epistemological necessity and merits of critically gendered CS approaches.

Authors in the second chapter on policy debates examine and assess the ways in which CS has, or has yet, to meaningfully inform policy processes, frameworks and tools, programming and evaluation. Ever mindful that all good CS must begin in an effective contextual analysis while extending to the articulating of peacebuilding goals, Dominik Balthasar and Christian Scherer discuss the New Deal for Engagement in Fragile States and the discourses of conflict sensitivity as complementary and even mutually constitutive of one another. Discussing the UK Department for International Development (DFID)

engagement with CS, Mark Segal points to the importance of conflict sensitivity reflexivity, in the form of ongoing self-reflection, monitoring and evaluation of CS work for all actors in the global system, regardless of their positionality and power.

In the third chapter on conflict sensitivity and business, authors critically examine the ways and extent to which the private sector has engaged with CS as priority and practice. Andreas Graf, Andrea Iff and Rina Alluri share insights about the ways in which Inter-Governmental Organisations (IOs) and Non-Governmental Organisations (NGOs) have accompanied private businesses on the CS path. While multiple barriers and challenges remain, these authors argue that the time is ripe for a mainstreaming of CS in business, e.g. discussing the growing voluntary and mandatory regulatory initiatives on doing business in conflict environments. Anette Hoffman provides further critical reflection on the necessity of, and practices intent on cultivating the 'business-peace-nexus', including developing a strong business case for doing so through engagement with the private sector. On the more modest end of the CS spectrum, Hesta Groenewald discusses how CS is sometimes pursued as a means of risk mitigation, as in the case of Chinese state-owned enterprises operating in South Sudan and elsewhere. The more ambitious priorities and objectives of equitable development and peacebuilding are much less in evidence generally, as in the case discussed by Mark van Dorp and Karlijn Kuijpers, about a Spanish-Italian palm oil company operating in Colombia.

Authors included in the fourth and final chapter discuss conflict sensitivity as a vector for peacebuilding across sectors as well as CS monitoring. They grapple with CS's priorities and challenges as related to different development and peacebuilding sectors and concomitant practices. Critical of the siloing that has been a nagging concern in this field, notably between local realities, analysis, policy, programming and the broader global structures, Sidonia Gabriel discusses CS as an integrative force for cross-sectoral and multi-scalar approaches to peacebuilding. Building on this critique, Rachel Goldwyn notes the counter-intuitive paucity of CS application in security and justice programming. Finally, Kiely Barnard-Webster, Nicole Goddard and Isabella Jean provide valuable insights on approaches to CS monitoring and evaluation, in terms of CS processes, outcomes and even M&E itself.

The diverse and insightful contributions comprising this Working Paper collection reveal how far conflict sensitivity has come. It is a conceptually rich approach that has proven itself practically, if modestly useful. Much debated, CS has become integrated into organizational processes, policy discourses, practitioner approaches and business practices. At the same time, the pieces in this Working Paper also reveal how much potential remains as yet unrealized. Recognized as an important priority from systemic and organizational perspectives, it nonetheless remains conceptually elusive. The motivation underpinning this working paper compilation has been to inform this discussion and 'take conflict sensitivity to the next level' by engaging with it both critically and appreciably, as it relates to different sectors, debates, levels and activities.

Over the years, many people have contributed to the evolution and ongoing development of conflict sensitivity discourse. Among them has been Ken Bush, who passed away suddenly while this Working Paper was going to press. His memory and work will continue to meaningfully inspire and inform our own CS work and that of many others. We extend deep gratitude to all those who participated in the Conflict Sensitivity Expert Retreat as well as all the authors of this Working Paper. We have been inspired and nourished by their ongoing engagement, critical reflections and analytical insights. We also welcome the ongoing critical and policy-relevant reflections of our readers.

Sabina Handschin, Eric Abitbol and Rina Alluri
Bern/Switzerland, May 2016

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Critical Reflections

1.1 Conflict Sensitivity – 20 Years of Practice: A Critical Reflection

Thania Paffenholz

This contribution critically assesses the achievements and failures of 20 years of conflict sensitivity in policy and practice. It concludes that despite tremendous conceptual, policy, and institutional achievements, the practice of conflict sensitivity on the ground in fragile conflict countries has still not changed much. This short contribution offers four explanations for the failure of conflict sensitivity to make the transition from policy to successful "on the ground" application in practice. These challenges need to be considered in future planning for conflict sensitivity interventions. This article will first look at the history of the debate and discuss conflict sensitivity's main achievements; then, it will analyse the failure to implement larger change in the practice of conflict sensitivity around the world.

1.1.1 The Conflict Sensitivity Debate in Historical Perspective

The aftermath of the 1994 Rwanda genocide was the starting point for the contemporary debate on conflict sensitivity. The international community, in particular development actors, did not anticipate these tragic events and were taken by surprise. This sparked a massive debate about the role of development actors in conflict. The seminal works of Peter Uvin (1998) and Mary Anderson (1999) critically analyzed how the international development and humanitarian communities inadvertently exacerbated conflict in Rwanda, Somalia, and other places.

In response to this criticism, the international community devoted tremendous attention to the issue. Conflict sensitivity made its way, apparently successfully, into the donor and international NGOs community. Since the early 2000s, there has been increasing political commitments from multilateral and bilateral donors and INGOs alike, accompanied by numerous policy documents attempting to address these challenges. This was followed by expansive institutionalization of the topic across the international governance system: conflict units, networks, expert pools, and advisor positions were established within almost all donors and aid agencies. For example, the British conflict advisor pool has over 100 members across relevant ministries (UK Department for International Development - DFID, Foreign Affairs and Defense). In Germany, not only was there a conflict unit established at the Ministry of Development Cooperation and at major agencies like the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), but a joint working group (FriEnt) was formed to foster collaboration on conflict sensitivity between government and non-governmental organizations. A similar development also took place in in Switzerland.

Among others, these efforts led to the creation of a conflict sensitivity expert community. Conflict sensitivity rapidly became the top cross-cutting theme in development, outpacing traditional cross-cutting themes (such as gender or environment) in terms of budget and staffing capacity. Peace and

Conflict Impact Assessment Guides (Bush, 1998; Paffenholz/Reychler, 2007), as well as countless training manuals, have been developed; "do no harm" and conflict sensitivity training has become a vibrant market. Today, so many tools to address conflict sensitivity exist that it has become hard to choose between them. Consequently, the quality of conflict analysis has tremendously improved over the years as more and more project proposals and country programs provide high quality conflict analysis.

1.1.2 Conflict Sensitivity: Institutional Success, Operational Failure?

How, then, can we explain the fact that the practice of conflict sensitivity on the ground in conflict countries has still not tremendously changed? Discussions with country program offices and geographical units today often continue to remind us – the expert community – of the 1990s, when conflict sensitivity debates had just begun. Why is it that staff in donor and NGO offices have still not embraced the concepts and tools we painstakingly developed and created over the past decade? Though analysis has improved, operational approaches to conflict sensitivity still appear more or less unchanged; or, at best, changes remain limited to a few successful pilot countries. What went wrong?

Three explanations are offered here as food for thought:

No real mainstreaming took place:

It is fair to say that conflict sensitivity has never made it into the mainstream of development, humanitarian action, and (surprisingly) peacebuilding. Though it has been declared to be a mainstreaming topic in development, conflict sensitivity has remained an expert talk shop far removed from everyday operations on the ground. The reasons behind this are related to the way the international aid system functions. Country programs are designed by geographically defined operational units, not by thematic units. These operational units, though well-versed in the specific challenges of their local region, are unlikely to be experts on novel topics in development cooperation, such as conflict sensitivity. Conflict units were seen as isolated entities disconnected from the geographical units that run the show. Some donors like the Swiss Development Cooperation (SDC) therefore abolished their thematic units altogether, and established instead thematic networks across agencies with mixed results.

The picture is even worse in humanitarian action. Conflict sensitivity started with the "do no harm" analysis of humanitarian action; however, this never made it into the system. The humanitarian system is still mainly driven by urgency and crisis response, and has not yet fully acknowledged that at minimum the management of long-term emergencies needs to be conflict sensitive. The conflict sensitivity expert community has directed the bulk of its efforts towards the development community, inadvertently marginalizing humanitarian action in their conceptual and toolbox thinking.

The peacebuilding community has only recently recognized that conflict sensitivity is also a pertinent issue for peacebuilding projects and program- mes - although, strangely, still struggles with an understanding of what it means.

Excessive focus on tool boxes:

Conflict sensitivity is an overtly political issue that has been neutralized by being detached and insulated within tool boxes. As a consequence, conflict sensitivity is seen as a technical issue best addressed by applying tools or ticking boxes. A lot of efforts by the conflict sensitivity expert community have gone into developing check lists to apply conflict sensitivity as a tool in projects and programs. However, this has not necessarily led to more conflict sensitivity in practice. The reasons behind this are associated with the way the mainstreaming of conflict sensitivity has been pursued outside of the aid system's standard operational procedures.

Overall, change in the global aid system will only occur if the change management process is effectively integrated within existing structures and instruments, and if changes are easily understood by operational staff. However, the dominant mainstreaming approach of the expert community has been to develop extra tool kits that practitioners may then find difficult to integrate in the field, as these represent an additional task in an already-over- loaded work environment with competing requirements from headquarters.

As a consequence, the SDC, for example, has tried out different approaches to make conflict sensitivity a management task instead. Some 10 years ago, Conflict Sensitive Program Management (CSPM) was introduced to show that it is a real management responsibility, and not just an additional tool for experts. Though CSPM was successfully implemented in a few coun- tries with committed leadership, it was not mainstreamed within the agency. Recently, SDC made conflict sensitivity an integrated part of the obligatory country strategy planning for all fragile countries. However, even in this case, concepts and practices still do not match, as geographical units generally still grapple with how to understand and operationalize these concepts, and accountability for ignoring them remains weak. Agencies like DFID and SDC have also tried to provide career incentives for professionals that effectively apply conflict sensitivity approaches.

The debate on state fragility has quietly overtaken the conflict sensitivity debate without the expert community fully realizing it:

With the New Deal and fragility debates, conflict sensitivity has transitioned from a mainstreaming topic to a strategic focus and policy goal. In the New Deal, the G7+ countries and partners committed themselves to a holistic approach to conflict as a precondition for development and the transition out of fragility. The Peacebuilding and Statebuilding Goals (PSG), an important component of the New Deal, include the implementation of peace agreements,

representation in security forces (PSG1 Legitimate Politics), as well as the incidence of cross-border violence (PSG 2 Security). The New Deal also addresses internal social conflict, in terms of homicides, assaults, and sexual assaults, as important components of security, completing the holistic picture of conflict.

More recently, with the establishment of the Sustainable Development Goals (SDGs), and in particular the targets (16.1, 16.2, 16.7, 16.a) of Goal 16 related to inclusion and the prevention of violence, the link between conflict and underdevelopment is commonly agreed now by the international community. This approach has been made possible by prior work on conflict sensitivity, but has largely been generated from outside the community of conflict sensitivity specialists. As a result, the two debates on fragility and conflict sensitivity have never been fully linked.

1.1.3 Conclusions

While fragility is the new term du jour in the donor community, it is not clear how this relates to conflict sensitivity. Is an approach of development to support countries "out of fragility" the policy answer and conflict sensitivity the tool kit, or is there more to both of them? This article has tried to shade into these questions in providing the reader with a critical analysis of the achievements and failures of 20 years of debates around conflict sensitivity.

In summary, since 1994, broad recognition of the ways in which the international system may inadvertently exacerbate conflicts on the ground has produced numerous policy documents and operational tool kits, but did ultimately not led to substantive changes in practice. This article presented three explanations centering around the argument that conflict sensitivity has never entered the mainstream aid system and remained an add on packed in tool boxes deprived of political meaning until the fragility debate took off and quietly sidelined the conflict sensitivity expert community.

The expert community must therefore find a response to these challenges if it is to remain relevant into the future.

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1.2 The Institutionalization of Conflict Sensitivity: an Organizational Change Management Process

Sabina Handschin

Over the past 10 years, development and peacebuilding agencies have attempted to "mainstream" conflict sensitivity. The meaning and practice of mainstreaming, so that conflict sensitivity is sustainably embedded within these organizations remains however unclear. Though numerous checklists and other forms of guidance exist, there is seemingly no organization that could claim to have fully institutionalized conflict sensitivity. Why is that?

While the contribution by Paffenholz (2016) in this same volume provides insight as to why the practice of conflict sensitivity has still not changed much on the ground, this article examines the matter from an organizational management perspective. It argues that introducing conflict sensitivity to organizations is a change management process whose success or failure depends on how the process is led. Attempts to mainstream conflict sensitivity have thus far been foredoomed. On the one hand, the concept of "mainstreaming" is blurry in its definition. On the other hand, efforts to embed conflict sensitivity in organizations' culture, processes and actions have been lacking a systematic approach.

This article proposes a shift away from the notion of conflict sensitivity "mainstreaming" towards that of "institutionalization". It argues the merits of drawing on John Kotter's (1996) eight steps model on leading change, which was developed within the corporate sector. Kotter's framework helps to examine why development and peacebuilding agencies have so far failed in their endeavors to address conflict sensitivity systematically.

1.2.1 An overview of conflict sensitivity 'mainstreaming' attempts

In the early 2000s, with the development of methodologies and tools for conflict sensitive program management came an understanding that the implementation of conflict sensitivity would not be effective unless supported by wider organizational structures, policies and ways of working (APFO et al 2004; Conflict Sensitivity Consortium 2012). This required the mainstreaming of conflict sensitivity into organizations as well as developing the institutional capacity to do so. "Conflict sensitivity mainstreaming" was described as "a comprehensive, yet incremental process of integrating sensitivity to conflict throughout the entire programming cycle at all levels of the organization and across all programs" (Lange 2004: 16). Key components for a successful mainstreaming-process have been described as having a clarity of goals, commitment and motivation, an enabling organizational culture, capacity building, accountability and an enabling external environment (Lange 2004; Lange 2005; Barbolet et al 2005; Goddard 2014).

Several guides and checklists have been published to orient organizations on how to tackle the conflict sensitivity mainstreaming-process. These include the need to have the buy-in of senior management, the appointment of conflict sensitivity "champions", the development of conflict sensitivity policies, the building of staff competencies in conflict sensitive program management, the integration of conflict sensitivity tools and methodologies in program cycles, documentation, and the sharing and learning of lessons (APFO et al 2004; Conflict Sensitivity Consortium 2012).

Subsequently, development and peacebuilding agencies initiated processes to mainstream conflict sensitivity, often with the support of government peacebuilding departments, conflict advisors and/or external consultants. Conflict sensitivity policies were developed or integrated into existing strategic frameworks. Awareness raising and capacity building were undertaken, and agency-specific methodologies and tools were developed. By now, nearly all leading development and peacebuilding agencies have in some way or other pursued a kind of "conflict sensitivity mainstreaming". Yet, as Paffenholz (2016) and others (Causton 2009; Goddard 2014) observe, the mainstreaming of conflict sensitivity has not been very fruitful. The challenges remaining are the same as ten years back, when conflict sensitivity mainstreaming discourse was just getting off the ground.[1]

Possible explanations for this failure have been advanced elsewhere, and include an excessive focus on tools and trainings, a lack of senior management buy-in, lack of accountability-frameworks and mainstreaming-fatigue (Goddard 2014; Paffenholz 2016). However, processes to institutionalize conflict sensitivity have been misguided from the outset. Development and peacebuilding actors have tagged conflict sensitivity as a "cross-cutting – or mainstreaming issue" without being clear enough as to what this entails. From an organizational change perspective, the current guidance provided on "mainstreaming" conflict sensitivity tends to be random, lacking clarity on what needs to be achieved, and why and how change needs to be pursued, all within organizational environments that are fundamentally reluctant to change.

1.2.2 Change as an inherent part of conflict sensitivity

Conflict sensitivity is an approach that aims at transforming the behavior of organizations that operate in conflict affected and fragile contexts.[2] It requires a shift in the mind-set of organizations and of their workforce. Fragile and conflict-affected contexts are unpredictable in their evolution. Organizations operating in such environments must be nimble enough to adjust to unpredictable contextual changes to ensure that interventions remain context-relevant, while mitigating the risk of negative effects on conflict dynamics and even contributing to a reduction of conflict. An organization's capacity for adaptability and flexibility are therefore inherent elements of conflict sensitivity.

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1   See for example: Lange 2004 and 2005; APFO et al 2004; Barbolet et al 2005– as well as the conclusions made during an international Expert Retreat on Conflict Sensitivity organized by KOFF/swisspeace in Switzerland in fall 2014. http://www.swisspeace.ch/fileadmin/user_upload/pdf/KOFF/KOFF_Events/2014/Conflict_Sensitivity_Retreat_Wrap_up.pdf

2   The commonly shared definition of conflict sensitivity is: Conflict sensitivity is the ability of an organization to understand the context in which it operates, to understand the interaction between its intervention and the context; and to act upon the understanding of this interaction, in order to minimize negative impacts and maximize positive impacts. (APFO et al 2004).

Leana and Barry (2000) observe similar trends in the private sector. In volatile market environments, organizations should assume organic structures and processes so that they can best adapt to ever-changing markets, customers and competitors; strategies of continued change may lead to a competitive advantage for a firm (Leana and Barry 2000: 754). Parallels can be drawn with the development and peacebuilding field. Programs implemented by agencies that have internalized adaptability, flexibility and constant change as a working culture are likely to be more effective and context-relevant than organizations with rigid structures.

Yet, as in the private sector, organizations in the development and peacebuilding field are frequently resistant to change. Firms are often caught in worldviews derived from "Newtonian physics" (according to Olson, 2001) – a view that presents the world as stable and predictable, and which sees a company as a machine.

"The machine model is evident in current organizations. It can be seen in mechanistic thinking, focus on organization structure, rigorous analysis and measurement (…) decreasing variation, statistical quality control, extensive instructions (…) increased specialization, drive for efficiency, and centralized command and control" (Olson 2001: 2).

Olson observes that such organizational bureaucracies work well when conditions remain stable but tend to become dysfunctional when circumstances change. She argues that change processes often happen within the parameters of the stable worldview, taking place within existing machine-like structures and mentalities that have no capacity for fundamental transformation – and are hence not very effective (Olson 2001).

Similar trends can be observed with development and peacebuilding agencies that conduct conflict sensitivity mainstreaming processes. Despite top-management buy-in and policies that proclaim conflict sensitivity as the working approach, the reality is such that that implementation of conflict sensitivity remains sluggish. A gap exists between intention and practice. Efforts to mainstream conflict sensitivity – be it through training, conflict-sensitivity championing, tools and guidance for conflict sensitive program management, etc. – are confronted with forces that are resisting change. They belong to an organizational culture that sticks to a stable worldview, leaving little space for fundamental transformation. Causton (2009) insightfully observes that "the question of whether NGOs have the appropriate organizational culture to operationalize such frameworks and actually give them purpose and meaning within the organizations has remained largely absent from the discussion" (p. 9). Conflict sensitivity mainstreaming is, or should also be about organizational/institutional transformation.

In order to be institutionally engrained, a successful mainstreaming of conflict sensitivity needs a transformation of the different entities within and comprising organizations. This goes beyond the responsibilities of program departments, conflict advisers and field-implementers, drawing on a different experiential base and skill-set as well. Creative and long-lasting change depends "on the work of many individuals at many different levels and places in the organization" (Olson 2001: 5). The buy-in from top-management is important, but it is not enough. It is no guarantee for a successful embedding of conflict sensitivity throughout an organization. Rather, it represents a traditional view of change management guided by the truism that change starts at the top and trickles down automatically (Olson 2001).

So what might a successful approach entail? Change processes intent on transforming an organization's culture and institutionalizing new concepts have to be *led.* Kotter's (1996) framework of the 8-step process for leading change has set the tone in the field of change management which remains relevant today. Through numerous studies of transformational processes in companies, Kotter has concluded that successful or failed change processes are determined quite simply by whether the right actions are taken by the right people at the right time.

1.2.3 Institutionalizing conflict sensitivity – Kotter's 8-step process for leading change

The ultimate goal of any change process is the "institutionalization" of new approaches, the last stage in Kotter's change management framework (see Table 1). Institutionalization can be defined as a "process which translates an organization's mission, policies, visions, and strategic plans into action guidelines applicable to the daily activities of its employees. It aims at integrating fundamental values and objectives into the organization's culture and structure" (Business Dictionary 2016). According to Kotter (2007) change sticks when it becomes "the way we do things around here – when it seeps into the bloodstream of the corporate body"; unless new behaviors are rooted in social norms and shared values, they are subject to degradation as soon as the pressure for change is removed (p. 8).

The concept of "institutionalizing" conflict sensitivity better points the way for organizations than the blurry terminology of "mainstreaming". Institutionalization results from transformational change processes, for which Kotter (1996, 2007) has identified eight stages meant to ensure that organizational change is sustainable. While a detailed description of the eight steps and a thorough analysis of the current conflict sensitivity mainstreaming-attempts of development and peacebuilding organizations against Kotter's framework go beyond the scope of this paper, two observations are worth highlighting:

Kotter's 8 Steps for leading change

1. <u>Establish a sense of urgency</u>
   Examine market and competitive realities, identify opportunities

2. <u>Form a powerful guiding coalition</u>
   Assemble a group with enough power to lead the change effort

3. <u>Create a vision</u>
   Create a vision to help direct the change effort

4. <u>Communicate the vision</u>
   Use every vehicle possible to communicate the new vision and strategies, teach new behaviors

5. <u>Empower others to act on the vision</u>
   Change systems or structures that undermine the vision

6. <u>Plan for and create short-term wins</u>
   Plan for visible performance of improvements

7. <u>Consolidate improvements and produce still more change before declaring victory</u>
   Reinvigorate the process with new projects, themes, change agents, promote employees who implement the vision

8. <u>Institutionalize new approaches</u>
   Articulate the connections between the new behavior and impact

Table 1: Source Kotter 1996 and 2007

First: In Kotter's article on "Leading Change – why transformation efforts fail" (2007), he argues that organizations often lack awareness that transformation is a process, which advances through stages that build on each other; skipping steps or implementing them wrongly will undoubtedly have negative effects on the entire change process. Recalling the guidance for conflict sensitivity mainstreaming provided by actors from the peacebuilding and development field, it becomes apparent why attempts to embed conflict sensitivity in organizations and programming have so far failed: The orientation provided is usually random, neither strategic nor informed by tested change management approaches.

Second: Looking to the eight steps, it is striking to note that development and peacebuilding agencies tend not to measure up in at least five of them (discussed below), including the first three which are themselves at the base of any successful change process:

— *Establish a sense of urgency:* Intentions to address conflict sensitivity are seldom driven by a real sense of urgency. If not imposed by donor-requirements, development and peacebuilding organizations have little incentive

to engage in a tiresome – and costly – conflict sensitivity change management process. Unless conflict sensitivity is a genuine part of an organization's values, it is difficult to establish the sense of urgency that itself creates enough motivation for change to be pursued effectively.

— *Form a powerful guiding coalition:* Change, by definition, requires creating new systems, which always demand leadership (Kotter 2007: 97). Conflict sensitivity literature urges the need for high-level management buy-in. While required, this is insufficient. Not enough emphasis is given to the setup of the team that needs to lead the process: Have the conflict advisors or staff from program division sufficient leverage-capacity? Are there people on the team with the necessary leadership skills?

— *Create a vision:* It is unclear the extent to which development and peacebuilding organizations have developed a clear vision of a future where conflict sensitivity is institutionalized in their organizational culture, processes and programs, and what change that would bring. A vision helps clarify the direction in which an organization needs to move. Without a vision, transformation efforts can easily dissolve into a list of projects, incompatible directives and plans that can take an organization in the wrong direction or nowhere at all (Kotter 2007: 99).

— *Empower others to act on the vision:* Administrative and financial procedures are often mentioned by organizations as bottlenecks for successful conflict sensitive program implementation. Yet experience shows that staff from operations-departments are seldom brought on board when trainings or awareness raising workshops on conflict sensitivity are organized. Neither are they part of the group that is tasked to lead the mainstreaming-process. In order to embed conflict sensitivity into the DNA of an organization, the hearts and minds of the entire workforce need to be won; empowerment goes along with sense-making and meaning, which require the necessary leadership and communication to do so (Kotter 2002).

— *Plan for and create short-term wins:* Kotter (2007) observes, "real transformation takes time, and a renewal effort risks losing momentum if there are no short-term goals to meet and celebrate. Most people won't go on the long march unless they see compelling evidence in 12 to 24 months" (p. 102). In current conflict sensitivity processes, little is undertaken to show examples that might convince people to remain engaged. While positive effects of conflict sensitive development and peacebuilding can be less (quickly) measurable than in business, mechanisms such as sharing anecdotes from the field and cross-departmental learning events can be effective means to keep people's interest high and the sense of urgency for conflict sensitivity ever present.

1.2.4 Conclusions

An effective institutionalization of conflict sensitivity must derive from a well thought-through and strategically designed change management process. This demands openness towards transformation across an organization and

the readiness to challenge established ways of working. In order to contribute effectively to work being done on the ground, conflict sensitivity needs to be as much part of an organization's processes, strategies and policies as of its values and culture embodied in the mind-set and behavior of the people that represent it. Development and peacebuilding organizations that see themselves as becoming more conflict sensitive are encouraged to learn from change management models developed and tested in the corporate world.

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1.3   Bridging Rhetoric and Reality on Commitments to Conflict Sensitivity

Matthew Scott

Bridging the divide between aspirations and practice of conflict-sensitivity should be a high priority for the aid sector. Both locally, and globally, there is an abundance of evidence to suggest that, despite many NGO and donor commitments to conflict-sensitivity, much of aid remains insensitive to the unique needs of people in conflict contexts.

At the local level, thousands of recipients of aid have made it abundantly clear that aid still fails to "support … positive economic, social, and political change".[1] Recipients expect aid to improve their economic, political and security conditions, and expect a sense of solidarity and support, but aid often falls well short of these expectations. While aid delivers concrete benefits and empowers certain vulnerable groups such as women, its recipients around the world experience increased dependency and powerlessness, conflict and tensions among groups, and mistrust and disrespect in their relationship with aid agencies (Anderson et al., 2012: 21). At the local level, aid is too often failing to be conflict-sensitive, notwithstanding long-standing commitments by aid actors to 'Do No Harm'.

At the global level, policy commitments to conflict-sensitivity often remain just that. There is no shortage of international policy frameworks encapsulating the international policy consensus on conflict-sensitivity in aid. The World Bank, OECD-DAC donors, UN agencies, national and international NGOs, and fragile states have each ascribed to a variety of principles and declarations about conflict-sensitivity.[2] Yet as laudable and sound as these commitments are, conflict-sensitive actions falter at the local level when faced with political or funding obstacles, or simply get crowded out by the tyranny of the urgent. Greater accountability to commitments may help go some way to bridge this gap, but ensuring conflict-sensitivity happens locally requires dealing with politics, money, and priorities.

1.3.1   Ongoing challenges

World Vision has partnered with other organisations to attempt to bridge this gap, but the challenges are substantial. Our large local presence in fragile states and access to policy-makers in world capitals gives World Vision some advantages in removing obstacles to conflict-sensitive aid. As a large and complex organisation, World Vision is not immune from this rhetorical gap, despite a stated commitment to 'Do No Harm' across all our programming and a series of commitments to conflict-sensitivity in fragile contexts.[3] The pressures and constraints to deliver aid as quickly and cheaply as possible apply to World Vision just as to other multi-mandate NGOs and UN agencies. A long list of other 'sensitivities' compete with 'conflict' for integration into programming. These include child-friendly approaches, gender-sensitive

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1   According to almost 6,000 people "who either directly received assistance or observed others in their societies doing so" (Anderson et al., 2013: 1-2).

2   The 2011 World Development Report, the New Deal for Engagement in Fragile States, a variety of OECD programming guidance documents, UNDP frameworks, and many NGO frameworks all affirm the importance of conflict-sensitivity.

3   For example, a variety of internal documents affirm a standard that 50% of all programme staff in the 6 most fragile operating contexts should receive on-line orientation to the 'Do No Harm' framework. In addition, the organisation-wide guidance for strategy development includes a requirement to conduct regular conflict analysis in the most fragile contexts.

approaches, climate-sensitive interventions, and disability-sensitivity, to name a few. Furthermore, field staff and country directors frequently have to weigh their willingness to carry out conflict analyses or train their staff in conflict-sensitivity against staff capacity, institutional donor pressure (inflexibility in timing or funding), and basic security concerns. The most important thing to overcome the inertia against conflict-sensitivity at the local level is to make it concrete and immediately helpful to aid actors. One of the most reliable and tangible activities in conflict-sensitivity is conflict analysis.

1.3.2 Conflict analysis

Conflict analysis has been an unheralded but effective driver of conflict-sensitive aid. Since Mary Anderson's 1999 monograph, "Do No Harm", aid actors have had a robust and replicable framework for local-level conflict analysis. In 2011, a DfID-funded conflict-sensitivity consortium listed 15 different conflict analysis frameworks (Conflict Sensitivity Consortium, 2011: 12-14). In 2012 the OECD listed 6 conflict analysis tools in its Evaluation Guidance for donors (OECD-DAC, 2012: 79). World Vision has developed adaptations of existing tools and some of its own, and has partnered with NGOs such as CARE, Oxfam and Saferworld as well as with UN agencies on MSTC, and with many local organisations on DNH assessments. Many conflict analysis have changed the way aid is delivered, but the challenge remains applying analysis findings to programming.

 Convincing harried aid actors of the vital importance of conflict-sensitivity is not easy. A busy humanitarian or development practitioner will often balk at the idea of conflict analysis on the grounds that the sensitively political nature of these discussions could raise the ire of the host government, for instance. Another complaint is that conflict analysis takes too long or takes precious funding away from project activities that feed or house vulnerable people. World Vision's Making Sense of Turbulent Contexts (MSTC) approach, for instance, costs between US$20,000-35,000, requires 4 days of focus from about 25 local civil society participants, and about 10 days' work from the principal facilitator. Another World Vision tool, the Good Enough Conflict Analysis for Rapid Response (GECARR) costs less and can be done more quickly. Conflict analysis tools fall in a wide range of costs and time commitment. Sometimes even the increased time required is enough to convince aid workers to skip conflict analysis. Many aid response managers do not consider conflict analysis as capable of mitigating threats to participants or aid workers, or event the failure of the project.

 When aid workers are able to invest in conflict analysis, the results are often transformative. An important ancillary benefit of conflict analysis[4] can be new programmatic collaborations among NGOs, and even a broad interagency consensus on the driving forces of violent conflict (Garred, 2015:151). The benefits of sharing conflict analyses between aid actors – especially between multilateral organisations, civil society, and donors – are obvious but the practicalities are challenging. Some civil society actors may feel threatened by a government hostile to civil society or to certain ethnic, religious, or

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4   A secondary ancillary benefit of conflict analyses can be improved relationships among participants who may represent different parts of the conflict, although there are very important cautions about managing personal inter-relational expectations for reconciliation during a conflict analysis exercise (Garred, 2015: 146).

linguistic groups. Some UN agencies or donors may have their own security reasons for not providing access to intelligence or military data to local actors. Notwithstanding these challenges, good conflict analysis at the very least avoids 'boilerplate' programming and interventions that are inappropriate for the particularities of specific contexts.

1.3.3 An example from Somalia

These challenges have been highlighted in Somalia and Somaliland. The Somali New Deal Compact agreed in September 2013 between the government and its aid donors aims to promote peace and security through aid. Principle 9 of the Somali Compact commits all parties to provide aid "in a conflict sensitive manner" (Somalia, 15). Likewise, "…interventions through the Somaliland Special Agreement must be underpinned by an adherence to conflict sensitivity" (Somalia, 26). These important policy documents reiterate that conflict-sensitive assistance requires "A clear understanding of the overarching and local conflict dynamics must underpin the development of programs." (Somalia, 9) and a "…clear conflict sensitivity strategy…" (14).

In the Somali context, both politics and funding have been obstacles to realising the commitments to conflict-sensitivity, and more specifically to conflict analysis. World Vision and Saferworld conducted field research in 2014 into the implementation of the New Deal Compact in Somalia and Somaliland. This research found that despite commitments to conduct 'Fragility Assessments', these remained incomplete several years after the agreement (Saferworld et al., 2015:8). As long as conflict analysis with local actors remains incomplete, the Somali Compact is missing a critical part of its foundation, and the risk of aid doing harm remains very high: "The lack of a well-supported, shared understanding of conflict drivers and risks poses a number of concerns, including that the process itself could contribute to, cause, or otherwise exacerbate tensions, conflict, and reinforce fragility, or otherwise only address the symptoms of fragility and not their root causes." (Saferworld et al., 2015:9). The same paper clearly underscores the urgency of conflict analyses in Somalia and Somaliland, recommending that the international community cease *any further implementation of the Compact* until the Fragility Assessment is complete (Saferworld et al., 2015:15). The obstacles to carrying out essential conflict analysis in the Somali case turns out to have been a complex mix of timing, trust and financial support.

The Somalia case is by no means unique. For many international aid actors, their local missions fail to deliver conflict-sensitivity commitments made at headquarters often because it is seen as 'too political' or because funding designations are re-allocated. Very often personality politics play a role; local civil society often report that if the EU Mission or UN Country Representative does not prioritise conflict analysis, then pronouncements from Brussels or New York hold little sway. At the same time, an 'enlightened' delegation representative has the latitude to make conflict sensitivity a priority, and invest in the local relationships that will ensure their success.

NGOs have slightly different tendencies. For peacebuilding NGOs like Saferworld, Search for Common Ground, or International Alert, conflict sensitivity is a core operating principle. For multi-mandate NGOs and many UN agencies, conflict-sensitivity is one of many cross-cutting themes that must be integrated in the course of broader humanitarian or development priorities. The multi-sectoral aid actors tend to be convinced about the need for conflict analysis and conflict sensitivity by immediate and clear improvements to programme design and effectiveness.

1.3.4 Conclusions

In many ways, bridging the local-global divide on conflict-sensitivity requires resisting the 'Shiny New Object' syndrome common in the world of aid. In the last decade and a half, aid per capita to fragile states has doubled, and since 2007, the majority of all aid has been allocated to fragile states and economies (OECD, 2015: 59). During that same decade, nearly a quarter of aid went to Afghanistan and Iraq (OECD, 2015: 61), reflecting more the military-security concerns of the largest aid donors than a purely conflict-sensitive approach. In that atmosphere of increasing aid flows to fragile states, and aid politicised by security considerations, the pressure for new, rapid, high-profile, and cheap interventions is considerable. The desire from some donors for 'quick impact projects' in conflict contexts puts even greater pressure on the discipline of conflict-sensitivity. 15 years after 'Do No Harm', the most effective approaches to conflict-sensitivity are neither 'shiny' nor 'new'. Particularly the discipline of consistent and inclusive conflict analysis is quite unspectacular, but as the Somali case demonstrates, pivotal to the effectiveness of all aid efforts.

Conflict-sensitive aid actors have an important accountability role to play. Organisations committed to bridging the local-global gap on conflict sensitivity must continue the best practices – especially conflict analysis – that best serve the interests of the people receiving aid. Those same organisations have a responsibility to draw attention to the rhetorical gap between institutional commitments on conflict-sensitivity with local actors and the challenges of doing it in practice. In other words, proponents of conflict-sensitivity must apply policy pressure from above and implementation pressure from below. We may have to stretch further than we like on rapid conflict analysis and continue to do more with less until we can make a more robust case for consistently funding conflict analysis. We may have to publish conflict analyses (appropriately anonymised) that we might have kept private before. Nevertheless, we must continue to preach the benefits of conflict-sensitive approaches as well as be sure to practice what we preach. Advocating for and practicing conflict-sensitivity requires answering the difficult challenges of delicate politics, competing priorities, and precious funding. As aid shifts to more conflict-affected contexts than ever before, the importance of bridging the global-local divide on conflict-sensitivity will only increase, as will the importance of organisations who span that divide. In many ways, the future well-being of the recipients of our aid rests on our ability to hold each other accountable to get conflict-sensitivity right.

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1.4 Taking Gender Seriously in Conflict Sensitivity[1]

Marieke Fröhlich

Conflict sensitive approaches to development must be premised on a *critical* gender perspective to be effective. Societies, but also our own work and positions as practitioners are highly influenced by gendered structures and dynamics, positioning approaches to conflict sensitivity in a framework of masculinist knowledge production. The goals of conflict sensitivity, namely to minimize negative impacts on conflict dynamics and foster a "peace promoting" (cfd, 2014:1) influence through a given intervention, can only be achieved through engaging with gendered structures of power relations. This is because gender "in a structural sense is a primary way of signifying relationships of power" (Tickner, 2001: 16), and power relations and inequalities are at the very base of conflicts. By taking the conventional approach to conflict sensitivity for granted —which remains rooted in masculinist ontology – there is a chance of perpetuating or even reinforcing gendered inequalities and hence exacerbating conflicts. Therefore, I argue that a critical gender perspective needs to be incorporated in conflict sensitivity.

1.4.1 Taking stock: Conflict sensitivity and gender

Gender in itself is nothing new to conflict sensitivity. As a topic, gender has made its way into most fields of international cooperation (at least as a box to tick) and has been a consideration in most conflict sensitivity approaches. This is a great achievement. However, these considerations are often limited to direct physical violence against women, such as sexual and gender based violence (SGBV)[2] or supporting the argument that women as a group are important to consider in project implementation, purporting gender merely as an identity category. This then leads to supposed gender sensitivity being confused with the mere incorporation of women into projects or analyses. Such 'add women and stir' methods have led to the legitimation of approaches as gender sensitive merely due to the inclusion of women, when they have in fact more likely worked against any form of feminist or critical gender perspective and rather reinforced gendered power inequalities.[3] This is not least also due to a lack of considering the relational aspect of gender and hence the importance of also engaging with men and masculinities for gender justice (Jacobs, Jacobson and Marchbank, 2000).

Nevertheless, some approaches to conflict sensitivity refer to the more structural and symbolic level of gender relations, an important step forward in taking gender seriously. For instance, in the topic guide on conflict sensitivity, Haider (2014) mentions gender inequality as a potentially crucial factor of insecurity leading to conflict. She mentions the necessity of analyzing the differing effects of conflict on men and women as well as the intersectionality of gender with other social divisions. While such considerations already go much further than 'adding women', they still remain insufficient. Such approaches still consider gender merely as a specific theme, while they fail to make clear and conceptual connections between power and gender at a systemic level.

A critical gender perspective and a conflict sensitivity approach can and should inform and re-inforce one another. For this, we need to consider the gendered nature of conflict sensitivity, as it was developed within a framework of patriarchal power structures. Gender symbolisms and the gendered nature of power structures are so naturalized that it is hard to see their permeation even through relatively critical concepts such as conflict sensitivity. Fox Keller and Grontkowski remark that "underlying assumptions escape our attention by virtue of being too familiar" (1983: 208). A critical gender perspective allows uncovering such underlying assumptions in conflict sensitive approaches. Yet, conflict sensitivity is not a neutral concept. It is grounded in a specific, patriarchal and often liberal logic of knowledge production. Hence, it is crucial to question taken-for-granted assumptions from a critical gender perspective in order to understand and ultimately transform the reasoning and politics behind such conceptualization. The reflexivity of positioning of interventions in a given context, as part of a conflict sensitive approach, is already a great step; however, the ways this positioning also relates to gendered power structures has mostly been ignored.

Remaining ambivalent about gendered structures of power and knowledge will ultimately lead to the perpetuation, or even reinforcement of inequalities and injustices, produced through a gender biased conflict analysis. Taking conflict sensitivity to 'a new level' entails specifically engaging with a *crucial* and *critical* gender perspective from the initial stage of conflict analysis. This is different from merely incorporating a 'gender perspective' via 'mainstreaming' gender. Mainstreaming has shown to fall short of influencing deep-rooted, transformative change (Ferguson, 2015).

1.4.2 A critical gender perspective

Before diving further into the "how" and "why" of such an approach, it is important to outline what I mean when referring to a critical gender perspective. While gender relates to specific societal, cultural and relational differences and practices between and amongst men and women, it is essential to recognize that a critical gender perspective cannot be considered merely as a 'topic'; it is a conceptual and political *approach.* Although power relations are deliberated in conflict sensitivity the *genderedness* and *gendering nature* of power relations is not considered systematically in conflict analysis and hence is not adequately deliberated in conflict sensitive approaches. The power to define conflict[4] and the moment that necessitates a conflict analysis is deeply gendered. Only specific questions are asked, only certain actors involved, only some connections are made. This very much depends on the positionality of those (able to) ask questions and those (enabled to) be asked or give answers. Gender as an analytical and structural category is different to being merely a social category as structural inequalities and injustices are both inherently gendered and gendering. This means a two-way process, a person's ascribed gender (e.g. identifying and being recognized as a man) affects their location in social hierarchies (e.g. men are dominating the public sphere), but also that

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4   For the gendered dimensions of defining conflict and violence, see Demos and Segal (2014).

a person's social positioning within societal hierarchies genders them. An example of this latter dynamic is found in the feminization of economically marginalized men; they are not seen as 'real men', as they are unable to provide for their families or fulfil other 'masculine' tasks (see Silberschmidt, 2001).

Gender intersects with other social dimensions and power factors, such as class, religion, ethnicity, geographical location and many more. Women and men are not homogenous groups. Hence, the ways that aid and peacebuilding programs can influence different identities or belongings of men or women in diverse ways are important to consider. When working in conflict sensitive ways, a dynamic complex social fabric needs to be analysed and understood from a critical gender perspective. It is a tense, constantly renegotiating and shifting construction, in which conflicts and mitigating efforts are deeply interwoven. I therefore argue that critical gender perspectives are at the heart of thorough conflict sensitive approaches.

Yet, it is important to recognize that gender cannot merely be 'integrated' as a concept or topic into existing conflict sensitivity frameworks. Gender should be the basis upon and through which conflict sensitive approaches are transformed, so that a critical gender lens permeates throughout its understanding and application. The threads of a critical gender analysis and those of conflict sensitivity should be woven together from the outset of conflict analysis. Without a critical gender perspective, conflict sensitivity is nonsensical, much like ecological analysis without the consideration of the climate. Gender should be considered as one of fundamental structuring variables of conflict sensitivity.

1.4.3 Taking gender seriously

Sandra Harding (1991) provides guidance for engaging in gender sensitive perspectives: to make the familiar unfamiliar, to challenge what has been understood as natural or normal. A first step for taking gender seriously in conflict sensitivity involves questioning the normative masculine frame of normalized epistemologies, institutions and programming. We need to question the ways of understanding reality and hence the justifications and meanings of our programs, activities and analyses. Informed by feminist philosophies of sciences, in order to engage in a critical gender perspective in conflict sensitivity, we need to be aware of two issues: First, that different members of society perceive realities differently at different points in time, and second, that the dominant viewpoint has historically been the male one, excluding other forms of experiencing and explaining reality (Harding, 1991; Haraway, 1988). Bächthold (2015: 3) argues that "what [peacebuilding] actors perceive as 'the way to see or do things' is always a historically and spatially contingent construction". The decisions to focus on a specific group for a given project or analysis is a political one. I am not advocating a mere focus on women, not least to the relationality of gender and the necessity to engage with men and masculinities in order to work towards gender justice. Yet, due to historically

established power structures, it is the worries, viewpoints and work of women that often fall out of conflict analysis. However, analyzing women's activities and reasoning may reveal deep-seated systemic inequalities and established assumptions of power and truth.

1.4.4 Conclusions

A critical gender perspective and a conflict sensitivity approach go hand in hand. Conflict sensitivity can only be taken to the 'next level' if transformed in ways that weave a critical gender perspective into it. This starts from a position of reflexivity, which argues that there is no neutral perspective, but that methodological conventions are biased in a masculinist way. It is only through a critical gender perspective that one can question the normative standards of the masculinist convention. Starting from women's perspectives – as those most often ignored and left out – can be a powerful first step for practicing reflexivity. In conflict sensitivity, we need to take a step back and question the gendered aspects of each stage within our approaches and activities. Further, we need to be aware of how we analyze conflict contexts and of the gendering effects our involvement may have. This involves a commitment to take different realities lived by women seriously in every step of conflict sensitivity. Not because gender is only about women, but because women's perspectives and realities – that are traditionally ignored – may shed light on deeply seated structures of power and social patterns that lay at the heart of conflicts. These are issues that thorough and critical conflict analyses and conflict sensitive approaches need to consider. A critical gender perspective in conflict sensitivity requires us to ask more and consistent questions about power, gender and practice and enables us to work towards contributing to more peaceful, just and equal societies.

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2
Policy Debates

2.1 Conflict Sensitivity and the New Deal:
A Conflict of Interest?

Dominik Balthasar and Christian Scherer

Just as the 'do no harm' edict had led to a reevaluation of international humanitarian and development assistance and the programming thereof at the turn of the millennium, the 'New Deal for Engagement in Fragile States' introduced significant changes into the design of policy frameworks for international cooperation with fragile states about a decade later. Exhibiting a strong link to international efforts geared at peace-building and state-building, both have captured much attention among practitioners and policymakers. While some have feared that the New Deal may trump and supplant the acquisition of conflict sensitivity, there is much ground to argue that the two rather reinforce one another. Based on a fundamental concern for 'context sensitivity', and given differences in nature, outlook and target audience, these two approaches appear to be less conflictive than constitutive of one another.

2.1.1 From complacency to conflict sensitivity

During the decades following the independence of most colonial states, mainstream international development assistance was marked by a positivist outlook.[1] Development aid in general and humanitarian aid in particular were largely perceived as exerting a beneficial effect on the recipient societies. The prevailing assumption was that development assistance constituted a catalyst for the (linear) progress of societies, and that humanitarian aid was neutral in nature. Yet, by the early 1990s, documented evidence of humanitarian, development and peacebuilding interventions having detrimental and even conflict-perpetuating consequences had accumulated and could no longer be ignored. The significant impact aid had had on the Somali war economy of the early 1990s, and the way in which humanitarian relief had been exploited in the context of the 1994 Rwandan genocide are two cases in point. More generally, scholars argued that development agencies frequently exacerbated structural violence in developing countries (see e.g. Uvin 1998) and that intervention in conflict settings are anything but neutral (see e.g. Goldwyn 2013).

Against this backdrop, donors and implementing agencies recognized that their interventions did not stay aloof of the social tensions and conflict dynamics they operated in, and realized the need to better understand both the context of the intervention and the inadvertent side effects of their programming. This fundamental recognition was spearheaded by Mary Anderson (1999) who poignantly argued that "assistance [...] given in the context of a violent conflict [...] becomes part of that context and thus also of the conflict." Her seminal work on the 'do no harm' paradigm gave rise to the concept of conflict sensitivity that evolved in subsequent years. Having primarily been targeted at operational NGOs and other implementing organizations, conflict

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1 For a more critical reading, see e.g. dependency theorists (cf. Singer 1950; Frank 1969; Lewis 1978).

sensitivity was soon adopted and adapted also by donor agencies. And although it has its roots in the field of humanitarian aid, conflict sensitivity has come to be championed by peacebuilders. Given the broad specter of conflict sensitive approaches ranging from minimalist to maximalist positions (cf. Woodrow and Chigas 2009), it might, in fact, even be apt not to speak of conflict sensitivity, but rather conflict sensitiv*ies*.

2.1.2   From 'Old Zeal' to 'New Deal'

A dozen years after the formulation of the 'do no harm' edict that brought significant changes to programming in the humanitarian and peacebuilding fields, a rethinking materialized with regard to international engagement in fragile and conflict-affected countries. After decades of donor-driven development aid in the context of the Cold War as well as the Global War on Terror, donors recognized that change agendas depend fundamentally on country ownership and local capacities, and came to formally acknowledge that development needs to be steered by the priorities and interests of their partners in the 'Global South'. In 2011, at the 4th High Level Forum on Aid Effectiveness in Busan, South Korea, all 33 UN development bodies, all main multilateral development organizations, over twenty bilateral development agencies, and twenty of those states generally considered to constitute the poorest and most conflict-prone countries in the world – the g7+ group – signed up to the 'New Deal for Engagement in Fragile States'.

The commitment to adapt international engagement to the specific challenges of fragile states is largely evidenced by two key elements of the framework. First, its implementation in any of the g7+ countries was to start with a thorough screening of the context in a so-called "fragility assessment" reflecting the strong commitment to, indeed, take the context as the point of departure for the new aid agenda. Second, it set out to prioritize on five particular peace- and state-building goals (PSGs) considered crucial for a state's transition out of fragility. While the PSGs at large were accepted as a given category, the New Deal committed to ensuring that partner country governments, and not external actors, define and guide the development agenda. Specific sub-goals and indicators were therefore to be developed by the respective g7+ governments together with their humanitarian and development partners for each context. It is in this emphasis on 'context sensitivity' that the New Deal exhibits an affinity with the 'conflict sensitivity' paradigm of "taking context as the starting point". However, it is worth noting that it had been the donor discourse on aid effectiveness, rather than considerations on unintended consequences of international engagement, that gave birth to the New Deal.

2.1.3   Two sides of the same coin?

In recent years, staunch proponents of conflict sensitivity have feared that the increasing attention attracted by the New Deal framework could come at the expense of conflict sensitivity, and could, ultimately, exercise detrimental

effects on its further development (see e.g. Paffenholz, this volume). While it is certainly true that policy paradigms and practitioner concepts are subject to ebbs and flows, and even though it can hardly be disputed that the New Deal has captured much attention of policymakers and practitioners as of late, it is questionable in how far conflict sensitivity and the New Deal have entered into competition with one another. Do they really constitute two sides of the same coin, with one side necessarily trumping the other?

In order to address this question, it is informative to take a glance at the communalities and differences of conflict sensitivity and the New Deal as well as their ambiguous relationship. On one hand, the two approaches share the basic concern to render a solid understanding of the particular context in which they operate as the fundamental point of departure so as to improve international assistance. Consequently, the New Deal is designed to start with a fragility assessment, on the basis of which a compact and an agenda between the international donor community and a specific state are agreed. Moreover, the New Deal's preference for implementation practices that are not only confined to reducing causes of fragility, but are geared at exerting a positive influence thereon, exemplifies that the policy framework takes the fundamental idea of conflict sensitivity to heart. A number of other communalities may be identified, such as the fact that both conflict sensitivity and fragility assessments are (designed to be) collaborative, consultative, and public.

On the other hand, however, important differences exist. First, whereas conflict sensitivity was originally conceived as a practitioner's tool designed for improved project programming, the New Deal is a policy framework primarily intended to better structure and coordinate development interventions in fragile states. While the New Deal is, despite some inclusion of civil society actors, principally state-centric in character, conflict sensitivity is a pragmatic management approach for organizations implementing humanitarian, peacebuilding and development programmes, especially, but not exclusively, in fragile and conflict-affected contexts. Although conflict sensitivity has found entry in donor approaches, it has been largely geared at and perpetuated by implementing actors. Thus, the two approaches operate in very different spheres and with different objectives. Second, whereas conflict sensitivity seeks to mitigate potential negative effects of a particular aid intervention on a given conflict context, the New Deal aims to address challenges to state-owned peace- and state-building processes. It runs short of a regular feedback-loop that would enable it to adjust the framework in response to both context dynamics and the (inadvertent) effects interventions under the New Deal themselves may exercise in a given context. It thus neglects one of the fundamental tenets of conflict sensitivity. Third, whereas conflict sensitivity and conflict sensitivity assessments are largely confined to specific interventions at the program or even project level, the New Deal's fragility assessments and progress reports carry far-reaching political weight and symbolic bearing on international relations.

In addition to these differences, conflict sensitivity and the New Deal are marked by a tenuous relationship. Against the background that fragility assessments have either not been conducted at all or only insufficiently so, and with New Deal compact processes being pushed through mainly by donors and under severe time constraints, it remains questionable in how far the New Deal framework has proven to be conflict sensitive in practice thus far. Further, whereas conflict sensitivity is designed to allow for a quick, pragmatic, and dynamic steering of programs of international assistance in response to changes in the (conflict) environment, the New Deal is much more rigid. Its ability to take important alterations into account is restricted and much dependent on political considerations, further calling the *de facto* conflict sensitivity of the New Deal into question. Finally, even though conflict sensitivity assessments are rarely if ever totally norm-free, as they typically presuppose that conflicts can be transformed peacefully and that this is preferable to any use of violence (Woocher, 2011:4), they leave much more (creative) space for addressing identified challenges. In contrast, the New Deal fragility assessments are highly prescriptive in nature as they follow the PSGs and, hence, reflect the prevailing peace-building and state-building assumptions of the donor community.

Given such major differences, it appears that conflict sensitivity and the New Deal do not constitute two sides of the same coin, but are rather two different, though related, coins altogether. Their major underlying tools significantly diverge in their origin and outlook, operating altitude and target audiences. Thus, rather than competing with one another, it seems that – if applied consistently – the two concepts complement one another.

2.1.4   Conclusions: Two coins of the same currency

Against this backdrop, fears that the New Deal could take the thunder of conflict sensitivity appear to be unwarranted. The New Deal defines engagement modalities to support inclusive transitions out of fragility that are owned and led by aid recipient countries themselves. This transition is founded on a country-led fragility assessment, which gives rise to a country compact with one overarching vision and implementation plan. Even though the New Deal itself entertains an ambiguous relationship with conflict sensitive programming in that it tends to be structurally cumbersome and lacks vital flexibility, it appears to encourage rather than impede conflict sensitivity. Based on the OECD's first fundamental principle for engagement in fragile states, it takes the context as a starting point for its interventions. Taking this common denominator from the level of operations to the policy world, the New Deal has the potential to act as a catalyst for conflict sensitive approaches across different dimensions of international engagement. That said, as the problematic New Deal processes in key pilot countries such as South Sudan and Somalia have shown, there remains much room for improvement, especially with regard to the framework's difficult implementation. Given that the New Deal is under review at the time of writing, one can be hopeful that answers to the above challenges will be found.

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2.2 Putting Conflict Sensitive Development into DFID's Practice: A Personal Perspective

Mark Segal

Twenty years on from Mary Anderson's ground breaking work (Anderson 1996) it is widely acknowledged by development professionals that aid can do harm by increasing conflict. And yet how good are we, in fact, at monitoring unintended consequences of our interventions, mitigating negative effects and maximising peacebuilding potential? In this contribution I set out some personal reflections on the UK Department of International Development's (DFID) approach to conflict sensitivity, and point to some steps the organization could consider to improve its performance.

In common with other organisations, DFID views conflict sensitivity as requiring three elements. A conflict sensitive intervention (programme, strategy, policy etc.) should:

— take account of the conflict context in which it is operating. Typically this means that the intervention is informed by conflict or context analysis

— minimise or mitigate any potentially negative (conflict causing) impacts or effects – i.e. take a "do no harm" approach

— maximise any positive (conflict reducing/peacebuilding) impacts or effects – take a "peacebuilding" approach

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Table 1: DFID understanding of conflict sensitivity

2.2.1 DFID and fragile and conflict affected states

DFID's budget has grown rapidly over the past five years, as the United Kingdom (UK) progressed towards the UN Official Development Assistance target of 0.7% of GNI, finally achieved in 2013.

In parallel with rising budgets, there has been a focus on fragile and conflict affected states (FCAS), as these are the contexts with the greatest development challenges. While many peaceful states made real progress under the Millennium Development Goals, FCAS were seen to be stuck, unable or unwilling to meet the needs of their people and where we encounter, what one colleague calls, "the undrainable sink of poverty". DFID is increasingly an FCAS specialist agency, with 21 of its 28 focus countries in this category, along with a clutch of new large programmes focused on addressing the effects of war across the Middle East and North Africa.

The imperative to be conflict sensitive in these contexts, and at the very least to 'Do No Harm', is obvious. But this is easier said than done. DFID's approach to conflict sensitivity can be seen in the policy frameworks, tools,

programming guidance, and the conflict adviser system. These are considered below along with some observations about challenges the organisation faces, and some ideas for future improvements.

2.2.2 Policy frameworks

Sound policy is the basis for conflict sensitivity. Without clear policy on the purpose of development in conflict, it is impossible to identify the changes you are trying to achieve, or to know if you are contributing to peacebuilding.

The most recent statement of DFID's conflict policy identified the need to address both peacebuilding and statebuilding in FCAS.[1] The approach drew on the available evidence to provide a theory of change for DFID's assistance plans in FCAS (2011: 15).

In practice, implementation of the policy was patchy. Some country offices adopted the approach enthusiastically, and aligned programming with the four pillars of the policy. In others, however, there was a tendency to retro-fit the language of peacebuilding and statebuilding to existing programmes and to continue with the same set of priorities as before. The approach, which presented good practice rather than mandatory guidance, was insufficient to ensure that strategic choices were set to maximise peacebuilding outcomes. So while appropriate policy may be necessary for conflict sensitivity, it is not sufficient to ensure that it happens.

But policy can also work at a different, lower level. Colleagues have observed that policy on overseas security and justice assistance (OSJA)[2] has contributed to conflict sensitivity. OSJA guidance makes no mention of conflict sensitivity, but it asks questions about the human rights performance of security and justice organisations that the UK works with. While the purpose of the policy is to manage reputational risk, it allows staff to flag how this work may unintentionally legitimise or encourage individuals responsible for (conflict/grievance driving) human rights abuses. In the hands of a knowledgeable advisor, human rights guidance can drive better conflict sensitivity.

2.2.3 Tools

As well as funding guidance and toolkits of other organisations[3], DFID has developed its own tools to support conflict sensitive approaches. At the strategic level these include conflict assessment methodologies, the Strategic Conflict Assessment (2002) and the cross government *Joint Analysis of Conflict and Stability* (JACS) (2012) and a Toolkit for Conflict Sensitivity Review (2013). At the programmatic level, they include a conflict sensitivity screening tool and monitoring and evaluation guidance.

The need for conflict analysis is accepted by officials across the UK Government and most conflict strategies are supported by analysis, based on the JACS or other political economy tools.[4] This is notable progress, but good practice is not universal. On occasions, there is resistance to developing

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1   DFID (2010). The paper pre-dated the World Development report on Conflict, Security and Development but arrived at broadly similar conclusions.

2   Available at: https://www.gov.uk/government/publications/overseas-security-and-justice-assistance-osja-guidance

3   See www.conflictsensitivity.org and Heider (2014) for links to the key tools mentioned in this section.

4   Since 2013, DFID has been using a Country Poverty Reduction Diagnostic – a political economy tool which considers political settlement and conflict issues and which is contributing to conflict sensitive choices.

analysis, with suggestions that it would take too long, or that we have all the analysis available already, even if it is not written down in one place. The quality of analysis can be mixed; there may be volumes of tactical observations, but no strategic overview which brings it all together. And analysis itself is no guarantee of good programming, which can be disconnected from the key findings.

Many factors apart from conflict analysis influence development strategies. These include existing programmes and partners, our comparative advantage, ministerial and political priorities, our strategic relations with key allies and potentially different priorities of UK government departments. Joint, cross governmental analysis was intended to overcome these problems. The extent to which they remain, however, is indicative of the underlying incentives which influence decision making in a government department.

While tools are useful, they have not been used consistently in DFID to shape programming choices. They are seen as complex, written for the expert rather than a time-pressed practitioner, and they are not mandated management practices. The language can be off-putting and impenetrable flowcharts do not help. Implementation of tools has usually relied on a conflict advisor, who also has to deliver on other programming objectives. And mainstreaming conflict sensitivity requires high level support for new systems and practices which can be seen as a luxury in a hard pressed country office.

2.2.4 Programming guidance

In recent years, there has been a move to simplify rules for programme management, making less of the guidance mandatory, leaving more discretion to office heads. DFID has never required offices to be *conflict sensitive* but there is increasing recognition that this should be considered. For example, in describing how to write the strategic case for an intervention, the most recent version of DFID's *SmartRules* states:

For all interventions in fragile and conflict-affected countries, you should set out how intervening will make an important contribution to addressing conflict and/or fragility, and how doing harm will be avoided.
Smart Guide: Developing a Business Case – DFID guidance (2014)

This guide mentions conflict 14 times (in 28 pages) and highlights the need to factor conflict into design, evidence, implementation, monitoring results and risk. This is a real improvement on previous conflict blind iterations.

2.2.5 The conflict advisor system

A distinctive feature of DFID is the professional advisory cadre system under which it recruits thematic experts. Conflict advisors bring an academic background in conflict (a higher level degree is essential) and five to ten years of relevant programme and policy experience. One of the key competencies for conflict advisors is the practice of conflict sensitive development.

All conflict advisor job descriptions for country work have explicit requirements to support conflict sensitivity at strategic and programme levels. Most conflict advisors in country roles will be involved in training, coaching and advising colleagues in conflict sensitivity, leading and participating in design, monitoring and evaluation processes, and in some cases implementing additional projects to support conflict sensitive practice. The Risk Management Office in Nepal for example, was developed with the German technical agency (GIZ) with the dual mandate of supporting field security for aid staff, and ensuring conflict sensitivity. A joint donor initiative in South Sudan is developing a similar approach at the moment.

While the conflict advisor network is helpful in providing expertise to colleagues, it carries the risk that conflict sensitivity becomes the responsibility of one individual rather than of all staff. The issue can be put into a technical box – in the same way that gender was often treated as an 'add-on' covered by a social development advisor – rather than integrated into the work and approaches of all staff working in FCAS.

CARD-F is an agro-development programme in Afghanistan which supports infrastructure (irrigation, roads, etc.) and increases rural employment and income opportunities for farmers. The programme suffered from a lack of conflict analysis, which led to incidents such as milk collection points being built in areas that favoured one group over another. DFID invited CARD-F partners to conflict sensitivity training, and shared ideas for conflict analysis and mapping. CARD-F rolled out training for all their staff, built complaints mechanisms into their programmes and started to share regular feedback with DFID about the way the programme was impacting on the conflict and vice versa. As a result the programme was able to track and mitigate where it was potentially contributing to harm and DFID was able to work with the team to identify peacebuilding opportunities. The relationship between DFID and CARD-F improved and the idea of conflict impacting programmes was no longer hidden, but embraced as a learning opportunity. Key to the success of the approach was building trust between DFID and the partner, with reassurance that honesty about problems would be respected and not used to judge the partner negatively.

Table 2: Case study – integrating conflict sensitivity in Afghanistan

2.2.6 Specific challenges

As well as the structural factors facilitating conflict sensitivity outlined above, there are some specific challenges:

Jargon: the language of conflict sensitivity can be off putting. Conflict sensitivity is often about good development practice; spending time in the field, talking to beneficiaries, co-ordinating between programmes etc. Using the language of risk management can make it more approachable for non- specialists.

Results: In DFID the results agenda is king, and results are usually defined in numerical rather than qualitative terms. Numbers are easier to monitor and communicate. Peacebuilding impacts are notoriously qualitative and difficult to measure reliably, although by no means impossible.[5] The risk is that "what gets measured, gets done", and this makes it harder to prioritise peacebuilding. DFID is beginning to use more qualitative measures in its approach to results, but more progress is needed.

Spend: pressure to disburse funding resources can be problematic. When conflict sensitivity considerations require additional trust building, more analysis, new programme locations or partners to balance impacts, or a new staffing policy to address perceptions of bias, this can lead to delays which may impact the delivery of results. Persuading a manager to hold back a programme juggernaut to give time to mitigate these risks is unlikely to be successful if there is pressure to hit spending and results targets. The fact that a delay may lead to more sustainable programming, contributing to a more peaceful context, can be overlooked. That a conflict sensitive approach can enable us to monitor our work better, make a better assessment of operational security risks, and can reduce reputational risks is also missed.

Countering violent extremism and terrorism (CVET): addressing the drivers of violent extremism, including poor governance, corruption and abusive security and justice systems, can be an important contribution to peacebuilding. However, concerns about conflict sensitivity of CVET interventions have arisen where these are focused primarily on threats to western interests. Given the sensitive nature of these activities, it is critical that they are carefully scrutinised and monitored for unintended effects at all stages.

2.2.7 Possible future steps

The DFID conflict cadre has decided to prioritise conflict sensitivity in its professional development this year. Experience would indicate that policy and tools can be useful but have *limited effect in changing behaviour.* Instead we will try to identify a limited number of steps to incentivise change. The following are ideas under consideration:

A new conflict sensitivity scorecard: This idea was piloted a few years ago in DFID and involved assessing the conflict sensitivity of interventions by scoring business cases against a set of simple criteria. The aim was to encourage offices and programmes towards good practice, by feeding back their scores, and indicating ways to improve their performance. The previous attempt was blocked when we tried to institutionalise the system by recording the scores. A new system would need to be more informal but still visible.

Conflict sensitivity champions: the aim would be to identify and support, within each country office, a group of individuals committed to building conflict sensitivity. With central support, the conflict advisor could provide

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5   See for example: https://www.sfcg.org/ how-to-measure-peace/

additional training and mentoring, materials and guidance, and encourage the exchange of good practice. Part of the incentive to become a champion, would be to gain proficiency in a new conflict sensitivity competency.

A new conflict sensitivity competency: currently the conflict sensitivity competency is only required for conflict advisors, even though it is useful for all DFID staff working in FCAS. It could apply at a number of levels. A basic awareness required for all staff would be an understanding of the context to ensure an individual does not expose themselves or DFID to risk. A practitioner would be able to ensure an intervention took account of conflict sensitivity principles. An expert would have strategic level competence, to inform portfolio choices, manage political risk and maximise peacebuilding impact.

2.2.8 Conclusions

Given the widespread understanding that development can do harm and increase conflict, the availability of good quality analysis, tools and guidance, and the basic goodwill of the majority of individuals engaged in development decision making, it is surprising that DFID has not made more progress in conflict sensitising its work. In this context more analysis, tools and guidance would seem unlikely to make a difference. Instead, I believe that more efforts should be focused on understanding the incentives which drive behaviour and shape the decisions and choices made by aid practitioners.

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3
<u>Conflict Sensitivity and Business</u>

3.1 <u>The Business of Conflict Sensitivity</u>

Andreas Graf, Andrea Iff, Rina Alluri

The applicability of conflict sensitivity to the private sector was projected through landmark publications by International Alert (2005) and the UN Global Compact (2005) in 2005. The search for a new approach to responsible business practice in conflict-affected areas was a consequence of two main developments. Firstly, a growing number of large multinational companies faced allegations of having been involved in violent conflicts in countries such as Colombia, Nigeria and Liberia (see e.g. Global Witness, 1998; Human Rights Watch, 1999). This widely published evidence on corporate involvement in conflict not only created public outrage, but also caused serious reputational damage for companies; leading some of them to be open to explore new ways to address conflict-specific risks. Secondly, peacebuilding and human rights organizations increasingly saw benefits in directly engaging with companies to support the development of responsible business practices and, where possible, activities in peacebuilding.

Despite this great potential to use conflict sensitivity as a guide to responsible business practices in conflict-affected areas, the number of companies actively engaging in conflict sensitivity over the past ten years has remained limited. While organizations such as International Alert, CDA, Saferworld and later swisspeace and Quaker associations have collaborated with businesses to integrate conflict sensitivity into their due diligence practices and developed additional guidance documents,[1] conflict sensitive business is far from being mainstreamed. Some of the challenges include reluctance from companies to buy in to yet another approach to assist their 'social footprint', barriers of business vs. development terminology and ideology, as well as legal concerns by companies.[2]

3.1.1 <u>Conflict sensitivity and business: A ripe moment</u>

Throughout the last decade, different non-governmental organizations (NGOs) and multilateral organizations have jointly worked on these challenges and started a change process. Today, as a result of this enduring work and international developments, the time is ripe for change. This chapter contribution argues that four opportunities have emerged to mainstream conflict sensitive business practices on a larger scale:

— First, the dynamism in the business and human rights debate created by the United Nations Guiding Principles on Business and Human Rights (UNGPs) and subsequent implementation processes by states and businesses has generated heightened interest in responsible business conduct in conflict-affected areas. Conflict sensitivity has the potential to ensure that human rights due diligence processes in conflict-affected areas respond to the contextual challenges posed by conflict.

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1   See for example, International Alert, 2006; International Alert and Engineers Against Poverty, 2006; Alluri 2014; Iff, 2014; or Yiang, 2014.
2   See also Hoffmann, this volume, for other challenges of implementing conflict sensitive business practices.

— Second, states, businesses and civil society are engaging in a growing number of voluntary and mandatory regulatory initiatives of responsible business conduct in conflict-affected areas. Integrating elements of conflict sensitivity into these instruments can render them more effective and be a catalyst for conflict sensitive business practice.

— Third, there is a growing enthusiasm in exploring the potential of business contributions to peace that is evident through an emergence of academic articles, policy debates and international initiatives on the topic. Conflict sensitivity can enrich these activities as it provides a methodology which both helps avoiding harm on conflict and serves as the basis for business contributions to peace.

— Finally, there is an increasingly clear case that companies which fail to act in a conflict sensitive manner face multiple risks that affect their bottom line. Linking conflict sensitivity with risk management concepts and terminology has the potential to better anchor the approach in higher echelons of companies and thereby in the business field more generally.

In the remainder of this chapter contribution, these four key opportunities are further elaborated on and concluded with some observations on how a growing community of conflict sensitive business practitioners can support the mainstreaming of conflict sensitivity in business.[3]

3.1.2 Opportunity 1: Integrating conflict sensitivity into human rights due diligence processes

Policies by companies and states on responsible business conduct have increasingly been defined in recent years through the prism of human rights. The UN Guiding Principles on Business and Human Rights (UNGPs; UN Human Rights Council, 2011) of 2011, which were developed through an inclusive six-year process led by John Ruggie, the then Special Representative to the UN Secretary General, are widely accepted as a common framework for action to enhance business respect for human rights. The UNGPs have triggered manifold implementation processes by businesses and states alike (Addo, 2014). For instance, international businesses are using the UNGPs as a reference to redefine their policies on CSR and sector- and context-specific guidance instruments are developed to help break down the UNGPs into the operational realities on the ground.[4]

Central to the UNGPs is the concept of human rights due diligence. They state that business enterprises have a social responsibility to implement appropriate due diligence processes to know and show that they respect human rights (UN Human Rights Council, 2011). Human rights due diligence according to the UNGPs includes four components: assessing human rights risks, identifying measures to prevent and mitigate these risks, evaluating the effectiveness of the steps taken, and reporting on how business and human rights risks are addressed.[5] In addition to that, companies have a responsibility to provide for or contribute to remediation where they caused or contributed to adverse human rights impacts.[6]

3   These reflections are based on the authors' engagements in the swisspeace Business and Peace Program. This includes academic research on the impacts of companies in conflict-affected areas and business roles in peacebuilding, consultancy work with companies on conflict sensitivity due diligence processes, and policy work with various governments and international organizations.

4   For a compilation of these initiatives see Business and Human Rights Resource Centre, www.business-humanrights.org. For the description of a company human rights due diligence process see for example: Nestlé and DIHR, 2013.

5   See Guiding Principles 17-21 (UN Human Rights Council, 2011).

6   See Guiding Principle 22 (UN Human Rights Council, 2011).

The required scale and complexity of these measures are, amongst other things, dependent on the operational context. In this regard, the UNGPs single out conflict-affected areas as environments where human rights risks are particularly high.[7] Companies operating in conflict-affected areas are therefore expected to engage in 'enhanced' due diligence practices in order to adapt to the specific contextual challenges (OHCHR, 2014).

The question then becomes: What does 'enhanced' due diligence in conflict-affected areas look like? One approach is to do more of the same. This would mean conducting standard human rights impact assessments (HRIAs) with more rigour, collaborating with external experts, and taking more elaborate measures to address human rights risks. However, from the authors' experiences of working with companies in conflict-affected areas, this is not enough. Because standard human rights due diligence methodologies, while focusing on human rights risks, tend in many situations to be ill-equipped to help companies avoid becoming involved in conflict. This is of central importance, because once a company causes or contributes conflict, its human rights risks increase drastically in a way which is very difficult to foresee. Effective human rights due diligence in conflict-affected areas therefore needs to make sure that the company does not become involved in conflict in the first place.

This is where the potential for conflict sensitivity lies. The integration of conflict sensitivity into human rights due diligence practices can be key to adapting corporate activities on human rights to the specific contextual challenges of conflict-affected areas. There are different areas where an integration of conflict-sensitivity methodology into human rights due diligence can be fruitful. In the assessment phase, conflict sensitivity can complement standard human rights impact assessments to specifically identify conflict-related risks. Furthermore conflict sensitivity is essential to inform companies' activities to prevent and address the identified conflict and human rights impacts. Finally, strategies to capitalize on corporate potential to strengthen peace and social cohesion as part of conflict sensitive business practices can inform and complement measures to prevent or remedy adverse human rights impacts.[8]

3.1.3 Opportunity 2: Integrating conflict sensitivity into multistakeholder initiatives for conflict-affected contexts

In recent years, various voluntary or mandatory regulatory initiatives linked to responsible business in conflict-affected contexts have emerged. These include multistakeholder initiatives like the Voluntary Principles on Security and Human Rights, the Conflict-Free Gold Standard or the Conflict-Free Smelter Program. Apart from these soft-law instruments, there has also been some advancement in terms of legal regulation. Examples include the Dodd Frank Act 1502 in the United States on transparency of conflict mineral supply chains, the currently discussed EU conflict mineral legislation as well as

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7 See Guiding Principle 7 (UN Human Rights Council, 2011).
8 For a more detailed account of this argument see Graf and Iff (forthcoming 2016).

specific requirements for companies which apply for export credits or public procurement contracts in various OECD countries.

While different in shape and form, all of these initiatives ask companies to implement certain due diligence processes with respect to specific principles of responsible conduct. Oftentimes, these principles include avoiding adverse impacts on human rights and/or conflict. While there are ample international reference documents with regards to addressing impacts human rights, the specific requirements and practical guidance for companies to address conflict-specific risks remains very primary in these initiatives (Graf and Iff, 2014).

Conflict sensitivity can offer a refined and well-established methodology and procedural guidance for companies to adhere to the principles and standards of conduct of these regulatory initiatives. The integration of conflict sensitivity into such initiatives would not only benefit their effectiveness, but also have a multiplier effect to mainstream conflict sensitivity in business. Companies throughout whole industries would be incentivised to complement their due diligence practices in conflict areas with a conflict sensitivity perspective.

3.1.4   Opportunity 3: Integrating conflict sensitivity into the business for peace discourse and initiatives

In the last couple of years, there has been a growing push amongst international development actors and civil society to consider businesses as important actors in contributing to conflict transformation and peacebuilding. Drawing partly on academic findings analysing real-world examples of business contributions to peace, multilateral actors such as the United Nations (UN) and the OECD/DAC have launched initiatives to strengthen corporate involvement in conflict transformation. The UN Global Compact for instance established a platform at the end of 2013 called Business for Peace (B4P). As part of this initiative, it fosters peer learning among a group of committed UN Global Compact member companies. This includes the organization of platforms for exchange, the establishment of indicators to measure the peacebuilding activities of businesses or the granting of an award for business representatives with outstanding achievements in this field.[9]

Similar dynamics are taking place through the OECD-DAC International Dialogue on Peacebuilding and Statebuilding. As part of efforts to implement the New Deal (OECD DAC, 2012), the OECD explores the potential of the private sector in supporting peacebuilding and development. Such processes aim to support better and more sustainable investment in fragile and conflict-affected contexts and for the moment focus on Afghanistan, Liberia, Sierra Leone, and the Democratic Republic of the Congo.

Future steps in both of these processes and in similar endeavours by other actors will need to establish specific instruments and tools to support

9   See http://www.business4peace.org for general information. For the resulting publication on business indicators for peace, which was developed by CDA and of which the swisspeace Business and Peace program acted on the advisory board, see UN Global Compact (2015).

companies in their peacebuilding efforts more effectively. Conflict sensitivity with its focus on minimizing negative impacts on conflict and, where possible, contributing to social cohesion and peace is well placed to provide important foundations for these processes.

3.1.5 Opportunity 4: Integrating conflict sensitivity into risk management terminology and practice

Evidence-based research on the costs of violent conflict to companies has shown the massive costs companies are running into if they fail to act in a conflict sensitive way (Davis and Franks, 2014). If a company is involved in conflict, its operations tend to be disrupted, its reputation is at risk and there are often additional costs like high insurance and premium costs or human resources costs spent on dealing with existing conflict.

This increasingly discussed and acknowledged link between conflict impacts and the corporate bottom line provides an opportunity for conflict sensitive business practice. The massive loss of investments or potential profits through corporate involvement in conflicts with communities are key to a growing recognition that addressing conflict impacts is key to successful business operations. In this logic, addressing corporate impacts on conflict is not seen as a cost centre, as it is still generally the case with CSR policies. On the contrary, it becomes a vital component of a company's profit centres. This makes the conflict sensitivity not merely an issue for a CSR department, but also for risk managers.

Implementing conflict sensitivity due diligence processes can be understood as an important way to avoid or reduce the costs of conflict. Framing conflict sensitivity in risk management language and introducing it into risk management practice may present an important opportunity to strengthen the case for conflict sensitivity. It would moreover allow conflict sensitivity to increasingly be seen as a priority for the top management.

3.1.6 Conclusions for the community of practice

It is ten years since the first landmark publications on conflict-sensitive business. The community of practice has been involved in a constant dialogue and learning process with businesses and development partners, as well as with each other. As discussed, we see four opportunities, why the 'time is now' for mainstreaming conflict-sensitive business on a broader scale. In order to achieve this, state, non-governmental and private actors working on conflict sensitive business need to:

— Engage in joint multistakeholder efforts to strategically integrate conflict sensitivity into the business and human rights as well as the business for peace debates.

— Collaboratively identify entry points to introduce conflict sensitivity methodology and terminology into initiatives and regulations on responsible business conduct in conflict-affected areas. This should be done in

regulations and initiatives that focus on addressing adverse impacts of conflict and those strengthening positive business contributions to peace.

— Making the business case for conflict sensitivity more explicit for the private sector, contributing to debates on risk management and developing tools that integrate risk management systems and conflict sensitivity methodology.

— Engage in more exchange and collaborative projects among organizations working on conflict sensitive business practice to gain a shared understanding on conflict sensitivity in business, develop and foster best practices, and coordinate activities to mainstream conflict sensitivity in business.

This series of contributions on conflict sensitive business practice is a first step into that direction and towards strengthened collaboration among the community of practice.

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3.2 From 'Business as Usual' to 'Business for Peace'?: Where do we Stand and What Will it Take?[1]

Anette Hoffmann

The potential of private companies to contribute to peacebuilding in contexts of fragility and conflict has taken centre stage in international development thinking. By becoming conflict-sensitive, the argument goes, foreign and domestic businesses will be able to run their operations more smoothly and to the greater benefit of societies transitioning from crisis to peace. While this discourse has travelled with ease into influential donor policies and ensuing development programming, empirical evidence of the business-peace nexus remains surprisingly weak.

This contribution begins by specifying the growing diversity of impact channels that current development policies presume between business and peace. It then unpacks this business-peace discourse by examining its underlying drivers and assumptions. Against the backdrop of a refined understanding of the discourse, the article then spells out three critical steps a conflict-sensitive business approach implies and proposes a set of policy recommendations aimed at narrowing the gap between policy discourse and practice.

3.2.1 An in-vogue discourse: conflict-sensitive business and peace

In recent years, the international community has acknowledged the private sector as a key agent in peacebuilding. Earlier negative stereotypes of business as a cause of, or a factor in prolonging violence, have given way to emphasis of the multiple ways in which business can help foster peace. Those recognising the private sector as a key agent in contexts of crisis have typically focused on its economic contribution to revitalising a war-torn economy and generating a peace dividend: businesses help rebuild the infrastructure and provide the population with much-needed jobs, income, products and services (World Bank, 2012).

However, recognition of this positive role has recently expanded the economic sphere and stresses businesses' ability to restore the social underpinnings of a peaceful society and a legitimate state. Notably the private sector's ability to provide people with jobs is widely seen as a critical means to endow people not only with an income but also with a sense of belonging, of social recognition (World Bank, 2010; World Bank, 2012; World Bank, 2014b). This renewed interest in the private sector has been reinforced by the largely intuitive argument linking unemployment, particularly among young men, to an increased risk of violent conflict.[2] Or, from a statebuilding perspective, the private sector's potential to generate tax revenues is increasingly understood as a source of legitimacy for local governments that can use these revenues to provide services to their citizens (Peschka, 2011: 10).[3] Moreover, responsible companies are credited with the ability to promote norms and values related to democracy and human rights and thereby nurture a culture of peace (Forrer, 2012: 5).

1   This contribution is a shortened version of the original paper "From 'business as usual' to 'business for peace'?" Clingendael: CRU Policy Brief No. 28, February 2014.

2   This argument has been criticised. Collier reckons that no macro-statistical relationship between unemployment and conflict can be determined (2010: 25), while Cramer (2010) rejects that unemployment per se leads to conflict, proposing that a combination of factors is more likely. Further, there is no solid evidence that job creation reduces the likelihood of crisis (Holmes, 2013; Walton, 2010).

3   For cases in which government is less likely to benefit the broader population and hence foster state legitimacy, Forrer et al (2012) point to the example of a company in Papua New Guinea that negotiated for a portion of the taxes it paid to the government to be channelled directly to infrastructure projects in the community in which it operated.

3.2.2 Unpacking the discourse: underlying drivers and uncorroborated assumptions

Strikingly, what drives this policy discourse is not a critical number of compelling success stories, in which local or foreign businesses have evidentially fostered state legitimacy, enhanced societal relations or mitigated economic and political exclusion. Rather it is, at least to some extent, the limited success of development aid and the weak performance in fragile states when compared to non-fragile states that has prompted a sense of urgency to 'do things differently' in conflict-affected societies: notably by taking the broader peace- and statebuilding processes into account and by working in partnership with the private sector. Furthermore, the persistent challenge to bridge humanitarian aid to more sustainable development interventions has repeatedly drawn attention to domestic (and to a lesser extent international) businesses that often operate throughout a crisis and have an obvious incentive to continue doing business, even when donor attention and funds typically wane. Lastly and more generally, shrinking aid budgets, and a trend towards multipronged approaches combining investment, trade and development agendas for fragile states, constitute additional incentives for donors to portray private sector development as a critical ingredient to greater resilience and peaceful development.

Reflecting on these trends that drive the business for peace discourse, a number of biases appear that need to be addressed if the discourse is to prompt and sustain a meaningful change in business practice. First of all, while greater awareness for the broader conflict and fragility dynamics has started to pay off in development programming, notably in terms of funding opportunities as donors press for the need to make the link between private sector development and peace explicit, the financial return on peace investments is less evident for businesses, whose primary objective in the end differs from that of development actors. Secondly, while intuitively compelling, the multiple links connecting business and peace rest on implicit assumptions that in practice are rarely tested. Cramer for example stresses that in many cases it is not unemployment, but exploitative employment practices that fuel frustration and can potentially lead to violence (2010).

3.2.3 Business for peace: what will it take?

Analytically speaking avoiding harm differs from fostering peace. However, the term conflict-sensitivity as generally used in international development thinking[4] and as applied to the private sector in numerous guidelines[5] typically captures both aspects as part of the same continuum, and involves three steps: i) understanding conflict dynamics, ii) understanding the interaction between the conflict context and an intervention and iii) acting upon that understanding with the aim to minimise potentially harmful effects and maximise positive effects on stability and peace. As the following sections will show, each of these steps comes with its own practical challenges when applied to the private sector.

4   For an overview of conflict-sensitivity approaches by donors implementers see for example the online platform: www.conflictsensitivity.org.

5   The call for conflict-sensitivity that culminated in the OECD's Fragile State Principles (2007), that inhabits the New Deal (2011) has been applied to the private sector through conflict-sensitive business guidelines and efforts. They have been complemented by initiatives calling on companies in situations of crisis and fragility to move from 'business as usual' to 'business for peace'.

Understanding the political marketplace

First, conflict-sensitivity is defined as the ability to understand the context of interventions, including the causes and consequences of conflict as well as those factors that have the potential to connect across conflict lines. Thus far, the context of business development is primarily understood in terms of the formal business environment with its written regulations, and a focus on technical business constraints. However, conventional economic diagnostic tools fall short of capturing what typically decides upon business success or failure in fragile settings:[6] informal institutions, personal connections and affiliation to a certain ethnic, political or geographically defined identity group. To become conflict-sensitive hence requires looking beyond formal institutions and understanding the actual rules of the game.

Understanding the political nature of doing business

Second, conflict-sensitivity entails recognition that intervention and context have an impact on one another. Businesses are not only exposed to risks pertaining to weak state and market institutions, endemic corruption and divisions in society. They also influence and shape these fragile orders, inevitably mitigating or exacerbating the risk of conflict. The risk posed by conflict-affected contexts, and the impact of businesses on this broader environment, are therefore two sides of the same coin. Recognising a bi-directional relationship challenges the widespread assumption among entrepreneurs who perceive themselves as neutral regardless of the highly political nature of the context in which they may operate.[7] However, the assumption that businesses can operate as apolitical agents in highly political contexts has been proven wrong in cases where companies have inadvertently favoured certain ethnic groups in their hiring policy or unintentionally created tensions over land or water usage.

Conflict-sensitivity requires greater flexibility and additional investment

Third, conflict-sensitivity requires parties to act on a solid understanding of the context and its interaction with business. As a company in volatile contexts is likely to be confronted with rapidly changing and probably contradictory signals, conflict-sensitivity entails continuous flexibility and extra resources on the part of the private sector to constantly monitor these changes and adjust strategies whenever there is a need for it. The linearity of existing business tools such as due diligence, risk-assessments, environmental and social impact assessments, and the budget that is commonly allocated for them need to be handled with greater flexibility and innovation.

3.2.4 Translating the conflict-sensitive business narrative into practice

What the above analysis reveals is that whether or not a business can avoid harm and help build peace does not depend on companies alone. It also hinges on the commitment of the international development community to systematically engage with the private sector:

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6   For an analysis of these shortcomings see for example Guglielmetti (2010). Also looking beyond technical business constraints in fragile settings is: Hoffmann and Lange (forthcoming 2016).

7   Former Heineken manager Jean-Louis Homé gives a detailed illustration of such a standpoint in: Bais and Huijser (2005).

Build up a business case for conflict-sensitivity from a company's perspective

Growing readiness on the part of the international development community to engage with the private sector in peacebuilding has yet to prompt similar interest amongst the business community. Although impressive in scope and range, normative guidelines will not trigger such commitment. Efforts aimed at building up a business case for conflict-sensitivity are likely to be more successful.

— Systematic consultations at policy level with both international and local firms on topics related to conflict and peace will increase private sector ownership of resulting policies and therefore increase their readiness for implementation. The active involvement of large companies in the develop- ment of the Sustainable Development Goals, launched in September 2015 signified an important step towards develop a less biased development vision. Active involvement of the local business community in the develop- ment of New Deal compacts at country level will help solicit business commitment to implement the way forward.

— Translate the conflict-sensitivity narrative into business language: To elicit greater interest and commitment from the private sector, development actors would be well advised to attune their language to the business context. An inspiring example of this is an initiative of the International Council of Swedish Industry that brought together company managers, researchers and practitioner to discuss their experience of working in fragile or 'emerging markets' (Ganson, 2013).

Complement normative guidelines with practical support

— Facilitate the preparation of, and companies' access to political economy analyses and conflict-sensitive impact assessments: Donor governments can facilitate the production of and access to conflict analyses that explore the link between companies or industries and the broader political econ- omy of conflict in fragile settings. Such analysis should serve as a baseline for monitoring business impact on statebuilding and peacebuilding pro- cesses. By co-funding International Finance Corporations's Conflict- Affected States in Africa initiative the Netherlands' government invests into a conflict-sensitive approach that entails such a business-focussed conflict analysis and monitoring and evaluation system.

— Promote training on doing business in contexts of fragility and conflict: To raise awareness of the broader and often political effects of their interven- tions, participatory training courses on conflict-sensitivity should be widely promoted. For example, the existing training course on "private sector development (PSD) in conflict-affected environments" that was developed under the auspices of the Donor Committee for Enterprise Development,[8] could be extended and adapted to multinational and domestic businesses.

— Consider establishing joint observatories: To facilitate the gathering and analysis of situational intelligence in contexts where there is limited data,

8 http://www.enterprise-development.org/
   page/fcas-training-course

the model of multi-stakeholder observatories, widely used in Latin America (Wennmann, 2012), could offer a practical entry point for collaboration between businesses, donors and civil society actors.

Stress governments' responsibility for peace

— Strengthen public-private dialogue for an improved business environment and peace: Donor supported public-private dialogue fora can create space for a diverse variety of market players to articulate their voices, rebuild trust between the public and the private sphere and shape more inclusive policy-making. In a recent review of its public-private dialoge (PPD) programs in fragile states, the World Bank found that corruption and ethnic tensions are the conflict drivers that are most successfully addressed through those forums (World Bank, 2014a: 18).[9]

3.2.5 Conclusions

The purpose of this contribution was to examine an influential policy discourse that shapes much of today's international development agenda. It is the assertion that international and domestic businesses can and should play a greater role in fostering peace. As the evidence base linking business and peace remains weak, and the gap between empirical evidence and the normative discourse persists, this article identifies what it would take to validate the underlying assumptions of a 'business for peace discourse' and start closing the gap between narrative and practice: i) a business case for conflict-sensitivity from a company's perspective, ii) practical support to implement normative guidelines, and iii) greater emphasis on the responsibility of fragile states governments and development partners to work towards business environments that enable both business and peace.

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9 Success stories include the Nepal Business Forum (NBF) and the Liberia Better Business Forum (APSAF) (Utterwulghe, 2014).

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3.3 Engaging Chinese Companies in Conflict-Sensitive Business Practice

Hesta Groenewald

For Chinese companies,[1] the issues and narrative of conflict-sensitive business practice are relatively new. China has invested in many conflict-affected countries and contexts where human rights and the rule of law are not respected. Western companies have, in some cases, divested from such countries in response to public or shareholder pressure or prohibitive legal measures imposed by Western governments. Chinese companies have not faced the same extent of domestic restrictions and have been freer to invest and operate in ways that are most pragmatic for insecure contexts. Yet all companies face operational challenges, including security risks to staff and assets, financial losses caused by suspended operations, and reputational risks.

Saferworld has been working with a number of Chinese companies since 2012 on conflict-sensitive approaches and providing advice in South Sudan in particular. This contribution presents some reflections on the opportunities and challenges for conflict-sensitive Chinese commercial engagements.

3.3.1 Chinese investment in conflict-affected countries

In the last few decades, China's global economic profile has increased dramatically. Flowing from the success of state-supported business in stimulating domestic growth, China's 'Going Out' strategy adopted the same approach to international investment. Chinese overseas investments broadly focused on securing natural resources for domestic use and opening up new market opportunities for Chinese businesses and products.[2] Aligning with strong bilateral political relationships, China benefited from investing in contexts with lower regulatory requirements than the established markets in 'the West', and less competition from experienced Western companies. Its approach of providing apparently favourable financing and technical expertise, and delivering much-needed infrastructure development was welcomed by many developing and conflict-affected states. In return, the packages obliged most or all of the services and goods to be provided by Chinese companies, giving them business growth opportunities. China's policy of non-interference in domestic politics and of aligning itself with government development priorities also appealed to countries that are perhaps frustrated by pressures from Western development partners regarding good governance and human rights.[3]

Chinese business engagement overseas exhibited four key characteristics (Heng, 2015):

— Strong relationships with host governments, with little or no engagement with civil society and communities and limited experience in public communications;

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1 Specifically State-Owned Enterprises (SOEs), engaged in conflict-affected countries.
2 On the evolution of Chinese foreign policy and conflict prevention engagements, see Campbell et al, 2012.
3 For more details of this approach, see Heng, 2015: 1-5.

— An apparent absence of analysis of sensitive conflict risks and divisions in host countries and the approach of host governments in managing potential conflicts;

— Promoting long-term partnership approaches rather than focusing on short-term contracts;

— Limited mechanisms for accountability to guide their business practice. For instance:

→ Civil society organisations and public shareholders tended not to scrutinise company practice because of insufficient publicly available information;

→ Chinese companies were not subject to domestic requirements on respecting human rights, environmental protection or social impacts (but also see below);

→ State-owned enterprises tended to have executives and Board members that were closely linked to the Chinese government and/or the Chinese Communist Party.

Chinese companies therefore had high-level political backing, state funding and freedom to behave pragmatically overseas while receiving important opportunities to develop technical capabilities, products and services. Chinese companies are now part of successful international consortia with Western companies, for instance China National Petroleum Corporation (CNPC) and China National Offshore Oil Corporation will collaborate in Brazil with Shell and Total (Gayathri, 2013).

But working in insecure contexts has also exposed Chinese companies and citizens to risks. Chinese citizens have been victims of kidnappings, crime and targeting by opposition forces because of their close association with host governments (Alden, 2014: 3-4). In Sudan for instance, 29 construction workers were kidnapped in South Kordofan in 2012 (Sudan Tribune, 2014). Insufficient knowledge of the context and lack of alternative information from, for instance, civil society, reduce many companies' ability to anticipate and mitigate risk. Chinese companies also experienced significant financial and asset losses in conflict-affected countries (Heng, 2015: 14-25).

Weak accountability mechanisms exposed companies to the risk of corruption. Conflict-affected countries with deep-rooted governance problems often present a conducive environment for corrupt practices, and investments can become vehicles for elite enrichment. Corruption can fuel conflict while also undermining the public benefit of Chinese investments. Chinese companies – especially in the extractive industries – increasingly recognise the importance of compliance with national laws and international

standards. For example, increasing numbers of Chinese companies comply with EITI reporting just as much as Western companies (EITI, 2015: 4), although the practice is not yet universal.

Governments in conflict-affected countries tend to undermine or abuse human rights and are therefore unlikely to impose human rights requirements on Chinese companies. Chinese companies therefore do not face pressure to respect human rights at home or in conflict-affected contexts.

On broader social and environmental standards, the Chinese government has made some progress. The 2006 Corporation Law provides a legal foundation for corporate social responsibility of Chinese companies for the first time and two sets of related guidelines have been issued by the Ministry of Commerce and China Chamber of Commerce of Metals, Minerals and Chemicals Importers and Exporters respectively (Saferworld, 2013a: 4).

To some extent, the risks and losses associated with investing in conflict-affected countries influenced Chinese foreign policy, particularly towards Africa. China for instance increased its engagement on peace and security within the Forum on China-Africa Cooperation, and contributed to the multinational anti-piracy mission off the Somali coast (Alden, 2014: 1-5). But China has allegedly also sold arms to Sudan, fuelling conflict north and south of the border, posing a threat to the safety of Chinese citizens and the stability of its investment (Campbell, 2012: 98).

For Chinese businesses, the language of conflict sensitivity – rather than human rights - has proved useful as a way to discuss these issues within a broader risk management conversation.

<u>South Sudan and China</u>
China historically had a close economic and political relationship with Sudan – pre- and post-separation – with substantive Chinese investments in the oil and infrastructure sectors, and in goods and services (Large, 2012: 6-10). The Comprehensive Peace Agreement (CPA) between Sudan and South Sudan in 2006 transferred most of the oil fields to the South, and with it Chinese investment, notably by CNPC. Subsequent years saw heavy international public and private investment into constructing the new state. Government- (and donor-) funded roads, airports, government offices, hotels, police posts and houses needed to be built and the influx of aid and business workers further stimulated opportunities for subsidiary businesses (Killick & Rosin, 2015: 6).

However, unresolved conflicts and violence remained constant features of the new country. Unresolved CPA issues played out in a dispute between the South Sudan and Sudan governments over the fees for transporting oil through the joint pipelines to Port Sudan and led South Sudan to shut down their oil wells in early 2012. This had disastrous economic consequences for

South Sudan – oil revenue making up the bulk of the national budget – resulting in an austerity budget and large borrowing on the international markets to supplement international aid. CNPC suffered from the shutdown, while the Chinese government quietly engaged in encouraging the two sides to resolve the issue (Zhang, 2012: 5). In 2013, as it seemed oil was flowing again, China promised a loan package focusing on infrastructure projects to be implemented by Chinese companies (Sudan Tribune, 2013). The South Sudan civil war that erupted in December 2013, pitting the President and his former Vice-President against each other, generated fierce fighting to control the oil fields and severely impacted on economic activities across the country.

3.3.2 Challenges to Chinese commercial actors in South Sudan

The current war has halved oil output, severely affecting companies like CNPC, but also businesses affiliated with the oil industry and engaged in infrastructure projects. Companies who were already operational have focused on securing their staff and assets, while those who signed contracts but have not yet started work are concerned about the government's ability to pay them and the loss of investments to date. Many of these projects were agreed as part of the 2013 loan package through the Chinese Export Import (Exim) Bank, but funding has not yet been released (Saferworld in-country interviews, 2014).

Chinese businesses and the Embassy have invested in information-gathering on the context to strengthen security and risk management (Killick & Rosin, 2015: 7). This was not the case a few years ago, when Saferworld and others supported joint research and exchange trips of South Sudanese and Chinese researchers, and exchange visits of South Sudanese civil society actors to China to stimulate knowledge about the country and its challenges among Chinese policymakers.[4]

Chinese stakeholders also recognise the need to overcome mistrust by many South Sudanese – as political ally to the Khartoum government, Chinese contractors were implicated in past violent displacements that accompanied the building of the oil pipeline (in-country interviews, 2015).

Macro-level challenges
Working through the government structures in South Sudan did not translate into a predictable business environment for Chinese companies – indeed the government is party to the civil war. Chinese companies may also have become complicit in opaque and unaccountable tender procedures, given weak accountability mechanisms within South Sudan. The 2013 Exim Bank package does not provide much public detail, leaving room for manipulation of tender processes.

In the current conflict dynamics, association with the government and the perception of possible complicity in corruption puts Chinese companies – and by extension, Chinese citizens – at risk of being targeted by the armed

4   See http://www.saferworld.org.uk/china/china.

opposition or facing resentment from communities who are frustrated about not seeing the benefits of economic investments.

A close relationship with the South Sudanese government has also not protected Chinese companies from the economic damage of political decisions like the 2012 oil shutdown. Oil is a key asset and therefore vulnerable to political manipulation. Companies like CNPC and associated businesses who invested for the long term, experienced repeated work stoppages due to recurrent conflict and violence. Chinese companies investing in infrastructure are similarly exposed due to the nature of the work – being present on the ground in sometimes quite remote areas means high levels of risk to staff and assets from local conflicts and violence.

Micro level challenges
At the micro, operational level, Chinese companies face a range of challenges (Killick & Rosin, 2015: 8-11).

Public expectations of investment benefits are high and often unrealistic. Chinese companies tend to publish little public information, in local languages, about company activities, leaving space for government officials or communities to spread false information. If benefits are then not as expected, the Chinese companies can bear the brunt of community frustrations. Similarly, if resources are diverted by government officials and the projects not completed, communities may blame the companies.

The majority of people in South Sudan depend on agriculture or cattle for their livelihoods, and any changes in the quality or availability of natural resources directly affect their well-being. Even where Chinese companies adhere to acceptable international targets in environmental impact, to communities, the real impact on their day-to-day lives may still be frustrating and they will likely hold the companies accountable. For instance, water drains were dug for a new road in Central Equatoria which diverted rain water into some people's properties. A new road may also cut through cattle grazing areas, forcing communities to graze their cattle elsewhere for fear of them being hit by traffic.

South Sudan is one of the poorest countries on earth. Companies therefore encounter very high expectations about local employment opportunities that may not match the local skills available or the number of positions actually being recruited. This may lead to frustration and action against the companies.

The current war is only one of many security risks companies face in South Sudan. Others include seasonal inter-ethnic fighting and cattle raiding, violent crime, local political violence and the easy availability of weapons. The police and military are sometimes implicated in violence, leaving companies vulnerable.

Chinese businesses in South Sudan have consequently adapted some operational practices to better manage micro-level risks, but conversations about the macro-level challenges remain sensitive.

3.3.3 Conclusions

In the last decade, Chinese companies benefited from their investments in conflict-affected countries. They also experienced first-hand the impact of operating in such contexts and developed risk management strategies in response. As Chinese companies are now more competitive globally, they may in future disengage from contexts where the risks are too high.

Chinese companies can contribute to resolving some of the underlying issues driving conflict and exclusion in countries like South Sudan by investing in the infrastructure necessary to promote economic and social development. However, elite capture of such development, government corruption or otherwise uneven economic growth can significantly fuel conflict, especially in fractured societies like South Sudan. Conflict-sensitive business practice is therefore needed to translate the potential into practice. This will entail making progress on community relations and communications, but also on understanding how governance deficiencies and exclusionary politics drive conflicts, and ultimately impact on Chinese businesses.

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3.4 Multinational Companies, Conflict Sensitivity and Free, Prior and Informed Consent (FPIC): The Case of Poligrow in Colombia

Mark van Dorp and Karlijn Kuijpers

This contribution presents a case study of Spanish-Italian palm oil company Poligrow in Colombia, with a focus on the adverse impacts created by its operations. Based on the case study, it is analyzed how the company is performing in relation to its application of the principle of free, prior and informed consent (FPIC) as a crucial element of conflict sensitive business practices. The authors recommend the inclusion of conflict sensitivity as a key aspect of enhanced due diligence processes and of international standards for responsible business. In particular, the role of FPIC needs to receive more attention so that local communities, especially indigenous groups, benefit from private sector development, and companies strengthen peace rather than create conflict.

3.4.1 The impact of multinational companies in conflict-affected areas

Over the past four years the Dutch Centre for Research on Multinational Corporations (SOMO) has carried out various case studies on the impact of multinational companies in conflict-affected areas as part of a Dutch government-funded program, focusing on five countries: Colombia, Democratic Republic of Congo, Liberia, Sierra Leone and South Sudan.[2] These case studies focus on the relationship between private sector investment, human rights violations and conflict, and feed into policy debates on improved corporate accountability in conflict-affected and fragile situations.

A thorough case study of Spanish-Italian palm oil company Poligrow in Colombia was carried out by SOMO and Indepaz[3] between March 2014 and August 2015, based on a combination of interviews, analysis of documents and database research (SOMO and Indepaz, 2015a).[4] The study concludes that land-intensive sectors like palm oil are at risk of creating renewed conflict in Colombia, where land disputes have been a key driver of the internal armed conflict, and where territorial claims remain highly contested. The Roundtable on Sustainable Palm Oil's own complaint mechanism announced an investigation into the activities of Poligrow in Colombia, following a complaint by two NGOs, CIJP and EIA (Norman, 2016).

In this contribution, we look at the case of Poligrow from the perspective of conflict sensitivity. More specifically, we analyze how the company is performing in relation to the application of early, consistent, meaningful and empowering stakeholder engagement processes, with a focus on free, prior and informed consent (FPIC) as a crucial element of conflict-sensitive business practices. While this paper is based on a single case study and its conclusions cannot be generalized, many of the negative impacts found in relation to Poligrow in Colombia are common to other cases of multinationals in conflict-affected areas.[5]

2   See: http://somo.nl/knowledge-centre/programmes/multinationals-in-conflict-affected-areas.
3   Indepaz is the Colombian Institute for Development and Peace Studies, based in Bogota; http://www.indepaz.org.co/.
4   SOMO and Indepaz, 2015a. An extensive review procedure has been carried out before publication to enable the company to comment on the report and correct any factual errors or provide additional information. In November 2015, the report was presented and discussed at the Pontificia Universidad Javeriana in Bogotá, Colombia.
5   See, among others, Chatham House, 2015: 3.

3.4.2 The case of palm oil company Poligrow in Colombia

The context

For more than 50 years, Colombia has experienced an internal armed conflict which means it now has the second-largest number of internally displaced people in the world (Internal Displacement Monitoring Centre, 2015). The Colombian conflict is rooted in unequal distribution of land and most of the armed violence is triggered by the issue of control over land. The FARC (Revolutionary Armed Forces of Colombia), paramilitaries, state forces and other armed groups have been in conflict over a long period of time, reaching the most intense levels of violence between 1985 and 2005. In September 2015, the two main parties to the conflict, the Government and FARC, announced they would sign a peace treaty within six months (WOLA, 2015).

The company

Spanish-Italian palm oil company Poligrow is located in the Meta department, in the municipality of Mapiripán. Mapiripán was affected by four massacres, all perpetrated by paramilitaries.[6] The company arrived in Mapiripán in 2008 as part of a government strategy to develop the eastern plains of Colombia and contribute to economic development. Poligrow's goal is to plant 15,000 hectares for the production of palm oil to be sold at national and global oil markets. Over the past decades, a large number of land transactions took place, often facilitating paramilitaries to 'whitewash' their illegally controlled land. The Colombian General Comptroller found that 12 palm oil companies in Meta department controlled "irregularly acquired and accumulated land", including Poligrow (SOMO and Indepaz, 2015b: 3).[7]

Adverse impacts of the company

The case study shows that Poligrow has generated various adverse impacts (SOMO and Indepaz, 2015b: 6-7):

— *Land rights:* The total amount of land controlled by the company is more than 5 times greater than the legal limit permitted under Colombian law, and if the land of local partners is also included this might be even twice as much.[8] By acquiring large amounts of land without properly investigating the history of the land, the company hinders some people affected by the internal conflict from returning to the land they originally come from and are strongly dependent upon, and thereby harms these people's land rights. There has also been a "Promise of Sale" agreement between Poligrow and a large landowner for the acquisition of an additional 70,000 ha. Poligrow denies that it has actually bought this land, but local people claim that the company is growing palm oil on this land (SOMO and Indepaz, 2015a: 67). In addition, according to a report by Colombian NGO, La Comisión Intereclesial de Justicia y Paz (CIJP) (Comisión Intereclesial de Justicia y Paz, 2015), inhabitants have been intimidated by paramilitaries to make them vacate their land which subsequently was taken into use by the company.

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6 The Massacre of Mapiripán of 1997 was the most notorious: it left at least 30 civilians dead, and members of the army, marine and police were found complicit of war crimes and crimes against humanity (SOMO and Indepaz, 2015b: p.3). These massacres directly or indirectly led to the forced displacement of more than 22,000 people during the period 1997-2013 (SOMO and Indepaz, 2015a: p.36).

7 In the report, it was erroneously mentioned that this was reported by the Public Prosecutor (La Fiscalía), while in fact it was the General Comptroller (La Contraloría General de la República).

8 The maximum allowed amount of controlled land (Unidad Agrícola Familiar) is 1,840ha. The companies in Poligrow's corporate structure control 9,829 hectares (or 5.3 times the allowed amount), while the strategic partners control 11,398 hectares, totaling 21,227 hectares (or 11.5 times the allowed amount) (SOMO and Indepaz, 2015a: 67-68, 75). Not all of this land has been planted with palm oil.

— *Security:* The company operates in an insecure environment where at least four paramilitary groups are present. It provides material support to the Colombian army and the police in Mapiripán in exchange for security. The research showed that the company has not put in place policies to deal with the human rights risks related to this support.

— *Labour rights:* Palm oil plantation employees work in precarious conditions. Most of the workers are subcontracted, receive salaries far below the minimum wage, and have uncertain or informal contracts.

— *Environment:* The company's oil palm monoculture requires large amounts of lime and pesticides, which pollute the environment, affecting farmers and indigenous people in the region. This mostly harms the indigenous Sikuani as they are dependent on hunting, fishing and collection of food. The company further contaminates local water sources in high-value conservation areas and thus contributes to the loss of biodiversity.

— *Tax havens and secrecy jurisdictions:* The company's management is not transparent about the rationale for its complex corporate structure which includes subsidiaries in various tax havens. This is especially important in a context where drug traders and paramilitaries have laundered money and have been involved in illegal financial transactions using legal companies, among others in the palm oil sector.

— *Dialogue and meaningful engagement:* The company's lack of transparency has a negative impact on the scope for communities to meaningfully engage with the company. Affected communities, both indigenous and non-indigenous, state there is no real space for dialogue during consultation meetings organized by the company. The company did not obtain FPIC from indigenous groups affected by its operations.

It is worth mentioning that the company has also created some positive benefits for the community, including education, food security, income generation and conservation projects, as well as a 24-hour electricity supply in the municipality.[9] However, the impacts of these initiatives are limited.

3.4.3 Analysis of conflict sensitivity in relation to the application of FPIC

Following this summary of the impacts of the company's operations, we will now look into the different elements of conflict sensitivity that are relevant in the context of Colombia, and connect these to the application of FPIC. As defined by International Alert in its Conflict Sensitive Business Practice Guidance (2005), conflict sensitive business practice has a number of key elements:

— Awareness of a company's ability to create or exacerbate conflict

— Development of mitigation measures to avoid or minimize negative impacts on local communities resulting from companies' own business operations or those of their business partners

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9   See: Poligrow Foundation website http://www.fundacionpoligrow.org/.

— Application of early, consistent, meaningful and empowering stakeholder engagement processes (including FPIC)

— Transparency about company plans, schedules and prospects

— Creation of effective channels through which stakeholders can raise and address problems.

Building on the concept of conflict sensitive business, a recent report by International Alert and swisspeace highlights the risks and impacts of agribusiness companies in conflict-affected areas (2015). The report concludes that while some international corporate social responsibility (CSR) guidelines and standards refer to conflict, this is always related to company-community conflicts and not to larger-scale conflicts such as a civil war. However, in the report it is argued that from a conflict sensitivity point of view, it is particularly the conflict context that demands enhanced due diligence from companies (Ibid: 5). One of the certification systems with particular relevance for this case, the Roundtable on Sustainable Palm Oil (RSPO) certification scheme, does not focus specifically on the conflict context. Also, the above-mentioned report concludes that agribusiness companies need to take extra care on the issue of local stakeholders' participation and act as role models for open, participatory approaches to the management of economic development processes. If they fail to do so, this can result in opposition from local communities, hostility against investors, conflict within and between communities and contributions to larger-scale political violence (Ibid: 6).

Building on these findings, we now analyze how Poligrow is performing in relation to one of the most crucial elements of conflict sensitive business practices – the application of FPIC for indigenous peoples. International conventions require that indigenous and tribal peoples are consulted on issues that affect them, and that these peoples are able to engage in free, prior and informed participation in policy and development processes that affect them.[10] It is now a key principle in international law and jurisprudence related to indigenous peoples.[11] Most FPIC principles contain a number of steps that companies need to follow when dealing with indigenous communities. In compliance with the principles and criteria of the RSPO, which Poligrow is trying to obtain certification for, corporate operations should guarantee community participation and obtain free, prior and informed consent.[12] In relation to FPIC, four areas are particularly relevant for this specific case:

— *Dialogue:* One of the key steps of FPIC is dialogue with affected indigenous communities. Our case study has shown that there was no sufficient stakeholder engagement before the company established itself in the region, and during its operations. According to indigenous communities, no FPIC process has been carried out and there is a lot of resentment among indigenous communities, as only very few are employed by the company, often in the lowest-paid jobs. Also, the lack of transparency has impacted negatively on the opportunity for communities to meaningfully engage with the company. Finally, the company has not established a company-level

10 This includes ILO Convention No. 169 (International Labour Organisation, 1989) as well as the United Nations Declaration on the Rights of Indigenous Peoples (United Nations, 2008).

11 See: Forest Peoples Programme (FPP) website http://www.forestpeoples.org/guiding-principles/free-prior-and-informed-consent-fpic

12 According to the RSPO, FPIC is obliged for all affected groups in the communities, not only indigenous communities. Roundtable on Sustainable Palm Oil 2013. Fedepalma, 2014.

grievance mechanism. It has organized 'multi-actor dialogues' on an irregular basis, but the problems addressed during these meetings have not been adequately dealt with by the company's management and intimidation of employees has been reported.

— *Security*: Poligrow has contributed to an already fragile situation in Mapiripán because of its links to security forces that are reportedly involved in human rights violations. This is particularly relevant for the indigenous communities living near the company's plantations. Indigenous authorities received threats from members of the army whenever they fish, hunt, gather, or visit their sacred sites. There have also been threats from paramilitary groups and FARC against community members, and various acts of aggression against workers who denounce abuses of their labour rights.

— *Land rights*: By acquiring disputed land, it is possible that Poligrow has impeded displaced people, including indigenous Sikuani and Jiw groups, from returning to the land from which they originate. Part of the land that the company controls via its local partners were originally communal ancestral lands reclaimed by the Indigenous Sikuani.[13] In general, the people who were driven off their land during the violent conflict still live in settlements and in precarious conditions. The acquisition of disputed land, to which Poligrow has contributed, has increased the potential for conflict. It is very unlikely that the company was not aware of these land claims and the role of paramilitaries.

— *Labour rights*: The company adversely affects workers' rights in a number of ways, including through irregular contracts and preventing workers from forming unions. The situation for indigenous workers is even worse, as they have fewer skills and less experience, which means that they have more difficulty in meeting the production targets, and thus receive lower wages.

3.4.4 Conclusions and recommendations

Based on the case described in this contribution, the following conclusions can be drawn:

— Palm oil company Poligrow has contributed to the conflict potential in the Mapiripán region because it has contributed to the unequal distribution of land, which is a root cause of conflict;

— By acquiring large amounts of land without properly investigating the history of the land, the company hinders some people affected by the internal conflict from returning to the land they originally come from and are strongly dependent upon;

— The company occupies indigenous land for the cultivation of palm oil, which is one of the reasons why indigenous and other local people, currently living under precarious conditions, cannot return to their lands. This has indirectly led to grievances and social unrest among these people;

13 This relates to so-called *baldios,* state-owned lands principally designated for small-sclae farmers and indigenous peoples. This includes land destined for land restitution, for which INCODER, the Colombian Institute of Rural Development, is responsible; SOMO and Indepaz, 2015a: 76, 95.

— The company continues to acquire new land, which has the potential to contribute to new conflict.

As a result, the company has contributed to an unequal, discriminatory, exclusive and undemocratic rural economic model that exacerbates the already fragile situation in the eastern plains of Colombia.

According to international standards for responsible business in conflict-affected areas, the company should have carried out enhanced due diligence before and during its operations in the region, but has failed to do so. Also, the company has not paid sufficient attention to FPIC as one of the key elements of conflict-sensitive business practice. It can be concluded that if the palm oil company had taken a more conflict sensitive approach from the beginning of its operations, many negative impacts could have been prevented.

Based on this case study, and backed up by more general research into the risks and impacts of multinational companies in conflict-affected areas, it is recommended that conflict sensitivity is included as a key aspect of enhanced due diligence processes and of international standards for responsible business. Conflict sensitivity needs to be included in risk screening and management processes, and integrated alongside standardized company risk screenings. In particular the role of FPIC needs to receive more attention so that local communities, including indigenous and other marginalized groups, benefit from private sector development so that companies strengthen peace rather than create conflict. The inclusion of conflict sensitivity assessments in international standards, such as the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises, would help prevent some of the worst impacts of multinational companies in conflict environments.

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4
Conflict Sensitivity as a Vector for Peacebuilding Across Sectors

4.1 Breaking the Silos: Conflict Sensitivity as an Opportunity to Overcome Silo-Thinking

Sidonia Gabriel

Today, the international aid architecture is answering the complexity of local conflict contexts[1] with relatively simple responses. International organizations work mainly through structures, systems[2] and sector wide approaches, which tend to focus on one problem at a time. They are rather inflexible to work effectively in situations of high complexity, often characterized by political volatility, weak institutions and economic instability (Foster, 2000: 33ff). Further, despite supporting notions of more participation, local ownership and locally led initiatives, policies of the international aid architecture seem to serve the maintenance of their own approaches, working modalities and structures rather than the needs of local contexts.

4.1.1 Two problems to consider

These issues create two problems: Firstly, a narrowly focused, sector-specific analysis combined with interpretations based on internationally accepted discourses about conflict-affected and fragile contexts[3], does not capture the complexity of the reality. This narrow analysis results in simple causal chains that are used to justify particular intervention strategies. This prevents interventions from achieving expected results and they risk to do harm in local contexts (Autesserre, 2012: 3). Secondly, because international aid policies and the resulting interventions are based on a rather narrow analysis, it is often not clear why and how the different sectors, such as governance, health, education, peace promotion etc. are linked together. Subsequently these links are not understood and taken care of in the implementation process.

Conflict sensitivity requires, as a first step, the understanding of the conflict context. In a second step, a conflict sensitive approach compares a planned or ongoing intervention against these context-born categories by translating these into sectoral and organizational language. In a third step, potential negative and positive effects of an external intervention on local contexts are identified.[4] This contribution focuses mainly on the first two steps in order to show how conflict sensitivity with a contextualized analysis as a starting point is relevant for multiple sectors. It applies an integrated, holistic, analytical lens that is adapted to the complexity of a local context. Therefore, the international aid architecture could use conflict sensitivity not only to make a positive contribution towards social cohesion and peace within a local conflict context, but towards breaking the silos between the sectors and the systems of the international aid architecture. Conflict sensitivity could lead to more context-relevant and integrated policies, in short, policies and interventions that are more meaningful to a context.

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1 Complex situations are characterized by a high level of uncertainty, unpredictability and social conflict. "The outcomes of interventions aimed at solving problems under conditions of complexity are unpredictable. So many factors and variables are interacting, many of them not only unknown but unknowable, that there can be no recipe for success." (Quinn Patton, 2011: 90).

2 I call development, humanitarian assistance, security and diplomacy different systems whereas sectors are referring to the group of actors working on the same topics such as education, water, governance, health etc.

3 I am referring to normative discourses such as the debate on fragility (New Deal), on Women, Peace and Security (UN SC Resolution 1325).

4 The three steps are derived from Mary Anderson's (1999) understanding of Do No Harm.

4.1.2 System and sector-wide approaches to address complexity in local contexts

In order to work in complex conflict-affected and fragile situations, it has been emphasized that collaboration between development, security and diplomacy was the only way to address these challenges (World Bank, 2011: 186). 'Whole of system' and 'Whole of government' approaches[5] are supposed to increase collaboration and to address the web of interactions, sectors, topics and emerging situations in a multi-disciplinary and integrated approach of all actors engaged. It is not about 'treating' an individual challenge or problem as isolated, but through the shared understanding and analysis of the situation through different angles, to address these in a more holistic way and to work together in joint strategies, implementation and monitoring mechanisms.[6] It was also acknowledged that every fragile situation is different, and there is no one-size-fits-all strategy (OECD, 2006: 9ff; DFID, 2010: 3).

Another result of the aid effectiveness debate is the sector wide approach.[7] It was observed that often a large number of well-intended but uncoordinated projects were implemented in one area with a high risk of duplicating the same activities while completely leaving out other areas. Thus, the sector wide approach focuses systematically on a specific sector such as health, governance, education, energy or water. It aims at comprehensive, coordinated and nationwide sector policies with an increased participation of local government and civil society and a results-based management approach. (Brown, Foster and Naschold, 2001: 15; APFO, CECORE, CHA, Fewer, International Alert, Saferworld, 2004: 2).

However, critical voices argue that the establishment of the systems and sectors had the opposite effect. Instead of handling complexity better, practice shows that international actors often applied a 'tunnel vision'. A sector specific assessment captures only a small section of reality and leaves dynamics and power relations that go beyond one sector out. This means, there is a lack of reference to the overall context and the sectors remain isolated in their own analysis and sectoral language. The international aid architecture ends up with a multitude of sectoral policy languages and implementation practices that are difficult to coordinate. Thus, different sector languages for different groups of practitioners are created (Mosse, 2004: 647). This results in another layer of complexity which leads to mutual incomprehension or competition between the sectors with the effect to destabilize or prevent coherence between them while consolidating the 'silo thinking'.

4.1.3 The gap between international policies and local realities

Mosse (2004) observed that policies often respond to the needs of the development community and not to those of a local context. He demonstrated that external actors interpret events and analyze realities in order to create a discourse around these interpretations, a common language to mobilize and stabilize support for certain development models and policies amongst their own constituency (Mosse, 2004: 648ff). Also the peacebuilding field makes

5   "When political, security, development and humanitarian interventions from one country are combined, this is often referred to as a whole-of-government approach (WGA) by development actors (…). When this approach is implemented by a wider group of actors in the international community this is often called a whole-of-system approach (WSA)." (DFID 2010: 2).
6   Principle 5 of the OECD DAC principles for fragile states and situations: "Recognize the links between political, security and development objectives."
7   Sector wide approaches entail that "all significant funding for the sector supports a single sector policy and expenditure programme, under Government leadership, adopting common approaches across the sector, and progressing towards relying on Government procedures to disburse and account for all funds" (Foster 2000: 9).

use of a 'toolbox approach' which assumes that "(...) peace can be externally engineered if one possesses the adequate knowledge, local partners and financial means" (Goetschel and Hagmann, 2009: 62). International organizations create their discourses with a carefully selected epistemic community[8] (Lemay-Hébert and Mathieu, 2014: 243ff), with international, local governmental and non-governmental partners. For example, Bächtold (2015) describes how in Myanmar the selection of the right local partners depends on their ability to comply with demands of handling accountability and project implementation according to international standards. The international cooperation has a power effect on local contexts by including a minority of actors that can live up to the expectations and excluding other actors which are not organized according to the western bureaucratic form (Bächtold, 2015: 9). By applying a lens which is conditioned by their own needs, international aid and peacebuilding architecture narrows its scope of analysis and misses important parts of contextual realities. "They orient the intervention towards a series of technical responses and hinder the search for a comprehensive solution" (Autesserre, 2012: 20).

By taking context needs as a starting point of analysis, conflict sensitivity can be disturbing because it critically evaluates positions and activities of all actors involved, also the international ones. It considers international actors as part of the local context.[9] By making power effects of the international system on local contexts explicit, for instance by identifying practices that do harm, it puts the mainstreamed international discourses on aid effectiveness, peacebuilding and others in to question and it provides a context-born lens on current realities that might not correspond with the international discourse. Could this be one reason for the fact that even if conflict analysis is undertaken, donor policies rarely provide for concrete operational consequences (Chigas and Woodrow, 2009: 2) to implement it? The application of conflict sensitivity would require them to review organizational procedures and activities and to go beyond their sector-limited understanding. The analysis would also force them to look into the effects of their own interventions on context and this could destabilize dominant narratives of interventions.

4.1.4 Understanding the conflict context: Conflict sensitivity

Unlike other transversal or cross-sectoral approaches that take either a topical (gender sensitivity) or normative framework (human rights based approach), the reference framework of conflict sensitivity is the conflict context. Ideally, the context realities provide the basis for the creation and negotiation of analytical categories which become benchmarks to describe and analyze local contexts. In other words, through conflict analysis, interpretations of local conflict contexts are established that influence the activities of international organizations and their staff (Autesserre, 2012: 6). Through the analysis step, conflict sensitivity constructs its own context-born – and not sectorally-imposed – reference framework. Whereas in Mali categories such as "social inequalities based on a superficial or dysfunctional democratic

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8 Definition of epistemic communities by Haas: "Epistemic communities are networks of professionals and experts with an authoritative claim to policy – relevant knowledge, who share a set of normative beliefs, causal models, notions of empirical validity, and a common policy enterprise." (Haas, 1992: 3).

9 The perception of the separation between external and local is deep-rooted. Autesserre describes how staff of international organizations construct their group identity versus the "other", local populations and authorities. (Autesserre, 2014: 174).

system", and "traditional inter and intra communal relations" are examples of analytical categories to understand sources of tension or sources of social cohesion in the conflict context (Gabriel and Diday, 2013; 12ff), in the Palestinian conflict these would be rather analyzed as "the factional split between Hamas and Fatah" and the "dividing and weakening effects from the physical blockade" (Dittli, 2011: 1).

4.1.5 Identifying critical links between the sectors

In the following examples I would like to show how conflict sensitivity could support multi-sectoral thinking. The above-mentioned analytical category in the case of Mali "social inequalities based on a superficial or dysfunctional democratic system" describes the democratic system and the bureaucracy linked to it that is producing inequality by legitimizing the traditional elite that is in power and informally maintaining power asymmetries by its recruitment policy into state institutions. So far, stability has been based on social inequality that has been widely accepted by the local population. In the future, this could be a source of socio-political tensions and violence, particularly if the young generation is putting these power structures into question (Chabal and Daloz, 99: 33). As the current democratic practice influences the delivery of state services, traditional power asymmetries play out in every public sector, even those that seem far away from the political sphere such as health, education or access to basic infrastructures. Therefore, it is not sufficient to construct clinics, to engage nurses and to claim that all groups have equal access to the services if structural patterns of exclusion are not addressed. The category of inequality has to be understood and translated into the public sectors; practices of exclusion have to be linked back to the local understanding of democratic governance, bureaucracy and patterns of power relations in institutions. Is it efficient to increase support for statebuilding and to assume that democratic governance, and thus social cohesion, will automatically be installed through extended programmes, as many donors claim? Or does the extension of statebuilding under these circumstances not unintendedly consolidate power asymmetries and thus have negative effects? This would be a relevant question in a conflict sensitivity exercise.

Another example is the link between security and education. Whereas the actors, interests, objectives, discourses, time frames, mandates and languages of both sectors could not be further away from each other, the links between them become obvious when we look at it from a context point of view between 2014-2015 in Mali. With the deterioration of the security situation in the North of Mali, the schools have remained closed for about three years despite the de-escalation of the conflict. Their re-opening would have been a very important symbol for the peace process, for state presence and for a return to normalcy that would have inspired the population with a notion of confidence. However, the teacher's union declared the situation not secure enough for the teachers to return to the North of the country and the actors of the international community (apart from some humanitarian actors) feared the security situation and refrained largely from supporting schools. In this

case, it would have been crucial to bring actors from the education and security sector together with local and national political actors to discuss the issue of school reopening location by location and to find solutions adapted to the local realities. Again the question here is: how are the sectors able to start a conversation with each other whilst speaking different languages? The challenge is to share the narrative and analytical frames and to get to a solution that involves and serves the local population. Conflict sensitivity can offer at least an approach of joint analysis and comprehension and it could stimulate a cross-sectoral conversation that could then lead into joint action where it is critical and meaningful.

4.1.6 Conclusions

Context-relevant cross-sectoral collaboration is a process in which the relations between the different sectors are negotiated in light of the context realities and not in light of sometimes competing sectoral thinking. Conflict sensitivity could make an understanding restricted to sectoral silos visible and provide alternatives to overcome these. Applied through creativity, debate and negotiation, conflict sensitivity requires a practice that comes closer to a process than an administrative procedure. Process-oriented methods suit complexity of a situation because of their flexibility and emphasis on participation (Leonhard, 2001:12). Applied in this way, conflict sensitivity brings about a diversity of perspectives of different actors and sectors, it recognizes the interdependences between these, and it provides a more differentiated understanding of power relations of local and international actors regarding the local context. This has the potential to foster a deeper understanding of the local context and it could incentivize a context-relevant cross-sectoral conversation and collaboration.

The question remains how a holistic and integrated analysis could be taken up in the rather inflexible structures of the international aid architecture. Seriously applying conflict sensitivity would imply a shift in power relations between international policy and local realities by taking context as a starting point. It would mean a reorientation of the international aid architecture towards local contexts, away from their own political, economic and security interests. Cross-sectoral conversation and collaboration, stimulated by a conflict sensitive approach, could be a first step in this direction.

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4.2   Applying Conflict Sensitivity to Security and Justice Programming

Rachel Goldwyn

To date, there has been very limited application of conflict sensitivity to security and justice (S&J) programming, and there is almost no guidance on how to customise conflict sensitivity to this sector. Yet conflict sensitivity is a very real concern for S&J programming, and given the unique focus on security and justice provision, raises several specific concerns. This paper identifies five key areas for consideration when applying conflict sensitivity to S&J programming. It draws on interviews with S&J and conflict specialists, a review of community based policing guidance from a conflict sensitivity perspective, and an in-depth application of conflict sensitivity to a specific security and justice project in a conflict affected area of Pakistan.

4.2.1   Specific conflict sensitivity considerations for security and justice programming

While the details of the programme always matter, conflict sensitivity does not only look into programme details, it also requires consideration of bigger, more strategic issues, particularly when applied to S&J programming. Three tiers of questions emerge, at meta, meso and micro level.

Meta questions raise wider programme quality issues, for example:

— Does the programme enhance accountability, and would a lack of work on accountability now undermine the ability to enhance accountability later?

— Is the programme designed for a peaceful or a conflict context?

— Is the buy-in of key players assured? Is there a sufficient focus on the political vs. the technical side of the programme?

— Could programme failure worsen the already eroded trust of citizens in the state?

— How does the lack of security and justice drive conflict? Could S&J programming inadvertently aggravate those problems?

Meso questions are more strongly rooted in the local context, for example:

— How might the programme be caught up in narratives of extremists?

— How might the programme reinforce the exclusion of community X?

Micro level questions focus on the details of the programme:

— Where are programme resources invested?

— How does this line up against existing lines of conflict/tensions?

Such micro level questions can be sourced through any good conflict sensitivity framework, however there is little guidance in terms of the meso and meta questions. This paper sets out key considerations for the meta level.

<u>Does the programme enhance accountability? Would a lack of work on accountability now undermine the ability to enhance accountability later</u>?

Applying conflict sensitivity to security and justice programming forces us to consider accountability, where accountability is understood to mean "the provision of checks and balances to assess whether security actors adhere to the laws and policies in force, and stipulate sanctions for abusive conduct." (DCAF 2012, p9). This is because at a very basic level if we improve *competence* without improving *accountability* then we risk creating an effective and well equipped security service that could be an obstacle to peace and security if it used its skills and capacity to oppress people or violate human rights, to pursue conflict escalating actions, or behave in ways that undermine hard won gains in trust. Additionally, not enhancing accountability through current programming could potentially undermine future ability of the executive to hold security services to account.[1]

Failure to Promote Accountability in Security Sector Reform in South Sudan

Following the Comprehensive Peace Agreement in South Sudan former militias were offered amnesties and integration into the SPLA to end insurgencies. Leaders of disloyal units were given senior roles, creating an incentive for rebellion rather than for peace. The security sector - which already mirrored the wider splits in South Sudan - swelled along distinct ethnic lines, making the SPLA unstable - and command and control was not established. Much donor programming, particularly from 2009 onwards, focussed on statebuilding, including large S&J programmes.

Prior to a major outbreak of conflict in December 2013, which precipitated the scale back or closure of S&J programming in South Sudan: "International efforts to transform the security sector in South Sudan focused to a large extent on its agencies – i.e. the military, the police, the intelligence services, and to a lesser degree on their oversight and leadership. The chances that these institutions might be fully successful were reduced by failure on the part of the donors sufficiently to match their technical interventions with a sustained coordinated political engagement at the strategic level. Without an agreed, positive overarching vision for the role and purpose of the security sector, guiding both its purpose and actions and its transformation, capacity development at the agency level risk merely creating more capable but less accountable security services...." (Jeremy Astil-Brown, 2014: 10)

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1   "Another common response to the weakness (or, in some cases, complete absence) of the executive oversight body has been to focus solely on the police instead, in an effort to go "with the grain" of the local context. The risks of such a decision and the likely lack of oversight that it might encourage needs to be fully appreciated, as experience in many countries shows that this can seriously undermine the ability of the executive to hold the police to account in the medium-long term" (Stabilisation Unit, 2014: 37-8).

Typically security and justice programming tends to be weak on enhancing accountability mechanisms. They are politically sensitive and national Government counterparts don't want to let programming engage on this area. This problem is pervasive – and is widely accepted as a constraint in S&J programming. Delivering S&J programming at arms-length through contractors has further weakened the link between the technical and political dimensions of the work.

Is the programme designed for a peaceful or a conflict context?

The question of contextual fit has a growing discourse within S&J work, as articulated by the Stabilisation Unit: "...the prioritisation of policing objectives depends in large part on the security and conflict context. In countries affected by violent conflict, the focus is likely to be on protecting lives and maintaining law and order. In more peaceful contexts, there may be a greater focus on bringing offenders to justice" (Stabilisation Unit, 2014: 10). There is a strong overlap with conflict sensitivity here – the overall design of the programme should understand the conflict environment. Thus a project that is focussed on bringing offenders to justice in a situation of conflict[2] or extensive violence would be conflict blind. Some common features of S&J programmes – such as Model Police Units do not appear to be a good contextual fit for situations of conflict.

Is the buy-in of key players assured? Is there a sufficient focus on the political vs. the technical side of the programme?

Since S&J reform is deeply embedded within state and non-state institutions, the buy-in of key players is fundamental to the success of programming. The lack of, or loss of, buy in can not only result in programme failure, but could also worsen conflict. In Zimbabwe a conflict sensitivity assessment of a security sector reform project highlighted that programmes were seen as aligned with one political party and were thus viewed as part of the conflict, and that outreach to the potential spoilers to the programme were needed along with efforts to bring all the relevant players on board and find common ground. The balance between focus on the political (gaining and sustaining buy-in) and the technical is thus important from a conflict sensitivity perspective. The question of buy-in forces us to consider possible linkages between security forces and criminal gangs / networks, questions which are often avoided as they are felt to be 'too sensitive' yet are essential to understand possible conflict sensitive concerns.[3] Recent research on policing in Latin America has articulated a useful way to analyse police and shape police reform, by way of the 'Principle agent model' (Prado et al, 2012). The principle agent model identifies the principle to whom the police force is accountable, which in turn drives several other important dimensions of police characteristics and behaviour (e.g. external accountability, attitude towards human rights, mode of operation). The research argues that much police reform programming in Latin America has failed as they do not address the principle agent problem – i.e. the underlying institutional deficiencies and incentives. Assessing a police or security service along the lines of the principle agent

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2   In some situations the term 'conflict' is shunned by officials, and so programmes, funders and implementers use the term 'crisis' or 'volatile' instead.

3   Recent research among donors in Myanmar identified conflict sensitivity as misunderstood / used as a mask for not discussing major conflict sensitivity concerns, conflating conflict sensitivity with conflict avoidance (Bayne and Goldwyn 2015, p. 10).

model could help highlight where conflict sensitivity concerns will arise in relation to the buy-in of key players, as well as wider programme quality issues.

<u>Could programme failure worsen the already eroded trust of citizens in the state</u>?

S&J programmes (policing in particular) often involve two prongs - referred to as 'demand' and supply', where legal empowerment work at the community level creates demand for better police services, while police training and police reform enhances the supply of police services. The notion of demand and supply borrows from economic theory, with the assumption that provoking demand for better police services works to 'signal' for more supply. For signalling to work then we have to expect that for some period demand 'will not be met by / will outstrip' supply. In some instances radio and TV shows are used to generate demand, yet these are broadcast to areas outside the locations where a project will support enhanced supply – in these areas supply will not increase, creating unmet expectations for enhanced supply.

If signalling doesn't work, and supply does not increase as a result of increased demand, this too can create raised but unmet expectations for enhanced performance / service delivery. If a programme is built on an assumption that the lack of S&J contributes to conflict, or more specifically – that the failure of the state to provide S&J erodes citizens confidence in the state, to further enhance demand without a corresponding increase in supply could result in increased frustration among communities, reinforcing their sense of a lack of the provision of S&J. This essentially worsens the problem the programme set out to resolve. Further, if raised expectations are not met and the communities become aware of the sizeable donor funds invested in the programme, then this could lead to a further erosion of citizen confidence in the state.

S&J programmes seek to challenge and change practices, and therefore there are risks involved. Conflict sensitivity does not seek to prevent risk taking, but asks that those risks are managed adequately. This could involve additional measures in risk management when raising demand. It might also shift emphasis in terms of what matters in terms of increasing supply. For example if attitude change is the most important and visible part of enhancing the supply of policing, this would indicate that programming should focus on attitudes of police over and above work on function and form.

Integrating conflict sensitivity into demand and supply signalling in S&J programming also requires thought and agreement on some very practical issues, such as:

— How demand driven signalling creates pressure for enhanced supply: If the demand and supply metaphor holds true, then what level of unmet demand is expected in order to provoke enhanced supply? Or put another way - what is the level of risk any S&J programme is willing to tolerate in the

difference between demand and supply? If demand were outstripping supply, what would be the indicators that this was reaching a problematic level?

— Timing: What are the timelines for the work on demand and supply, and what are the expectations of how they should match up? What calibrations are needed in each to best manage any risks relating to demand outstripping supply?

— Prioritisation: Given that increasingly supply is unavoidably slow, what are the fundamental aspects of enhanced supply that are needed?

How does the lack of security and justice drive conflict? Could S&J programming inadvertently aggravate those problems?

The lack of security and justice is widely acknowledged as a cause of conflict in many conflict affected states. S&J programmes are built to respond to this root cause of conflict. However S&J responses – in an effort to take a holistic approach or to pursue specific donor policy agendas – may lose the focus on the actual drivers of conflict. From a conflict sensitivity perspective, understanding the linkage is important since only with clarity on how existing problems in security and justice provision contribute to conflict can we assess whether programming is inadvertently aggravating any of those underlying problems. Programming that addresses drivers of conflict is not inherently conflict sensitive – to tackle a conflict driver may surface much tension, which can result in violence.

4.2.2 Conclusions: A way forward

There is small but growing recognition of the importance of applying conflict sensitivity to security and justice programmes, but the awareness of conflict sensitivity in this sector is decades behind that of the development and humanitarian community. The cause of this may be that S&J programming is assumed to be inherently conflict sensitive - since it is designed to address a driver of conflict, shouldn't it automatically contribute to peace? This logic is flawed – projects cannot be assumed to be inherently conflict sensitive, and those that seek to address conflict have significant potential to trigger violence. Another possible explanation could be that where S&J programmes do inadvertently contribute to tensions or violence this is seen as straightforward programme failure, and the uniqueness of the problem (escalating tension) is not seen as particularly relevant. However conflict sensitivity has significant value added to bring to the S&J sector, as it can identify problems in advance, enabling programmes to adopt preventative actions to avoid inadvertently escalating tensions. It often also highlights wider programme quality concerns, helping to strengthen programme success overall.

In applying conflict sensitivity to S&J programming, it will be essential to avoid reducing conflict sensitivity to a non-political technical solution, a technical fix at the micro level to address conflict concerns that have arisen from major political decisions that frame the programme or portfolio, taken earlier on by senior donor staff. Instead, conflict sensitivity in S&J programming requires a focus on questions of strategy at the meta and meso level to escape a reductionist technical fix approach.

This paper identifies a number of very practical questions that can help steer project / programme funders and implementers in identifying how to customise conflict sensitivity to the S&J sector, but there are undoubtedly other meta level questions that have not yet been identified. A wider application of conflict sensitivity to S&J programming could surface other useful questions, as well as capture examples of the value added of applying conflict sensitivity to S&J programmes. Reaching out to S&J donors and implementers to make the case for conflict sensitivity is a key next step in taking conflict sensitivity to the next level in S&J programming.

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4.3   Monitoring and Evaluation of Conflict Sensitivity: Practical Considerations

Kiely Barnard-Webster, Nicole Goddard and Isabella Jean[1]

Monitoring and evaluating (M&E) the application of conflict sensitivity (CS) in aid interventions remains a real challenge for many aid organizations. This article outlines the key elements required for doing M&E of conflict sensitivity effectively and for enabling the use of the findings for program adaptation and improvement. Throughout, it also explores the diverse ways practitioners may apply M&E of CS to any type of programming in a conflict context (e.g., peacebuilding, relief, development, justice, etc.).

4.3.1   A two-pronged approach

Effective CS application and use of monitoring data in adaptive programming hinges on multiple institutional factors and capacities. CDA's evidence base shows that these factors need to be understood and addressed within each organization in order to systematically use and integrate conflict sensitivity in operational and programming decisions (Goddard, 2014). But first, let's distinguish between two distinct but related processes that are at the foundation of M&E of CS.

Essentially, monitoring and evaluation of conflict sensitivity requires a two-pronged approach:

— A process assessment of the application of CS. Thus, asking the question, "Is a conflict sensitive process applied to programming; and, if so, how?" At its core, application of conflict sensitivity necessitates quality analysis (e.g., factors inducing, exacerbating or mitigating a conflict, or actors that contribute to or reduce existing tension) as well as an iterative process for updating this analysis.

Analysis is a mandatory first step of a good conflict sensitive process as it provides a 'baseline' against which an intervention may assess its impacts on pre-existing tensions or on communal cohesion. Quality CS application also requires identifying relevant indicators for change at the outset of programming and developing practical systems for capturing programmatic responses to contextual changes (e.g., a standing agenda item in weekly program meetings with a question: "what did we change in our program approach this week and why?"). Documenting these examples helps to trace the process of adaptive programming which is often difficult to reconstruct in retrospect.

— An outcome assessment of the changes resulting from CS application. An analysis of unintended positive and unintended negative changes in the local context that result from the intervention in required in order to measure the outcomes of CS application. Documenting organizational responses to changes in the context supports learning and evaluation efforts.

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1   This contribution is adapted from a paper authored by Rachel Goldwyn (CARE UK) and Diana Chigas (CDA Collaborative Learning Projects), in collaboration with the UK Department of International Development (DFID). The paper intends to expand on this practical guidance in order to contribute to the development of thinking on monitoring and evaluating the application of conflict sensitivity in different types of programming.

CDA's advisory work with partner organizations consistently points to the need for developing appropriate monitoring mechanisms and sufficient funding from the earliest stages in the program cycle, in order to ensure sustained attention and focus on conflict sensitivity throughout the program cycle. Additionally, M&E plans should include processes for ensuring that the M&E process itself is conflict sensitive! In practical terms, conflict sensitivity practice requires planning ahead and flexibility for mid-course adaptations to the program.

4.3.2 Monitoring

Discussing the Value of Conflict Sensitivity Analysis

Any type of programming (i.e., peacebuilding, development, humanitarian, justice) can monitor and evaluate sensitivity to conflict (differentially labeled, perhaps, as: division, tensions, or structural violence (Chigas et al., 2013: 9) within the context. Generally speaking, a robust analysis that encompasses multiple perspectives and is user-friendly forms the backbone of quality CS application within any type of programming. Analysis also informs the development of context-appropriate monitoring and evaluation mechanisms for CS and serves many important functions throughout the program cycle:

— It serves as the baseline of the context, providing key reference points for the situation prior to an intervention

— It informs the intervention design and redesign, and therefore is important to the analysis of relevance and appropriateness of an intervention

— It is required for ongoing evaluative inquiry in monitoring the long-term impacts, or observable short-term effects, of an intervention (e.g. rise in prices of goods because of influx of aid also known as 'market effect'). Awareness of unintended effects of the intervention is the central tenet of good CS work.

— It provides a point of comparison for the endline or the point of measurement, enabling identification of unintended outcomes that escalated conflict or tensions.

Ideally, conflict analysis should be the basis for developing program proposals. However, evidence from current practice shows that more often than not a thorough analysis involving a broad range of perspectives is rarely allocated efficient time or resources. This leads to unsatisfactory conflict sensitive practice i.e. retroactive or partial analysis of divisive or connecting factors and actors in the local context. It is critical for analysis to be included as a dedicated line item when developing budget proposals, or should appear along with the initial set-up of activities in any program workplan.

Additionally, as part of program planning and set-up process, it is important to ensure that program staff and partners have analytical capacity and competencies needed for monitoring conflict sensitivity. A staff capacity assessment may reveal the need for practical skill-building workshops and/or

demonstration sessions to illustrate how conflict sensitivity analysis has helped to positively adapt programs and to decrease tensions caused by interventions elsewhere. Capacity development should include both quantitative and qualitative data analysis skills as well as sense-making skills for information generated in open-ended listening conversations and through feedback channels. Regularly revisiting the analysis will ensure that program staff are aware of changes in the context as they occur and engage in joint deliberation of the changes needed in the program. Time should be built into workplans for regular updates of conflict sensitivity analysis and for conversations with local community members focused on changes in the local context and capturing their perspectives on unintended program impacts (both positive and negative). There should be sufficient flexibility for staff to revisit their analyses based on external or local developments. Changes in the context, as well as programmatic responses to those changes, should be documented as part of updating program plans and logframes. This could be done using an easy to use template that indicates the changing factors and the resulting program adaptations and outcomes.

<u>Key Questions to Inform Useful CS Monitoring Processes</u>

As program implementation and monitoring processes begin, the key question is, "when it comes to conflict sensitivity, what are we monitoring for?" Rather than examining progress toward program goals, M&E for conflict sensitivity concerns itself with understanding the following areas:

— How is the context changing (both positively and negatively)?

— How is the intervention contributing to those changes?

— How is the intervention responding to those changes?

A monitoring system needs to be adapted for tracking these changes. One example of a practical framework for analyzing and tracking changes to the context is the Do No Harm framework, which helps to identify 'Dividers' and 'Connectors' in the specific program context (Anderson, 1999). The dividing and connecting factors and actors need to be periodically reviewed along with the analysis of how programmatic elements impact each of the factors.

An additional and complementary approach to context monitoring involves the use of feedback mechanisms. Feedback from stakeholders that are not program participants often provides useful additional information when monitoring conflict sensitivity, as it draws in diverse viewpoints, potentially revealing useful unintended (or unanticipated) program effects (Bonino, 2014: 29; Jean, 2013: 4). CDA encourages organizations to adapt their existing feedback mechanisms to capture and respond to real-time information about unintended impacts of programs on group relations in the local context. Feedback loops are particularly useful in cases where over-reliance on indicator-based methodologies can result in oversight of dynamic changes in the context and program's effects on that context. However, the use of community

or 'beneficiary' feedback in adaptive programming and course-corrections has been equally challenging due to institutional barriers to accountability (Jean, 2012; CHS Alliance, 2015).

Effects of the Intervention on the Conflict

Organizations should monitor for those changes in the conflict context, which can be linked to the intervention's activities (e.g., looking for specific patterns of change in the levels of tension or capacities for peace in the context and stating how these link to the organization's actions). These include patterns of the distribution of resources, effects on local markets for goods and services, changes in levels of influence of local actors linked to the intervention, a decreased dependence on local systems, institutions, and mechanisms that perform similar functions to those of the intervention, and changing rates of theft linked to the resources distributed by the intervention. Effects on inter-group relations and conflict will differ depending on the type of program intervention and context. For example, a development outcome for a post-conflict justice sector reform program may be to increase the effectiveness of the court system, however conflict sensitivity monitoring data might reveal that a particular societal group continues to be discriminated against within the newly reformed institutions. Thus, the intervening organization needs to be able to monitor for such effects and to adapt their design and programming accordingly to avoid negative impacts (CDA, 2011: 2).

Effects of Conflict on the Intervention

Third, the organization should track those changes to the intervention necessitated by changes in the context. These changes could be on a large scale (determining exit strategies, revised theories of change) or a small scale (adjusting the details of the program to adapt to increased tensions or decreased capacities for peace).

Lines of Inquiry for Monitoring Conflict Sensitivity (Chigas et al., 2013: 20-21)

Conflict Analysis	— What are the drivers of violence or tension in the context?
	— What are the drivers of peace in the context?
	— What actors oppose/support change?
	— What are the trends in sources of tension in the intervention area?
	— What are the trends in capacities for peace in the intervention area?
Effects of the Intervention on Conflict	— Has the distribution of resources exacerbated conflict? Does it favor, or is it perceived to favor, one group over another?
	— Does the introduction of new resources allow existing resources to be freed up to pursue violence or conflict?
	— What incentives do programs, country plans, strategies, give to government or non-state actors to engage in violence or behave in ways that increase tension or worsen drivers of conflict?
	— How have choices about where to work, what to do, with whom to work, timing and procurement affected sources of tension or opportunities for peace in the intervention area?
	— Has staff behavior sent implicit messages that reinforce conflict dynamics? (impunity, discrimination, non-transparency, lack of respect, hostility, aggression, etc?)
Effects of the Conflict on the Intervention	— Have any changes in the conflict made parts of the intervention inappropriate for the conflict context?
	— Are underlying assumptions still valid?
	— What elements of the conflict challenge the effectiveness of the intervention?
	— What trends in the conflict have interfered with implementation of the project, or achievement or sustainability of the outcomes?
	— What measures have been take to reduce risks of the conflict undermining the intervention, how effective have they been?
	— How has the conflict affected the safety and security of beneficiaries, staff and partners?
	— What are the perceptions of local communities and wider stakeholders regarding the intervention?

4.3.3 Evaluation of CS: Minimum Quality Criteria

Evaluating CS of aid interventions provides an objective assessment of the interaction between the design, implementation and overall results of an ongoing or completed intervention. Evaluation of CS examines whether or not the intervention has worsened dividing factors in the context and/or contributed to strengthening local capacities for peace. When evaluating an intervention's application of conflict sensitivity, it is important to review both the outcomes of CS application, as well as the functionality of processes in place to ensure conflict sensitive action (i.e. a and b on page 1). The following are lines of inquiry for evaluation of CS:

— What unintended effects did the project/program have?

— How did the organizations respond to those impacts as they arose—what changes were made to program plans and design to ameliorate negative impacts or amplify positive impacts?

— Did the organization's response adequately address the changes in the conflict? Were tensions decreased? Were opportunities to build capacities for peace taken advantage of?

— Was the conflict analysis revised or updated in the course of the program?

— How regularly did this occur? What triggered an update of the conflict analysis?

— Has consideration of conflict been included in organizational practices: hiring, security, codes of conduct, etc?

4.3.4 Conflict Sensitive Monitoring and Evaluation

Finally, the process of monitoring and evaluation is in itself an intervention and hence should be conflict sensitive too. Organizations should consider how information is gathered, who is consulted and included in analysis processes (and who may be inadvertently excluded), and where and when those processes take place. The ethical considerations that typically inform data collection processes in regards to safety and protection of participant are applicable and highly relevant in conflict-affected settings. But conflict sensitive M&E goes beyond the standard ethical considerations and needs to take into account the conflict-inducing effects of monitoring and evaluation processes in regards to how these are perceived and how these may aggravate the inter- or intra-group relations. Currently, there is a dearth in guidance or documented experience with conflict-sensitive evaluation processes. CDA will be working with evaluation and peacebuilding practitioners to fill this knowledge gap and offer practical guidance for evaluators who conduct evaluations in conflict-affected settings.

4.3.5 Conclusions

To date, few monitoring & evaluation mechanisms for conflict sensitivity have been sufficiently documented or systematically applied which continues to leave a veritable gap in evidence and practice on this important aspect of CS. Monitoring and evaluation of CS may be happening episodically or on an ad-hoc basis, but it often takes place within the 'black box' of implementation and is less available to learn from as a promising practice.

Currently, CDA identifies several barriers to learning about what CS M&E mechanisms exist and explanations as to their effectiveness. Mainly, that: 1) adaptive monitoring processes are often internal, and monitoring data and decisions are rarely shared or discussed collaboratively (particularly when staff fail to record data and/or the programmatic decisions this data informs, which is often the case); 2) organizations that do establish strong internal monitoring processes often focus on quantitative monitoring data (Bonino et al., 2014) which inhibits the rapid decision-making often required to adjust programs that are negatively effecting the contexts where they work.

CDA continues to examine M&E of CS as a field of study and hopes to convene actors to help address the evidence gap and to inform good practice. We encourage organizations to share their lessons learned from application of M&E processes to conflict sensitivity with each other and with the CS-Hub hosted by swisspeace as this will be help foster learning and inform good practice across the sector.

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About the Authors and Editors

Eric Abitbol is a multi-disciplinary peacebuilding, ecopolitics and M&E theorist, methodologist and practitioner. He is a Senior Consultant on Environment, Security and Conflict Transformation with Universalia, a firm based in Montreal, Canada, as well as an Adjunct Professorial Lecturer at the American University in Washington, DC where he teaches environmental peacebuilding. A Chevening Scholar, he holds a PhD in Peace Studies from the University of Bradford, having focused on hydropolitical peacebuilding in the Israel-Palestinian conflict environment. An Executive Editor with the Journal of Peacebuilding and Development, he oversaw a two-year participatory evaluation project funded by the International Development Research Centre (IDRC) that led to a Special Issue of JPD on Peace and Conflict Impact Assessment (PCIA) in 2014.

Rina M. Alluri carried out academic research, policy mandates and conflict sensitivity assessments for companies and civil society actors with the swisspeace Business and Peace program from 2007 until 2015. She holds a PhD from the University of Basel with her dissertation analysing the role of local business in peace and conflict issues in Sri Lanka. She has worked as a part-time Lecturer at the University of Basel where she taught a course on businesses in conflict contexts. She is currently an independent Peacebuilding Consultant and an Associate Expert at swisspeace.

Dominik Balthasar is a Senior Researcher with swisspeace's statehood program. His work has largely focused on issues pertaining to peace, conflict, and development in contexts of state fragility – with a particular focus on Somalia and specific interest in the role of institutions and identities. Previously, Dominik consulted with the World Bank, the United Nations, and other international development organizations in Somalia, DR Congo, Nepal and Timor-Leste, and worked for Chatham House (London), the US Institute of Peace (Washington, DC), the EU Institute for Security Studies (Paris), and the Institute for Peace and Security Studies (Addis Ababa). Dominik has taught post-graduate courses at the School for Oriental and African Studies, the University of Basel, and the London School of Economics, from which he earned his MSc and PhD in international development.

Kiely Barnard-Webster has professional expertise in gender and development, monitoring, evaluation and learning, theories of change and peacebuilding effectiveness. At CDA, Kiely works on peacebuilding and conflict sensitivity in Myanmar as well as with new approaches to combating corruption in the Democratic Republic of Congo, where she is supporting ongoing monitoring and evaluation efforts.

Marieke Fröhlich worked at the swisspeace/KOFF Gender Unit. She holds an Erasmus Mundus Masters in Gender studies from Utrecht University and Central European University. Her thesis research focused on the conceptualization and implementation of the United Nations Security Council Resolution 1325 (UNSCR1325) in the South African National Defense Force. Marieke also holds a Bachelor of Social Sciences from the University of Cape Town.

Previously, she worked with various women's rights and feminist NGOs in Germany and South Africa. Marieke has also been involved in different research projects around women's safety and UNSCR1325, having worked with the African Gender Institute as well as Oxfam Novib and Utrecht Dataschool.

Sidonia Gabriel is currently the Head of the swisspeace Policy and Platform program and the director of the Center for Peacebuilding KOFF, a Swiss multi-stakeholder platform with over 45 members. Specialized in conflict transformation and organizational development, Sidonia has 15 years of experience in the areas of conflict analysis, conflict sensitivity, strengthening participation of local stakeholders in peace processes, strategic planning and design, implementation and evaluation of peacebuilding engagements as well as in the accompaniment of high-level peace processes.

Nicole Goddard is a Conflict Sensitivity Advisor, Do No Harm trainer and Trainer of Trainers at CDA Collaborative Learning Projects, with many years' experience training CDA's Reflecting on Peace Practice tools. Nicole most recently co-authored 'Do No Harm in Land Tenure and Property Rights: Designing and Implementing Conflict Sensitive Land Programs' and co-designed the CDA course Practical Tools for Promoting Positive Change in Complex Contexts.

Rachel Goldwyn has been developing tools, concepts and practice of conflict sensitivity for over 15 years. When at CARE, she supported country offices in mainstreaming conflict sensitivity and staff in applying conflict sensitivity to projects in Africa and Asia. At CARE and previously at International Alert she was involved in the drafting of numerous publications on conflict sensitivity, and delivering training / capacity building in the same. Now as a freelance consultant, she has supported a wider array of agencies in applying conflict sensitivity, and has worked on customising conflict sensitivity to several sectors, including security and justice.

Andreas Graf is a Program Officer at swisspeace's Business and Peace Program. He has been involved in conflict sensitivity consultancies with businesses and is advising Swiss government sections and the UN Working Group on Business and Human Rights on issues related to the role of states in ensuring business respect for human rights. He also works on a PhD in political science on the evolvement of Swiss CSR policy.

Hesta Groenewald is Senior Conflict and Security Adviser for Saferworld in London, focusing on conflict sensitivity, gender, peace and security and alternative approaches to counter-terrorism. She previously managed Saferworld's South Sudan and Great Lakes Program, focusing on conflict-sensitive development, community security and small arms control. She has research, training and programming experience on a broad range of conflict prevention and security and justice issues, mostly in East Africa and the Great Lakes, but also in Southeastern Europe, the Caucasus and Central Asia. Her experience

has included working with a wide range of actors, including multi-lateral institutions, governments, civil society and community groups. She has authored and co-authored training materials, advocacy briefings and research reports on these issues. Most recently, she has been conducting a conflict sensitivity assessment of a road construction project by a Chinese company in South Sudan.

Sabina Handschin is a Senior Conflict Sensitivity Program Officer at swisspeace. She supports governmental and non-governmental organizations in conflict sensitivity mainstreaming, capacity building and strategy development, and has promoted the launch of the CSC-Hub Initiative. Previously, she worked with UNICEF and NGOs in the Democratic Republic of Congo, Chad, Central African Republic, Senegal and at Headquarters in Switzerland. As an Assistant Lecturer in Eritrea, she taught Social Anthropology at the University of Asmara and conducted field research on issues of identity and belonging of Eritreans deported during the Eritrean-Ethiopian border war. She has a Master's Degree in Social Anthropology, Political Sciences and Geography, a Diploma in Humanitarian Assistance and an international executive MBA in General Management.

Anette Hoffmann is a Senior Research Fellow at the Conflict Research Unit (CRU) of Clingendael in the Netherlands. Her work focuses on the economic drivers of conflict and fragility as well as on the interaction between private sector development and peacebuilding. She is particularly interested in exploring ways, in which the private sector can best contribute to both sustainable economic growth and conflict prevention. Prior to joining CRU, Anette worked as Technical Advisor for GIZ HQ and UNIDO Sudan and South Sudan, designing, implementing and monitoring & evaluating programs on conflict-sensitive private sector development.

Andrea Iff heads the Statehood and Conflict and Business and Peace Program at swisspeace. She holds a PhD in Political Science and lectures at the University of Basel. A specialist in comparative political science, her research focuses on the intersections of peacebuilding and institutional engineering, and political economy and development. Together with a Nepali partner, she conducted a comparative research project on the role of private sector in peacebuilding.

Isabella Jean provides expertise on conflict-sensitivity, peacebuilding effectiveness, program design, monitoring and evaluation methods, and accountability and feedback loops. Isabella has led collaborative learning processes and field research in Africa, Asia, Middle East and Caucasus, and co-authored 'Time to Listen: Hearing People on the Receiving End of Aid'. Isabella continues to lead research on feedback loops and supports CDA's work on peacebuilding evaluation. She also teaches a graduate-level course on monitoring and evaluation of peacebuilding interventions as an adjunct faculty at Brandeis University's Heller School.

Karlijn Kuijpers is a Researcher at SOMO. She carries out research into energy and multinational corporations in conflict-affected areas, with a focus on Latin America.

Thania Paffenholz is the Director of the newly created Inclusive Peace and Transition Initiative (IPTI) at the Graduate Institute of International and Development Studies in Geneva (www.inclusivepeace.org). With over 25 years of experience as both an academic and policy advisor, Thania Paffenholz is internationally renowned for her work on and in support of peace processes and fragile contexts around the globe. She holds a PhD in International Relations. In recognition of her work, Thania Paffenholz recently received the prestigious Wihuri International Prize. She previously held positions as Project Director and Senior Researcher at the Graduate Institute, was Director of the Center for Peacebuilding (KOFF) at swisspeace; served as peacebuilding advisor to the EU Special Envoy to Somalia at the Delegation of the European Commission in Kenya and was a research fellow at the Peace Research Institute Frankfurt, Germany. Thania Paffenholz has participated in different UN missions in Africa. She advises UN agencies, the EU, the OSCE, the OECD/DAC as well as governments and non-governmental organizations.

Mark van Dorp is a Senior Researcher at SOMO, the Dutch Centre for Research on Multinational Companies. He specializes in the role of multinational corporations in conflict-affected areas, the agribusiness and extractives industry, and international standards for responsible business.

Christian Scherer is a former Program Officer with swisspeace's Analysis & Impact programme, where he worked on conflict sensitivity, state fragility, and international policy processes related to peacebuilding and statebuilding. Previously, he worked for several years in Sudan and South Sudan in the humanitarian programs of the Swiss Agency for Development and Cooperation (SDC). He then moved to SDC's Head Office in Bern where he focused on SDC's human rights policies and the implementation of the New Deal for Engagement in Fragile States. Christian holds an MA in History form the University of Bern (2009) and a Master of Advanced Studies in Development and Cooperation from the Swiss Federal institute of Technology (NADEL) in Zurich (2012).

Matthew Scott has served as Director of Peacebuilding for World Vision International since 2010. He is an active and certified facilitator in several international conflict analysis tools. He participated in the DfID-funded Conflict Sensitivity Consortium and is a co-author of "Making Sense of Turbulent Contexts".

Mark Segal is Head of Profession for Conflict at the UK's Department for International Development (DFID), responsible for thought leadership and development of DFID's cadre of 40 Conflict Advisors. His previous career includes a secondment with the European External Action Service, five years in DFID's Conflict Policy Team and a similar period in DFID Nepal. Mark co-led the development of DFID's state-building and peacebuilding policy and helped develop the UK's Building Stability Overseas Strategy (BSOS).

About swisspeace

swisspeace is a practice-oriented peace research institute. It analyses the causes of violent conflicts and develops strategies for their peaceful transformation. swisspeace aims to contribute to the improvement of conflict prevention and conflict transformation by producing innovative research, shaping discourses on international peace policy, developing and applying new peacebuilding tools and methodologies, supporting and advising other peace actors, as well as by providing and facilitating spaces for analysis, discussion, critical reflection and learning.

swisspeace is an associated Institute of the University of Basel and member of the Swiss Academy of Humanities and Social Sciences. Its most important partners and clients are the Swiss Federal Department of Foreign Affairs, the State Secretariat for Education, Research and Innovation, international organizations, think tanks and NGOs.

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