

Forced Displacement and Security Sector Reform

ISSAT Advisory Note

December 2017

Introduction

Because of ongoing armed conflicts in a number of different regions, we are witnessing the worst humanitarian crises in decades, as described by the UN High Commissioner for Refugees.¹ These armed conflicts cause displacement, leading to secondary movements and people seeking protection in neighbouring countries as well as further away. According to the UNHCR², the total number of refugees in June 2016 was around 21 million, while the International Organisation of Migration estimates 214 million international migrants worldwide and 27.5 million internally displaced persons (IDP). Aside from armed conflict, armed violence further adds to the drivers of displacement worldwide. For example in Central America, this is one of the main push factors that makes people leave for a better and more secure life in the United States.³

International discussions have increasingly focused on the human security aspects of migration, refugees and human trafficking. This brief aims at highlighting some causes of why people become refugees or migrants.⁴ Furthermore, it suggests how the international community (IC), through Security Sector Reform (SSR) initiatives, might help address some of the *push factors* that make people leave their homes and home countries, mindful that SSR is not a silver bullet to the complex issues surrounding forced displacement. Additionally, the paper considers how SSR could increase human security for migrants and refugees in transit.

Issues under consideration

- In the spirit of a whole-of-government approach, in dialogue with migration and refugee agencies, exploring how governments can help prevent forced displacement, as well as increase protection for refugees and the forcibly displaced, through SSR initiatives;
- Moving SSR from a crisis response option to a prevention measure, addressing some of the root causes of forced displacement;
- Even when security structures are difficult to change, for example during intense armed conflict, focusing on the behaviour of security sector actors, including non-state armed actors, through the reinforcement of International Humanitarian Law to decrease abuses causing people to flee their home or home country;
- Increasing the use of conflict analysis in order to understand the drivers of conflict and peace, the political incentives to change, interest of key stakeholders, and conditions and avenues for promoting change and a more effective and accountable security sector;
- Ensuring a Human Rights Based Approach (HRBA) to SSR, as this will underpin the meaningful participation of the most vulnerable members of society including those forcibly displaced in security

¹ UNHCR, [High-level meeting on global responsibility sharing through pathways for admission of Syrian refugees](#), Background Note, March 2016.

² [Figures at a glance | UNHCR](#) Last accessed on 22 December 2017.

³ Another cause, explained by Paul Collier in his controversial study *Exodus* (2013), are the economic inequalities that act both as push and pull factors for people to leave Central America and Africa for a better life with human dignity in North America and Europe. The latter category is not discussed in detail in this brief.

⁴ This brief applies [UNHCR](#)'s distinction between migration and refugee. Migrants might be motivated by several different factors, while refugees are limited to "...persons fleeing armed conflict or persecution...Their situation is often so perilous and intolerable that they cross national borders to seek safety in nearby countries, and thus become internationally recognised as "refugees" with access to assistance from States, UNHCR, and other organizations. They are so recognised precisely because it is too dangerous for them to return home, and they need sanctuary elsewhere. These are people for whom denial of asylum has potentially deadly consequences. Refugees are defined and protected in international law. The 1951 Refugee Convention and its 1967 Protocol as well as other legal texts, such as the 1969 OAU Refugee Convention". Visited on 1 March 2017. Important to note, not all states recognise the status and legal rights of refugees. In this brief, "forcibly displaced" can refer to both migrants and refugees.

agendas. The international SSR community can contribute by helping identify and expanding upon minimum human rights standards in the path towards a security sector that is norms compliant;

Recommendations

This ISSAT advisory note recommends that international support to SSR processes considers a **coherent approach** on the entry points below to address forced displacement and SSR. These are based on push factors or threats towards refugees and migrants. A coherent approach would reinforce greater global traction on these issues, and contribute to better aid effectiveness. For more details on each of the recommendations below, please read the “Technical detail” at the end of this document.

i. Push factor: Increase in the number and intensity of armed conflicts in the world

- a. SSR Entry Point: Interventions with a HRBA focusing on accountability of the state and non-state armed actors in safeguarding human rights and International Humanitarian Law (IHL) during on-going armed conflict;
- b. SSR Entry Point: Advocacy for SSR as a means for preventing armed conflict and safeguarding peacebuilding, and investing sufficient resources before crises erupt.

ii. Push factor: Weak or absent state protection

- a. SSR Entry Point: Explore opportunities in supporting a national dialogue on human security threats and the role of the security sector in service of both the citizens and the state; involving both women and men in such a dialogue, as well as ensuring youth voices are captured.
- b. SSR Entry Point: In supporting SSR, focus not only on the effectiveness and efficiency of the justice and security sector, but also on accountability, institutional integrity and ethics including human rights and gender. Support, and advocate for, strengthening internal control and external oversight of the sector at the same time as its core actors are further professionalised as duty-bearers in protection of the citizens.

iii. Push factor: Armed violence in countries formally at peace

- a. SSR Entry Point: Support SSR initiatives that re-establish state presence in abandoned region/areas, rural or urban, especially community policing and criminal investigative capacities;
- b. SSR Entry Point: Strengthen the capacity of Attorney General’s offices, investigative police, and control agencies, as well as anti-corruption measures related to organised crime and state corruption.

iv. Push factor: Bad governance and authoritarian regimes

- a. SSR Entry Point: In situations of limited political space, support mediated dialogue between key stakeholders, on SSR to prevent violent conflict and to promote a norms-compliant security sector over time; support women’s participation and empowerment to be part of such discussions;
- b. SSR Entry Point: Address the challenges related to people deserting military service and seeking asylum by supporting defence reform in order to improve conditions in the military and adherence to International Humanitarian Law.

v. Threats to human security: Refugees and migrants in transit

- a. SSR Entry Point: Enhance protection of migrants and refugees at sea and on land through more effective and accountable migration agencies, border control services, coast guards and police

services. The regional dimension of cooperation is important to explore as this is a highly transnational issue.

Technical Detail

SSR Entry Points Related to Push Factors and Threats to Human Security

I. Push factor: Increase in the number and intensity of armed conflicts

In 1991, the post 1945 period peaked at 52 active armed conflicts. This was followed by a 40% reduction over the period 2003-2010, before seeing a sharp rise to 51 active armed conflicts by 2015. Furthermore, the intensity of these conflicts has increased.⁵ The wars in Syria and Iraq have had a profound effect on the human security conditions of the populations, and have resulted in a marked increase of the number of IDPs (16+ million) and refugees seeking asylum abroad (4+ million).⁶ Somalia and Afghanistan already have large refugee communities. After the onset of the civil war in South Sudan, the situation for internally displaced people (IDP) is difficult and almost 1.4 million refugees have left the country. In sum, armed conflicts have tremendous societal effect and push people to leave their homes and home countries to seek protection. The international community has failed in effectively preventing the outbreak of armed conflicts and the return to global record levels since 1945.

a. SSR Entry Point: State accountability in safe guarding human rights

Conditions for more comprehensive justice and security sector reforms are seldom present during intensive armed conflict, as illustrated in Somalia and Afghanistan. Nonetheless, in these environments SSR interventions can focus on safeguarding, through a HRBA, human rights and building accountability of the state as well as non-state armed actors. Examples of this include supporting civil society in influencing the human security agenda, civil society oversight, building capacity among the military and police on International Humanitarian Law (IHL) and incorporating human rights and gender principles and practice. In relation to the above, it is also important to strive towards the separation of military and police duties. Violent combat of armed enemies is very different from providing police services. Taken together, even with somewhat limited impact, the above-mentioned measures can decrease the need for people to seek international protection.

b. SSR Entry Point: Preventing armed conflict and safeguarding peacebuilding

Even more relevant is seeing SSR as a key component in increasing future success in preventing the outbreak of armed conflicts and in safeguarding peacebuilding in the process of outlining peace accords and their implementation. The latter includes the transition towards peace, generating the need for a different defence and security sector and conditions for forcefully displaced to return. This is also related to disarmament, demobilisation and re-integration (DDR) of former state and non-state armed actors. Investment in SSR is a key approach to mitigate the risk of violence due to the state's monopoly on the use of force. It also helps develop the legitimacy of the democratic state safeguarding human security. Furthermore, in line with UNSCR 1325, SSR should involve and empower women in defining and implementing SSR policies. ODA long-term spending on areas such as SSR can help prevent future armed conflicts and thereby also reducing the likelihood of future migration crises.

II. Push factor: Weak or absent state protection

In fragile states, the state lacks willingness and/or capacity to provide basic services for their citizens. According to Hobbes, the minimal state can at least provide security for its citizens—a basic service as part of the social

⁵ [UCDP - Uppsala Conflict Data Program \(uu.se\)](#) Last accessed on 22 December 2017.

⁶ [Figures at a glance | UNHCR](#) Last accessed on 22 December 2017.

contract.⁷ Where protection for persecuted minorities and groups in positions of vulnerability is weak, flight follows. This has been seen with lesbian, gay, bisexual and transsexual (LGBT) persons from Uganda and Nigeria, Hazaras from Afghanistan, Yezidis from Iraq and Christians from the Middle East. State fragility, as well as threats to human security, is aggravated in the presence of armed conflict or armed violence. In sum, weak or absent state protection, especially where violence is more present, pushes people to flee and seek protection, often leaving spouses and children at home in situations of vulnerability, suffering the context of armed conflict or criminal violence.

a. SSR Entry Point: National dialogue on human security and SSR

Closely aligned with political dialogue, democracy, and human rights interventions, the IC could explore opportunities to support a national dialogue on human security threats and the role of the security sector in service of both citizens and the state. The dialogue should be representative, involving both women and men, and in particular focusing on capturing the needs and views of vulnerable populations that might otherwise become international refugees. This can therefore help to generate national policies, based on wide participation and democratic legitimacy. In very fragile contexts, the level of ambition might have to be initially much lower, as well as necessitating a much longer term commitment. This seems to be the case in countries like Somalia and Libya, where government is weak and contested.

b. SSR Entry Point: Strengthen accountable, institutional integrity and ethics

State fragility is often linked to a weak civil service and, thereby, a fragmented implementation of state policies, compounded by high levels of corruption. In synergy with governance programming, SSR initiatives can focus on not only the effectiveness and efficiency of the justice and security sector, but also on accountability, institutional integrity and ethics including human rights and gender. This means strengthening internal control and external oversight of the sector at the same time as its core actors are further professionalised as duty-bearers in protection of the citizens. This could, in harmony with effectiveness initiatives, increase state legitimacy and deliver much higher impact on rule of law, human security, thus decreasing the need for people or groups to seek international protection.

III. Push factor: Armed violence in countries formally at peace

In several countries formally at peace, petty and organised violent crime—most commonly in the form of extremely violent and well-organised youth gangs and drug cartels—and weak state presence and protection, has affected human security conditions so severely that migration flows have been generated. The most obvious example is the Northern Triangle (El Salvador, Honduras and Guatemala), where many have tried or successfully migrated to the United States to seek a better life. Between 2014 and 2016 alone, 110,000 minors migrated from these three countries. An investigation showed that two thirds of them were primarily motivated by fear and insecurity.⁸ In sum, armed violence produces similar outcomes to armed conflicts, in that they increase the fragility of the state, generate high death tolls and produce severe human insecurity conditions pushing people to leave.

a. SSR Entry Point: Support community policing and criminal investigative capacities

The above contexts are characterised by the state having lost its monopoly on the use of force and territorial control, and where the state is seen as absent or even complicit. SSR initiatives focusing on re-establishing state presence, credibility and effectiveness, especially community policing and criminal investigative capacities, can deliver important results and contribute to the strengthening and decentralisation of the state's public services to women, men, girls and boys. A holistic SSR approach would also ensure that inter-related issues and services such as the penitentiary and correction services are also able to keep up with advances elsewhere in the system.

⁷ Hobbes, Thomas *Leviathan*, 1651

⁸ International Crisis Group, *Easy Prey: Criminal Violence and Central American Migration*, Latin America Report N°57, 28 July 2016; [5 Ways Trump's Deportation Plan Helps Criminals \(insightcrime.org\)](https://www.insightcrime.org/news-reports/easy-prey/) Last accessed on 22 December 2017.

b. SSR Entry Point: Strengthen the capacity of Attorney General’s offices and investigative police as well as anti-corruption measures

Another aspect of SSR is the emphasis on all features of organised crime such as trafficking, money laundering and state corruption. It is essential to help strengthen the capacity of Attorney General’s offices and investigative police, as well as assist in applying external oversight, internal control, and anti-corruption measures to the sector.

IV. Push factor: Bad governance and authoritarian regimes

Another factor that pushes people to leave their countries is state repression of political opponents and/or minorities. According to Freedom House, 2017 marked the 11th consecutive year of a decline in freedom, or liberal democracy, in the world: as many as 25% of the world’s 193 countries are not free and 30% are only partly free. The worst ratings are in North Africa, the Middle East and Eurasia, all of which border Europe.⁹ One example is the increasingly authoritarian state of Eritrea. In addition to persecution of the opposition, harsh and long military service have been one of the key push factors driving many young men to leave the country and make their way to Europe.

a. SSR Entry Point: Support mediated dialogue on SSR to prevent violent conflict

As with intense armed conflicts, the options for sincere justice and security sector reforms might be limited in cases of severely authoritarian regimes. The security sector—which represents the state monopoly on the use of force—is also a tool for authoritarian regimes to control the opposition. International actors can support mediated dialogue between the key stakeholders on the role of the security sector. This can bring together the Government and the opposition, but also assuring women’s participation, as well as ensuring that wider views and needs are fed into the dialogue. This can be a key measure in both preventing violent conflict and in supporting a democratisation process. Furthermore, a dialogue can encourage change towards a democratically governed, effective and norms-compliant justice and security sector over time and, thus decrease the need for people to seek international protection. International experience has shown that, despite highly polarised contexts, mediated SSR dialogue can have a positive effect on institutional behaviour.

b. SSR Entry Point: Support defence reform and promote IHL

Compulsory military service frequently generates refugees, as has been the case in Eritrea, Syria, Iraq, Ukraine etc. Working on defence reform, or even providing impartial defence observers/advisers and helping to develop ombuds institutions for armed forces, could help alleviate and create better conditions for those undertaking their military service in war time situations. It can also provide an opportunity to promote International Humanitarian Law and prevent the deterioration of practices in war and acts of war crimes. Notwithstanding, such interventions tend to be highly sensitive. They must be prepared through political analysis that is conflict-sensitive, and which inform the political dialogue and integrate active risk mitigation.

V. Threats to human security: Refugees and migrants in transit

Migrants and refugees in transit are extremely vulnerable. They have lost their local networks and are subject to a new, and many times more fragile, context with few possibilities to generate income or measures for their own protection. Recent reports from Libya paint a gloomy picture of the human rights situation, with militia controlled detention centres and unscrupulous traffickers abusing migrants and refugees. Women are especially vulnerable due to unequal power relations, and they are frequently victims of abuse and sexual assault. A recent report from UNICEF outlined horrific conditions for many children in transit, including sexual abuse and exploitation. In addition, the international community has become too much aware of the horrific consequences following the maritime transports crossing the sea from, for example, Haiti to the U.S. or the Central Mediterranean Route from Libya to Italy. In the latter case, as many as 4500 casualties occurred in 2016.¹⁰ This has also spurred a debate, especially in Europe and the United States, on how to meet these developments.¹¹

⁹ [Populists and Autocrats: The Dual Threat to Global Democracy | Freedom House](#) Visited 28 February 2017.

¹⁰ “Child Alert Central Mediterranean Migration Route”, UNICEF, February 2017 ; [E.U. Vows to Slow Migration on Sea Route That Claimed Thousands of Lives - The New York Times \(nytimes.com\)](#) Last accessed on 22 December 2017

¹¹ At the present, many initiatives are being taken to decrease the migration to North America and Europe. For example, the former administration of the United States last year launched the ODA (classified as OECD-DAC Official

a. SSR Entry Point: Enhance protection of migrants and refugees, also through regional cooperation, at sea and on land through more effective and accountable security sector

Protection of migrants and refugees is a key component of international human rights law.¹² For many, the security sector is the first point of interaction for migrants and refugees crossing international boundaries. Some security officers, especially those at sea, have a fundamental role in basic protection of the right to life. Vulnerability of people in transit, however, is often given only secondary consideration by the security sector when compared to considerations and rights afforded to the transit country's own population.

As is the case for SSR generally, addressing forced displacement requires a whole-of-government and a holistic approach. Hence, increasing the capacity and integrity of migration agencies, border control services, coast guards and police services is essential in order to reduce what has become a growing tendency to build parallel systems and responses, which respond separately to the local population versus migrants and refugees in transit, including at sea, as well as those located in camps. A more holistic approach would help to also target immigrant traffickers and, thus, decrease illicit trafficking of persons as well as lawless conditions in refugee camps. Conditions in Libya for example, show that fragmentation and fragility of the state makes capacity building very difficult. However, among EU candidate countries such as Turkey, and in Mexico, Egypt, Lebanon and Jordan etc., there should be opportunities for more effectively increasing the capacity and integrity of the security sector in protecting migrants and refugees. Overall, the regional dimension of cooperation is important to explore due to the highly transnational nature of internationalised armed conflicts and transnational crime.

Development Assistance) financed Alliance for Prosperity in the Northern Triangle (El Salvador, Honduras and Guatemala) to address the push factors of people migrating the U.S. Furthermore, the present administration is aiming for significant changes to address migration to the U.S. at a global level. Leaders of the EU met in Malta in February 2017, resulting in the EU Declaration anticipating a change to migration and refugee policies—much based on the experience with the EU-Turkey Deal that almost totally halted the migration and refugee flow via Turkey—now with a focus on Libya and the Central Mediterranean Route. Additionally, EU is using ODA to finance some of the measures to address push factors for migrants and refugees. Within this highly politicised and sensitive context, there has been plenty of criticism towards the above-mentioned measures from both state, multilateral and civil society actors, about what entry points could exist based on best international SSR practice. The Alliance for Sahel signed in July 2017 as a joint initiative by the EU, France and Germany aims to promote stability and cross-border cooperation in key areas such as migration, border management, development, youth, prevention of radicalisation, governance, security and the rule of law. [Alliance for the Sahel will reinforce EU work for stability and development of key region | EEAS \(europa.eu\)](#)

¹² [The 1951 Refugee Convention | UNHCR UK](#); <http://www.icj.org/wp->

[content/uploads/2014/10/Universal-MigrationHRLaw-PG-no-6-Publications-PractitionersGuide-2014-eng.pdf](#)