SOVEREIGNTY, RESPONSIBILITY AND REFORM: NAVIGATING THE COMPLEXITIES OF HYBRID SECURITY ORDERS

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ABSTRACT

DCAF – Geneva Centre for Security Sector Governance and Crisis Response Council hosted, on 22 and 23 March 2022, a group of experts for a closed-doors workshop in Geneva, Switzerland. The convened cohort explored important themes related to the complexities and challenges of hybrid security orders. These included managing hybrid actors, the political economy of violence, the role of international actors and the state, and the need to harmonize policy tracks in transitional processes. These themes were explored notably with reference to the Iraqi, Yemeni and Libyan contexts. This post-conference report aims to present some of the key discussion points and summarise recommendations issued during the conference. This post-conference report does not constitute a verbatim rendition of discussions and experts' opinions, and the opinions expressed herein are those of the authors alone.

SUMMARY OF DISCUSSIONS

State failure has caused the proliferation of hybridity and para-state armed structures. Dismantling parallel state structures created in these conditions comes with many obstacles that are fundamentally tied to fears of losing power among embedded groups. Therefore, the workshop questioned the utility of the concept of sovereignty in such fragile environments. While legal sovereignty and nationalist currents have fostered the idea of the border-bound "nation" with a sovereign state and territorial control, this definition seem increasingly irrelevant in the context of Yemen, Iraq, and Libya. Territorial control does not necessarily entail legitimacy or authority. The mere existence of the state does not necessarily guarantee popular legitimacy. The cohort concluded that it is imperative to examine more fully the sources of authority and legitimacy within MENA, and to adjust policies accordingly.

Agreement on these principles allowed the workshop to proceed with assessing key tensions that affect hybrid environments, including "legitimacy" vs "order", or "state security" vs "human security", acknowledging that hybrid environments come with hybrid threats. The notion of the state as a benevolent entity was thus inherently questioned by the study of these contexts and participants' various experiences implementing traditional or innovative Security Sector Governance and Reform (SSG/R) assistance programmes. International actors favour hasty train-and-equip programmes rather than the prolonged close contact and technical assistance that SSR requires. The inadequacies of such short-term programs further open up space for hybrid security orders. As states crumble, non-State actors fill the vacuum. Some of these non-State actors gain legitimacy at the community level by providing relatively efficient service delivery. Some have their own economic and fiscal bases, anchored in labour-intensive illicit economies.

Discussions also accounted for the different governance modalities of armed groups, noting that they do not always govern through brutality alone. Instead, some groups govern through a combination of various sources of legitimacy. This means that armed actors can be multiple things at once: they can be ethno-sectarian or tribal leaders, deriving legitimacy through traditional loyalties, businessmen, who pay salaries and provide economic incentives, as well as government officials, who command respect in the name of the nominal state.

Such groups, if guided towards less brutality and more popular legitimacy, can become valuable partners for security provision and service delivery, especially if integrated into a decentralized security governance structure. Crises such as the COVID-19 pandemic enhanced the power of these armed actors, as they put their service delivery capacities and revenue to the service of their communities.

Much of the sessions' discussion focused on modalities of disbursement of funds for development work and security assistance, including SSR. Development and security are closely interlinked. But security assistance is often handled through short-term budgeting. Development funding, in contrast, usually involves in multi-year setups. The cohort unanimously agreeing that longer-term planning, even at lower amounts, was more effective. Building trust with local partners is time-consuming, so sporadic funding shortages rendered Western-funded organisations less credible partners in terms of local perceptions. Yet important donors often lacked the understanding that good security sector governance (and the reforms needed to achieve it) is the heart of development.

Donor fatigue is the flipside of this equation. In the absence of a ceasefire/peace agreement in some of the region's most contentious conflicts, the donor community lacks guarantees that efforts geared towards long-term reform (e.g. legal frameworks, codes of conduct for security forces, chain of command overhauls, etc) could be meaningful down the line. This has often led to the prioritisation of short-term initiatives meant to alleviate immediate policy concerns (e.g. irregular migration, counter-terrorism, maritime security, etc) but not tied to a longer-term vision for security sector stabilisation or reform. The cohort, however, agreed that framing the debate from the perspective of human security could help shift the conversation with the donor community in a more positive direction. Notably, SSR is traditionally seen as a process meant to empower the state, and not necessarily communities. In this sense, understanding hybrid security orders more concretely can provide a space to think about SSR as a people-centred and people-driven process.

Adopting a more human security-based understanding of SSR requires a move beyond the state-to-state perceptions. Donors are reticent about programmes that are not, in one way or another, associated to a form of central authority (be it at national or municipal level). Moreover, leaders across the MENA region adopt policy strategies that increase their own popularity at the expense of longer-term sustainability. This leads to a negative equilibrium: increasing informality while also bloating the public sector.

Many armed groups naturally gravitate toward the central government because it is the centre of expenditures. The security sector itself is a business opportunity for these groups. While SSR cannot solve all of these issues, it underscores the inherently political nature of the exercise. When coupled with Disarmament, Demobilization and Reintegration (DDR) imperatives, the socio-economic sphere takes on a fundamental role: some participants in fact expressed that putting an emphasis on job creation (including through central bank initiatives in the public sector and corporate social responsibility initiatives in the private one) was a more sustainable alternative to short-term guarantee provision without conditions for real demobilization and disarmament.

The need to harmonize economic, political and security tracks is apparent. In the short-term, the political process must in fact reckon simultaneously with complex and interconnected issues, including which armed groups to integrate or demobilize, and relatedly, which part(s) of the informal economy could be formalized without creating security threats, among others. All of this, the cohort agreed, would require robust public oversight mechanisms over the security sector (notably in terms of public financial management and oversight of disbursement, procurement, etc.) – which fragile contexts in the MENA region lack.

Recommendations

What drives a non-State actor and can that actor be a net provider/contributor to security and governance? Is there a threshold for engaging with non-State actors in terms of behavior and values? What about accountability and oversight? The recommendations stemming from the workshop are designed to answer these and more doctrinal questions. They can broadly be broken down into three main categories: 1) sustainability of power arrangements; 2) forms of accountability; 3) vectors of accountability.

Sustainability of power arrangements

Across the region, there are systematically weakened institutions, and even where they kept a certain centrality after 2011, fragility and instability are predominant. The question is thus, how do we implement SSR in such fragmented, weak, and divided contexts?

Reckoning with reality is crucial when dealing with armed groups. The multiplicity and different forms of non-State actors makes it so that they cannot all be addressed with a one-fits-all solution. International actors should thus also invest in learning more about hybrid security orders and understand them, to be able to make more concrete assessments about which actors are most amenable to what type of incentives – be it in the context of integration or reintegration. This naturally entails the need to tailor expectations to be able to harness the best capacity available and ensure accountability through different types of oversight mechanisms. A more meaningful international engagement could be achieved through a multi-level approach including:

- Studying groups to know how to better influence their behaviour
- Shifting towards decentralised governance models enabled through social influence and community-based forms of oversight, but grounded in common, centralised, and standardised operating procedures

To be sure, the international community must have a better set of policy actions in dealing with non-State actors become credible partners in the MENA region again. The Western (be it the US, NATO, EU, and its members states) focus on state-to-state support modalities must be revisited and possibly re-channelled. While this switch is progressively happening with support programmes at the local level, it has yet to happen with armed groups (especially community-based ones), since the relationship between host government and armed groups are varied, both across and within contexts in the MENA region (e.g. some are part of governments, police or armies, some not; some get money from Central Banks, some not, etc).

Forms of Accountability: Operational and Strategic

A key concern in any shift toward decentralised security governance models is how to ensure accountability of armed actors. Here it useful to consider accountability at multiple forms and directions. On the one hand, operational accountability focuses on the conduct of armed groups in a day-to-day setting. It means how these armed groups fight and how they engage with civilian populations. A key question in operational accountability is whether these groups respect international humanitarian law regarding the treatment of civilians, prisoners. Operationally accountable groups punish fighters when they break humanitarian

law. On the other hand, strategic accountability focuses on the political motivations for groups to fight. Armed groups can have varying political objectives. Actors can be divided between secessionists and centre-seeking rebels, with the cohort agreeing that the former tend to have a greater tendency to respect international laws and norms. Some armed groups function as pro-government militias. Others are basically apolitical and operate more as organized crime.

Understanding different forms of accountability is important for selecting partners. International actors may prioritize strategic accountability over operational accountability. They could refuse to support a secessionist faction because they object to their political stance, even though this faction is operationally highly accountable and comports with good security governance. Conversely, international actors can cultivate alliances with actors that seem operationally accountable in the field, but overlook long-term strategic incompatibilities. Awareness of these potential trade-offs is crucial for international actors considering how to initiate SSR. Given the need for long-term planning, it may be preferable to identify groups that are strategically accountable and then try to build up their operational accountability.

Vectors of Accountability: Top-Down and Bottom-Up

In addition to understanding the forms of accountability, it is important to consider the vector of accountability. In simple terms, this means answerable to whom? Decentralization puts a premium on bottom-up accountability, making armed groups answerable and responsible to pressures from local communities. There are several examples of local initiatives, including local initiatives for peace, which were initiated by armed groups themselves. This includes inter-alia small-scale ceasefires and local power-sharing agreements in districts or provinces, which often involve distribution of rents from local revenue-generation mechanisms and economies. Such initiatives have the highest levels of local ownership, as there are trusted actors in local spaces that can operate as intermediaries and service providers (e.g. tribes, Boy Scouts, women's and youth organizations, etc).

Accountability to national-level actors in the central government, however, still matters. States themselves can initiate the process of power devolution, by trying to broker local peace initiatives from the top. This does, however, often involve implanting their own agents on the ground to serve as "brokers," but is challenging in highly fragmented contexts in which neutrality and legitimacy are easily questioned. In this sense, empowering some community-level "legitimate" armed groups in support of their initiative is plausible, but may disrupt power balances on the ground. In some instances, states could try to use isolated peace initiatives as models for other areas. But circumstances are often different, making these models difficult to export. Some replications may gain local ownership, but not others. For both bottom-up and top-down approaches to accountability, greater knowledge of micro-level contextual dynamics may help make these initiatives more successful.

About the authors

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Roberta Maggi is a project officer in DCAF's Middle East and North Africa division, where she contributes to the development of innovative doctrine on security sector governance and reform in conflict-affected and hybrid environments, notably in Libya and Yemen. She recently wrote the policy paper *Building Security: How Europeans can help reform Libya* (ECFR, 2022).

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