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GUIDANCE NOTE

SUPPORTING CIVIL SERVICE RESTORATION AND REFORM IN FRAGILE AND CONFLICT-AFFECTED SETTINGS

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IN FRAGILE AND CONFLICT-AFFECTED SETTINGS

ACKNOWLEDGEMENTS

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This guidance note was produced in consultation with members of the UN Interagency Platform on Core Government Functions (CGFs) in Countries Impacted by Fragility and Conflict (IP-CGF). The Interagency Platform is co-chaired by the United Nations Development Programme (UNDP) and the United Nations Department of Political Affairs (DPA) and comprises of the UN Secretariat and UN agencies, funds, and programmes mandated to and involved in supporting the strengthening of CGFs in fragile and conflict-affected settings.

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PREFACE

In countries affected by fragility and conflict, state institutions (i.e. public administration) co-exist among formal and informal arrangements that mirror ineffective power arrangements. These arrangements are products from protracted power struggles between elites struggling to remain in power and control the distribution of rents and resources. The challenges facing situations of fragility and violent conflict are daunting and multidimensional. The strengthening of weak public institutions to enable them to perform the core functions of government lies at the heart of the process to start restoration or reform. Today, 1.5 billion people, including 43 percent of the world's poor, live in countries affected by fragility and repeated cycles of violence and conflict (World Bank, 2011). This is expected to grow to 62 percent by 2030 (OECD, 2015).

This guidance note represents a new effort to crystallize UN's contribution to strengthening the basic functionality of government in fragile and conflict-affected settings. It responds to the 2030 Agenda's pledge to leave no one behind. In response to the 2016 Quadrennial Comprehensive Policy Review, the UN Chief Executive Board directed the UN system to put at the heart of its support reaching the furthest behind first. These are arguably the world's poorest people who are also impacted most by circumstances of fragility and conflict. Although there are many different understandings of, and approaches to, restoring the basic functionality of government, recent experience on practice and implementation highlights that fragility and conflict will be overcome only when states acquire institutional resilience and the civil service operates efficiently.¹ Indeed, the 2030 Agenda confirms that effective and legitimate institutions are central to provide a secure social, economic and political environment for the broader objectives of poverty reduction, sustaining peace and development.

1 See for instance World Bank (2011), UNDP (2014a), UN/WB (2017a), World Bank (2017) and UN/WB (2017b).

This note aims to provide practitioners with useful guidance and up to date knowledge as they deliver policy and programme advice to national counterparts; and design and implement evidence-based programming to support countries in conflict-affected settings in restoring and/or reforming the civil service, which is indispensable for restoring or improving basic government functionality. The note aims to distill guidance in implementing UNDP's signature solution 2 on strengthening effective, inclusive and accountable governance in its Strategic Plan 2018-2021.² This guidance note is part of a larger series of global policy guidance on supporting the strengthening of core government functions (CGFs) in fragile and conflict-affected settings, covering six key functions, namely: (i) managing the centre of government; (ii) security sector reform; (iii) civil service reform; (iv) public financial management; (v) local governance³; and (vi) aid coordination.

This note is also part of the UN's response to the United Nations Secretary-General's Policy Committee decision (2009/27), which commissioned a lessons-learned review of country experiences in post-conflict public administration, to provide recommendations for more predictable, efficient and timely UN support. The first product of the lessons-learned review

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- 2 See UNDP Strategic Plan, 2018-2021, page 13: "Some development contexts may require support for core governance functions, establishing local service provision, rule of law, anti-corruption capacities and access to justices... Others may request innovative support for improved regulatory capacities, enhanced legal frameworks, strengthened institutions and local governance capacities. In other contexts, support may be requested for re-establishing core governance functions, to support long term preventive solutions that address root causes of conflict and disasters. This solution will seek to build inclusive, effective and accountable institutions and mechanisms for the peaceful resolution of conflict and for advancing social cohesion".
- 3 The UN guidance note on supporting local governance in fragile and conflict-affected settings can be accessed at: http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/local_governance/local-governance-in-fragile-and-conflict-affected-settings.html. Likewise, the UN Integrated Framework on Local Governance and Local Development can be accessed at: http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/local_governance/integrated-framework-to-support-local-governance-and-local-devel.html.

Fragility and conflict will be overcome only when states acquire institutional resilience and the civil service operates efficiently.



The purpose of this guidance note is to outline a framework for the selection, design and implementation of interventions to support civil service restoration/reform in fragile and conflict-affected settings.

- the groundbreaking report *Restore or Reform? UN Support to Core Government Functions in the Aftermath of Conflict*⁴ - advocates for three high-level shifts in UN's approach. First, to understand that support to public administration is as much political as it is technical. Second, that the UN should focus on maintaining or restoring the basic functionality of CGFs during conflict and as soon as possible after it. And, third, the UN needs to affect a range of internal measures to better support CGFs both during and in the immediate aftermath of conflict. This guidance note also complements the first ever joint UN/World Bank (WB) diagnostic framework, entitled *(Re)Building Core Government Functions in Fragile and Conflict-Affected Settings*⁵ produced in 2017 in response to the Secretary-General's Policy Committee decision (2013/8) that called on the UN, WB and the International Monetary Fund to engage more systematically and coherently in fragile and conflict-affected settings.

The purpose of this guidance note is to outline a framework for the selection, design and implementation of interventions to support civil service restoration/reform in fragile and conflict-affected settings. The note also focuses on key aspects of human resources management and development and identifies several key princi-

ples for programmatic design and implementation to support countries restore/reform their core government functionality. The note does not aim to determine what should be done, when or for what types of governments; rather it lays out a series of priorities and concerns to keep in mind, based on UN learning from experience that will, it is hoped, enable more informed decision-making. It draws primarily from several case studies that offer insightful and practical lessons on restoring the civil service, culled from countries impacted by fragility or conflict. These case studies are not meant to be exhaustive in representing UN learning in supporting this particular CGF; instead they should be viewed as a sampling of lessons learned in fragile and conflict-affected settings.

What is innovative about this guidance is the structured combination of various approaches into an integrated analytical and operationally relevant guidance that takes us step by step through strategic and operational options for practitioners, rather than offering a theoretical overview. The note also discusses the political and technical dimensions of longer-term human resource management, including gender equality issues in public administration in such settings.

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4 See UNDP (2014a), available here: http://www.undp.org/content/undp/en/home/librarypage/crisis-prevention-and-recovery/Executive_Summary_Public_Administration.html.
5 For further details see: <http://www.undp.org/content/undp/en/home/librarypage/democratic-governance/core-government-functions/-re-building-core-government-functions-in-fragile-and-conflict-a.html>.



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EXECUTIVE SUMMARY

Core functions of government are essential for development, statehood and resilience. They all are dependent upon the capacity of the civil service to function and deliver.

Effective, accountable and responsive institutions are fundamental to the achievement of peaceful and inclusive societies envisioned to achieve the Sustainable Development Goals (SDGs). Nowhere is this objective more salient, and more elusive, than in countries that have been deeply affected by fragility and conflict. Fragility and conflict are symptoms of power dynamics and formal and informal arrangements for the distribution of rents and resources that affect the functionality of core government functions. These core functions of government are essential for development, statehood and resilience. They all are dependent upon the capacity of the civil service to function and deliver.

A civil service embodies a large and complex set of issues, procedures and structures within the public administration related to the management of personnel, institutions and relationships. It encompasses both technical and political aspects related to the functioning of the government machinery and the delivery of public services and goods at both the national and local level. Within the spectrum of civil service issues, this note focuses on pay and employment because these are the first areas in which governments often come under overwhelming pressure (either by domestic actors or external partners) to act decisively in the immediate aftermath of conflict. The note also briefly discusses the political and technical dimensions of human resource management and development in public admin-

- International assistance in fragile and conflict-affected settings should be understood as non-neutral mediations by external actors among domestic elites;
- International assistance in conflict-affected contexts should be approached in ‘temporal’ terms; assistance should be sensitive to the fluctuating opportunities and risks of development support during and after conflict;
- Political settlements should not be understood as stable conclusions that end periods of volatility, but more appropriately as unstable situations that reflect the positions of domestic elites at a particular point in time;
- Political settlements are subject to the potential subversion by “spoilers”, actors either dissatisfied with or excluded from negotiated pacts;
- Analysis of merit-based reforms in a variety of institutional settings suggests that agreements to reduce patronage in human resource practices in civil services occur mostly when the relative power and capacities of less influential parties and stakeholders increases; and
- The idealized goals often held by the in-

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