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Netherlands Institute of International Relations

Putting governance at the heart of security sector reform

Lessons from the Burundi-Netherlands
Security Sector Development Programme

Nicole Ball

CRU Report



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Executive summary

The Burundi-Netherlands Security Sector Development (SSD) programme was established in April 2009 with the signing of an eight-year Memorandum of Understanding (MoU) between the two governments. The MoU laid out a number of strategic objectives for the programme, the attainment of which would strengthen the governance of Burundi's security sector. With its governance orientation, the SSD adheres more closely to the original security sector reform (SSR) concept, which emphasised transparency and accountability, than many other SSR programmes do.

Structure and management

The SSD programme has been implemented in two-year phases by a programme team made up of both expatriates and Burundians. Burundians have played an increasingly greater role in the management of the programme over time. The programme is divided into three components: defence, public security and governance. The governance component has been managed by a very small Programme Management Unit and a Governance Advisory Group. The latter consists of representatives of Parliament and other oversight bodies, the executive branch, the military, the police, the intelligence service and civil society, thus reflecting the cross-cutting nature of security sector governance.

The programme as a whole has a three-tiered management structure: 1) a ministerial-level Political Committee to conduct high-level political dialogue between the partners; 2) the senior official-level Steering Committee, charged with approving work programmes, monitoring their progress and discussing programme strategies and budgets; and 3) the working-level Programme Management Units for each pillar, charged with developing and overseeing projects and contributing to planning the future direction of the programme. The work of the programme has been supported by an external agent charged with providing administrative and technical support to the execution of the programme according to the MoU. Since 2011 there has been a full-time resident expatriate programme manager and since 2012 a Burundian deputy programme manager.

There are important differences between the SSD programme and most other SSR programmes. The donor is much more engaged at a political level and structures have been created to manage and foster this engagement. National actors are significantly more involved in the design, implementation and monitoring/evaluation of SSR programmes, which is typically contracted out to external agents. Structures have also changed over time as needs have evolved or initial structures found not to work optimally.

Approach

The SSD programme is guided by a shared vision between the two partners and a set of loosely defined strategic objectives. The programme had no logframe, results framework or business case at the outset. Rather, it has adopted a highly flexible problem-solving approach, taking conditions on the ground as its starting point and building on them to progressively effect change. To this end, the SSD programme began with concrete activities during Phase 1 to build the trust and relationships that would be necessary to seriously tackle

the thorny governance issues involved in reforming the security sector. It has progressively moved from a focus on concrete activities aimed at improving the capacity of the military and the police to activities intended to change the attitudes and behaviours of key Burundian actors consistent with democratic control of the security sector.

Factors promoting a process of change

The ability of the SSD programme to work in a highly flexible manner that prioritises the process of change has been critical to its ability to achieve results. There are four main components of the SSD's process-oriented approach:

First, it proactively addresses the political aspects of a process of change at all levels on a daily basis. Political dialogue occurs between the two governments, between the Burundian government and other international partners, and among Burundian stakeholders.

Second, it establishes results progressively. The multiple programming phases over eight years provide ample opportunities to respond to openings that occur as the political environment evolves and as trust and relationships develop. The SSD is not tied to objectives that made sense in the first year of the programme but which are no longer feasible or salient in year five.

Third, it prioritises the progressive development of ownership. Responsibility and authority have been progressively transferred to Burundian stakeholders in terms of identifying the strategic direction, developing activities and managing the programme.

Fourth, it matches timeframe with ambition and environment. The eight-year timeframe has enabled Burundian stakeholders to understand what SSR implies and begin to adjust attitudes and behaviours so that sustainable change can take root.

Three key enablers of governance outcomes

As the SSD programme neared its half-way mark, an evaluation of the governance component found that the situation had evolved appreciably since 2009. Important barriers to openness in the security sector had been eroded, and security issues are now acknowledged by many to be the legitimate concern of the full range of Burundian stakeholders, including civil society. Dialogue on SSR, and specifically on governance-related aspects of SSR, was occurring more frequently among key stakeholders. The programme itself had become more inclusive with the addition of key oversight actors (the Constitutional Court, the Ombudsman's Office and the Auditor General) and key security actors (intelligence and the national security council). The programme had also made progress in achieving the strategic objectives of the SSD MoU, particularly in terms of promoting political dialogue among the partners, strengthening security-sector accountability to civil authorities and to national and international law, and introducing the concept of financial accountability to the security services.

The experience of the SSD programme to date points to three key factors that must be present to enable sustainable change in security sector governance to be developed: 1) politics must be placed centre stage; 2) programmes must provide space to innovate; and 3) adequate attention must be given to changing attitudes and behaviour.

Although it is difficult to ascribe causality, there is clear evidence that attitudes and behaviours have begun to change in important ways. Some of these changes have laid the foundation for implementing the SSD MoU, while others have contributed more directly to progress in achieving the MoU's strategic objectives. In particular, three important elements of the foundation for democratic security sector governance have been strengthened: 1) breaking down aspects of security-sector secrecy; 2) providing a unique dialogue forum; and 3) increasing inclusivity.

Conclusion

Although the governance environment in the security sector has improved since the beginning of the SSD programme, strengthening security-sector governance remains a work in progress. The degree to which the programme will ultimately change security governance in Burundi remains to be seen. Political will among the highest ranks of Burundian political decision-makers remains weak, and although demand for change is growing it may not be adequate to offset the concerns of those who ultimately make decisions on the country's political direction by the time the programme ends in 2017.

There are three main lessons that can be learned from the work of the SSD to date. First, there can be no effective SSR unless political challenges to processes of change are squarely addressed. Second, results need to be built progressively. Seemingly small steps can lead to additional, and potentially more significant, steps. Third, because attitudinal and behavioural change is essential and because the issue of governance raises inherently sensitive subjects, it is unrealistic to assume that results will be achieved quickly. What may seem to be a very minor change to 'Northern' eyes can, in fact, be a substantial milestone in countries just setting off down the road toward democratic governance.

Sustainability of achievements remains the biggest challenge. In late 2013, the programme was contemplating steps to increase the chances of sustainability by expanding upwards (to senior political figures) and outwards (beyond Bujumbura). Had the SSD had the 3-5-year duration typical of donor-funded SSR programmes, there is good reason to believe its results would not have been sustainable. At the same time, many programme stakeholders have expressed concern that even eight years is not sufficient to guarantee sustainability. This is not only because Burundi remains a resource-constrained country and continued financing will be desirable even after the MoU comes to an end in 2017. Even more important is the political pressure that programmes such as the SSD provide to stay on the path of reform.

Acknowledgements

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Nicole Ball
January 2014

Acronyms

BLTP	Burundi Leadership Training Program
BTC	<i>Agence Belge de Développement</i> /Belgian Development Agency
CNS	<i>Conseil National de Sécurité</i> /National Security Council
CoPil	<i>Comité de Pilotage</i> /Steering Committee
CSO	Civil society organisation
CTdS	<i>Comité Technique du Suivi</i> /Technical Monitoring Committee
FAB	<i>Forces Armées Burundaises</i> /Burundian Armed Forces
FDN	<i>Force de Défense Nationale</i> /National Defence Force
GiZ	<i>Deutsche Gesellschaft für Internationale Zusammenarbeit</i> /German Society for International Cooperation
MDNAC	<i>Ministère de la Défense Nationale et des Anciens Combattants</i> /Ministry of National Defence and Former Combatants
MFA	Dutch Ministry of Foreign Affairs
MoU	Memorandum of Understanding
MRECI	<i>Ministère des Relations Extérieures et de la Coopération Internationale</i> /Ministry of Foreign Affairs and International Cooperation
MSP	<i>Ministère de la Sécurité Publique</i> /Ministry of Public Security
PNB	<i>Police Nationale du Burundi</i> /Burundi National Police
SNR	<i>Service National de Renseignements</i> /National Intelligence Service
SSD	Security sector development
SSR	Security sector reform
UdG	<i>Unité de Gestion</i> /Programme Management Unit

Introduction¹

The Burundi-Netherlands Security Sector Development (SSD) programme was established in April 2009 with the signing of an eight-year Memorandum of Understanding (MoU) between the two governments. Its objective was to support reforms in the security sector consistent with the provisions of the Arusha Peace and Reconciliation Agreement for Burundi signed in 2000 by the Government of Burundi and 13 of the 19 opposition and rebel groups. The Arusha Agreement foresaw significant reforms to the security sector and more generally to the governance of Burundi.²

The Arusha Agreement was the first step in ending a series of violent crises that began in 1965, three years after Burundi gained independence from Belgium. The most recent round of conflict had begun in 1993 and cost an estimated 300,000 lives. However, the Arusha Agreement itself was not sufficient to end all fighting and a series of ceasefire agreements were subsequently concluded. The last ceasefire agreement was signed in 2008 with the Palipehutu-FNL, which ushered in a significant reduction in political violence.³ However, in common with other post-conflict societies, Burundi continued to experience insecurity, some of it generated by the security services themselves.

At the time that the Burundi-Netherlands MoU was signed, the country faced a number of contextual and institutional challenges in achieving an environment of peace and security that could be enjoyed by all Burundians (see Box 1). A 2009 survey of the quality of security provision in the context of the SSD programme found widespread agreement that the armed forces and police were experiencing difficulty in meeting these challenges, primarily because of: 1) a lack of capacity on the part of the security bodies to address the challenges; 2) a lack of vision and willingness on the part of national authorities to engage in a process of change; and 3) weak external and internal oversight of the security sector.⁴ (These constraints are summarised in Annex 1.)

- 1 This report draws on work previously carried out by the author in 2009, 2011, 2012 and 2013. The results of these assessments were based on an extensive documentary review and interviews with Burundian, Dutch and other international actors. These results were reported in: 1) Nicole Ball, Madjior Solness DIngamadji, Sylvie More and Willy Nindorera, *Étude de Base: La sécurité au Burundi dans le cadres du programme de développement du secteur de la sécurité (DSS)*, 3 January 2010 (unpublished); 2) Nicole Ball and Luc van de Goor, *The challenges of supporting effective security and justice development programming*, OECD Development Co-operation Working Paper WP10/2013, February 2013, http://www.ciponline.org/images/uploads/publications/WP9_Improving_security_and_justice_programming.pdf; 3) Nicole Ball, Jean-Marie Gasana and Willy Nindorera, *From Quick Wins to Long-term Profits? Developing better approaches to support security and justice engagements in fragile states: Burundi case study*, Paris: INCAF, 2012 (unpublished), http://www.ciponline.org/images/uploads/publications/290312_Report_SJ_Burundi_final.pdf; and 4) Nicole Ball and Fabien Nsengimana, *Evaluation du Volet Gouvernance du Programme DSS*, Rapport final, 28 October 2013.
- 2 https://peaceaccords.nd.edu/site_media/media/accords/Arusha_Peace_Accord_____.pdf.
- 3 The Palipehutu-FNL changed its name to FNL in January 2009. The FNL officially became a political party in April 2009. A useful discussion of the status of the Burundi peace process through 2007 is found in: Adelin Hatungimana, Jenny Theron and Anton Popic, 'Peace Agreements in Burundi: Assessing the Impact', *Conflict Trends*, no 3 (2007): 19-24.
- 4 Ball, Dingamadji, More and Nindorera, *Étude de Base*, pp. 9-12. This study did not look at either the intelligence service or civil defence.

Box 1. Contextual and institutional challenges to peace and security in Burundi, 2009

Contextual factors:

- political and security conditions not conducive to disarmament of the population;
- potential negative impact of upcoming 2010 elections on the security environment; and
- volatility in the sub-region.

Institutional factors:

- insufficient progress in professionalising the security services, especially the Burundi National Police (Police Nationale du Burundi, PNB);
- political instrumentalisation and capture of the intelligence service;
- non-functioning judiciary;
- lack of adequate financial resources for the security services; and
- inadequacy of efforts to reintegrate former combatants into civilian life

Source: Nicole Ball, Madjior Solness DIngamadji, Sylvie More and Willy Nindorera, *Étude de Base: La sécurité au Burundi dans le cadres du programme de développement du secteur de la sécurité (DSS)*, 3 January 2010, pp. 3-4 and author's interviews.

The overall objective of the SSD programme was to contribute to the development of a security sector in Burundi that was transparent, guided by democratic principles, financially sustainable, and accountable, while assuring the delivery of security and justice to all Burundians. This report examines the degree to which the programme has achieved its objectives at its mid-point and how it has done so. It begins by situating the SSD programme vis-à-vis mainstream SSR practice (Section 1). It then reviews the main features of the SSD programme (Section 2) and the factors that have affected the ability of the SSD programme to achieve results (Section 3). The governance outcomes of the programme at its half-way point are assessed from the perspective of three key enablers of change in the governance of the security sector: putting politics centre stage, creating space to innovate, and giving adequate attention to changing attitudes and behaviours (Section 4). The paper concludes with a few observations on the main lessons that can be derived from the SSD programme to date.

1. Revitalising the governance orientation of SSR

The security sector reform concept was developed to inject a governance component into traditional approaches to security assistance. To a large extent, however, SSR programmes have not fulfilled that original objective and have focused very heavily on improving the effectiveness of security services. Accountability, transparency and democratic oversight have received far less attention, and where they have been components of SSR programmes, those programmes have often not adequately tackled the political impediments to change.⁵ The Security Sector Development programme demonstrates that it is possible to have a strong focus on SSR processes.

This has been the case despite the fact that practical work and research undertaken by civil society organisations (CSOs) and networks aimed at promoting people-centred approaches to security in post-conflict and transition societies during the 1990s had strongly suggested that the issues to be addressed centred on reform both of security institutions and of the behaviour and attitudes of security personnel in a manner consistent with the principles of democratic governance and the politics of reform in individual countries.⁶ Additionally, there was found to be a clear need to strengthen civil oversight bodies, enhance the capacity of civilians to deal effectively with security issues, and improve the operational effectiveness of the security services. The initial elaboration of an SSR agenda reflected these concerns: “The two major objectives of security sector reform are to establish good governance in the security sector and to enhance a country’s capacity to develop systems of economic and political governance that benefit society as a whole and foster the creation of a safe and secure environment at the international, regional, national and local levels.”⁷

The centrality of governance to the SSR agenda has since been reconfirmed by actors as diverse as the United Nations, the OECD Development Assistance Committee, the African Union and the US Department of the Army.⁸ While each of the various actors that have developed ‘SSR’ policy frameworks places different emphasis on different parts of the agenda, by the end of the first decade of the 21st century, there was a reasonable amount of agreement

5 For more detail on the evolution of the SSR concept, see Nicole Ball and Dylan Hendrickson, *Trends in Security Sector Reform (SSR): Policy, Practice and Research*, CSDG Papers no 20, London: King’s College London, March 2009 and Mark Sedra (ed.), *The Future of Security Sector Reform*, Waterloo, CA: Center for International Governance Innovation, 2010.

6 This approach was also supported by a strain of research on civil-military relations from the 1960s onward. For example, Harold Crouch, *The Army and Politics in Indonesia*, Ithaca, NY: Cornell University Press, 1978; Eboe Hutchful and Robin Luckham, ‘Civil-Military Relations in Africa’, draft framework paper for the African Center for Strategic Studies, nd; and Alain Rouquié, *The Military and the State in Latin America*, Berkeley, CA: University of California Press, 1987.

7 Nicole Ball, *Spreading good practices in security sector reform: Policy options for the British Government*, London: Saferworld, 1998, p. 20.

8 United Nations, ‘Securing peace and development: the role of the United Nations in supporting security sector reform’, A/62/659-S/2008/39, 27 January 2008, para 17-18; OECD Development Assistance Committee, *Security System Reform and Governance: Policy and Good Practice*, p. 12; African Union Commission, *African Union Policy Framework on Security Sector Reform*, Addis Ababa, nd, p. 6; and US Department of the Army, *Stability Operations*, Field Manual 3-07, October 2008, para. 6-4.

at conceptual level that the objective of SSR was to promote the effective and efficient provision of security and justice to people and their communities and states, within a framework of democratic governance, rule of law and respect for human rights.

However, when it comes to implementation of that concept, there has been to date a strong preference for ‘train and equip’ programmes of the sort that predominated during the Cold War era and that are very light on the governance aspects of SSR. (‘Train and equip’ can include activities such as building courts and police stations and providing non-lethal equipment, such as, for example, the development of justice and security ‘hubs’ in Liberia.⁹) There may be good reasons to adopt this more traditional approach, particularly early on in a post-conflict period where conditions are not conducive to significant governance reforms. However, many SSR programmes have lacked either the ambition or the capacity to transmute themselves into transformative programmes aimed at improving the democratic governance of the security sector.¹⁰

There have been a number of reasons why governance has taken a back seat yet again.

Probably the most important was the advent of the ‘war on terror’ following the attacks on New York and Washington DC in 2001. The SSR agenda was in its infancy at this time and an approach prioritising governance had not yet taken root in the bureaucracies of the major donors of security assistance or even in the major development donor organisations. It was therefore easy to default to the Cold War era approach to security assistance.

The financial crisis that began in 2008 has also taken its toll, since development donors are increasingly focusing on ‘value for money’ approaches to programming that require measurable outputs and predictable rates of expenditure. This approach does not mesh well with lengthy, unpredictable and difficult-to-quantify programmes to strengthen security sector governance. The difficulty of defining results in the early stages of governance-focused activities has proven to be a major constraint.

Lastly, there are important international actors in the security arena that have yet to buy into the SSR concept at any level. While there are variations among the OECD justice and security donors in terms of their support for security sector governance, non-traditional donors – such as China, Russia, Turkey and the Gulf States – are almost uniformly focused on developing the effectiveness of security providers.

These developments underline the importance of examining a programme such as the SSD, which gives a high priority to security governance, and understanding how it is structured, how it functions and how successful it has been. While the MoU that guided the work of the SSD programme clearly gave a high priority to effecting change in security sector governance, it was by no means assured that this would be the outcome. A number of fortuitous events – particularly in terms of programme staffing (both international and Burundian) and political dynamics within the governments of The Netherlands and Burundi – have enabled the SSD to evolve towards addressing difficult political challenges facing the development of

9 Abu Sherif and Dr Grace Maina, *Enhancing security and justice in Liberia: The regional hub model*, Policy and Practice Brief no. 23, March 2013, <http://dspace.cigilibrary.org/jspui/bitstream/123456789/33671/1/ACCORD-policy-practice-brief-23.pdf?1> and Rory Keane, ‘Reviewing the Justice and Security Hub Modality as Piloted in Liberia’, *Stability*, (1): 87-91, <http://dx.doi.org/10.5334/sta.am>.

10 OECD, *More politics, better change management: Improving international support for security and justice development programming in fragile situations*, Paris: OECD Publishing, 2014 (forthcoming).

the security sector in Burundi. However, despite important gains in creating the foundation for democratic governance of the security sector, the ultimate outcome in terms of greater accountability and transparency is far from certain. That said, the SSD programme demonstrates better than any other SSR effort to date that an explicit governance-focused approach to SSR is possible.

2. Main features of the Burundi-Netherlands SSD programme

The Burundi-Netherlands SSD programme departs from the standard international approach to operationalising SSR in two main ways. As noted in the previous section, it prioritises improving security sector governance, and its structure, management and operational approaches vary in important respects from those typically seen in SSR programmes today.

General Structure

The roots of the SSD programme lie in security-related projects financed by the Dutch government during the period following the signature of the Arusha Agreement in 2000. These projects were stand-alone activities and in some cases did not deliver the agreed results, causing dissatisfaction among Burundian stakeholders and frustration among their Dutch counterparts. As a result, The Netherlands decided to develop a more strategic approach to its support to Burundi and to demonstrate its ability to deliver concrete support through specific ‘train and equip’ activities as a means of developing a relationship of trust that would ultimately enable the governance of the sector to be strengthened.

The programme is based on an eight-year MoU between the two governments. The purpose of signing an MoU was to stimulate a longer-term perspective on results and relationships and to help the SSD weather eventual political challenges in both The Netherlands and Burundi that could undermine support for the programme. Secondly, the MoU promoted a partnership between the two governments, rather than the typical donor-client relationship. The MoU itself was negotiated over a period of eight months. Dutch participants in the negotiations described this as a lengthy process; some Burundian participants reported that eight months was too short, given the complexity of the issue and the lack of understanding on the part of the Burundians of the SSR concept. Both sides have reported that at the outset they were very unclear about what they wanted to achieve with the SSD programme. Nonetheless, they were able to agree on a number of broad objectives and principles to guide the development of specific activities (see Box 2). In addition, the MoU highlights the importance of political dialogue and transparency in enabling the parties to meet their mutually agreed objectives. The focus on loosely defined strategic objectives is a departure from the typical SSR programme, which elaborates a logframe or results framework after a relatively brief inception period describing its objectives in great detail.

The MoU period is divided into four two-year programming phases. The accomplishments of each phase are reviewed at the end of that phase and a new work plan developed for the subsequent phase. Funding is allocated for each phase and programme priorities are adjusted to available funding. Thus there is no guarantee that the programme will be funded throughout the eight-year span of the MoU. However, the existence of a relatively lengthy MoU between the two governments has offered some protection against shifting political and economic winds in both countries and has been helpful in developing some level of political commitment to the process of SSD among Burundian authorities.

Box 2. Strategic objectives of the Burundi-Netherlands SSD programme

- Affirmation of the principles of partnership through political dialogue
- Accountability of the security services to civil authorities
- Adherence of the security services to national and international law
- Adherence of the security services to the general principles of public expenditure
- Impartiality on the part of the security services
- Professionalism of the security services

Source: Mémorandum d'Entente entre le Gouvernement de la République du Burundi et les Ministres des Affaires Etrangères, de la Coopération au Développement et de la Défense des Pays Bas sur la Développement du Secteur de la Sécurité, 9 April 2009, Annex B.

In general, other SSR programmes are of shorter duration, with the level of funding being agreed at the outset.¹¹ While there may be flexibility in terms of adjusting activities during the implementation period, most SSR programmes do not engage in rolling programming to the same extent, which places a greater requirement on determining, at the outset, what future needs will be and how to best meet those needs. SSR programmes do increasingly have inception periods, sometimes lasting as long as 18 months, but once the programme is designed and the logframe approved, the expectation is that significant changes will not occur.

The SSD programme has three components: 1) defence, focusing on the Ministry of Defence and the National Defence Force (FDN); 2) public security, focusing on the Ministry of Public Security and the Burundi National Police (PNB); and 3) governance, which receives support from the Ministry of Foreign Affairs and International Cooperation (MRECI). To the extent that other SSR programmes specifically address issues relating to governance, they very rarely have a separate component focusing on the subject. Figure 1 shows the main features of the SSD structure.

At the outset, a conscious decision was made to exclude the National Intelligence Service (*Service National des Renseignements*, SNR) because of the sensitivity for the Dutch government of working with an organisation that had engaged in serious human rights abuses. In 2013 the SNR joined the governance pillar (although it is still restricted to working on issues relating to 'integrity', such as revising its organic law). Additionally, the governance pillar was originally called 'cross-cutting issues' because of sensitivity within the Burundian government to directly addressing issues relating to democratic governance at the time the MoU was signed. However, the strategic objectives of the SSD programme laid out in the MoU are clearly governance oriented (see Box 1 and Annex 2) and the intention of The Netherlands was to move progressively from 'train and equip' to addressing the structural constraints in the security sector. While strengthening the justice sector is critical to the success of any SSR effort, the SSD programme chose not to create a justice pillar in order to avoid spreading programme resources too thinly. However, as the programme evolved, discussions on FDN and PNB organic laws created the need for the programme to collaborate with the Constitutional Court. Most other programmes in Burundi do not have the flexibility to involve other actors as the need and opportunity arises.

¹¹ Justice sector support programmes are sometimes of longer duration.

Structure of the governance component

The structure of the governance component differs from that of the defence and public security components in several important respects. The governance component is not integrated into a ministry, although it receives important support from MRECI. Guidance is provided instead by a Governance Advisory Group (*Groupe de réflexion*). The Programme Management Unit (UdG) is extremely small, consisting in 2013 of the programme manager, a part-time national coordinator (seconded by MRECI) and an assistant. Initially, the other two UdGs had a programme manager, a deputy programme manager, a part-time national coordinator and several project managers. By 2013, the defence and public security UdGs each had about a dozen staff, some working full time for the programme, some working part time.

The very light structure of the governance UdG made sense at the outset, when the governance team was feeling its way, developing working relations within the team (particularly within the Governance Advisory Group – see below) and looking for governance-related entry points. Once the programme as a whole began to move more and more in the direction of addressing the structural aspects of security sector reform and the demand for governance-related support increased, it became clear that the governance UdG required more staff and discussions began in late 2013 about adding a number of project managers.

In addition to the governance UdG, the Governance Advisory Group has played an important part in the SSD's governance work. It has four main roles:

- to provide guidance and advice on the activities to be undertaken by the governance component, with a view to achieving the objectives and results specified in the programme's MoU;
- to ensure coordination of the governance-related activities in the security sector;
- to take part in activities carried out by the governance component;
- to participate in meetings to evaluate the activities undertaken and give recommendations and suggestions for improving the programme's governance work.¹²

The Governance Advisory Group had nine members when it was created in late 2010.¹³ The defence and security committees of both the National Assembly and the Senate, the Ministry of Justice, the Presidential Ministry responsible for Good Governance and Privatisation, the Ministry of Finance, the Ministry of Public Security (MSP) and the Ministry of National Defence and Former Combatants (MDNAC) each provided one representative. There were two representatives of civil society. The Governance Advisory Group thus reflected the cross-cutting nature of security sector governance. Care was taken to ensure that the individuals chosen had the background and skills necessary to provide maximum support to the programme. In this, the Coordinator for governance was extremely helpful. Two more members were subsequently added to the Advisory Group, one representative each of the Permanent Secretariat of the National Security Council and the National Intelligence Service.

¹² 'Termes de référence pour une Unité de Gestion/Groupe de réflexion « gouvernance » dans le cadre du Mémorandum d'entente entre le Gouvernement du Burundi et le Royaume des Pays Bas pour le Développement du Secteur de la Sécurité (DSS)', 2010.

¹³ As will be discussed in Section 4, the governance component began work well after the other two components, with the programme manager hired in September 2010, the Advisory Group created at the end of 2010, and work effectively beginning in early 2011.

The Governance Advisory Group generally meets once a month. At times meetings occur more frequently because of the amount of work, the importance of the questions under consideration and the necessity of addressing issues in some detail.

The governance UdG develops activities based on proposals from the Governance Advisory Group and ensures that these activities are carried out. Developing activities is often a lengthy process, since it tends to be necessary to engage in a process of dialogue with the organisation or group that the activity involves as well as with other members of the programme and, at times, the two partner governments. Implementing activities is also time consuming, since most activities require the support of one or more consultants and it is necessary to identify the correct consultant and then develop the work plan for each activity (see Box 3).

Box 3. Supporting the state oversight bodies

According to the governance UdG, developing activities to improve the capacity of oversight actors is particularly time consuming because they are closely linked to the political context and other factors over which the Governance Advisory Group has no control and because they are developed in a highly participatory fashion, which requires the involvement of the target institutions, the Governance Advisory Group, and other partners and actors in the sector. This can also lead to delays in the timing of agreed activities. For example, a workshop to support strategic planning by the Office of the Ombudsman that had been planned for the first half of 2012 had to be postponed for several months while issues relating to the focus of the workshop were resolved by the Office of the Ombudsman, the SSD programme director and the governance programme manager. What is more, it had taken some time to agree on the strategic planning exercise in the first place. When the Ombudsman's Office learned of the SSD programme, they initially approached the programme with a shopping list of material needs. Following lengthy discussions with the programme, the Office agreed to develop a strategic plan that could subsequently be supported by the programme.

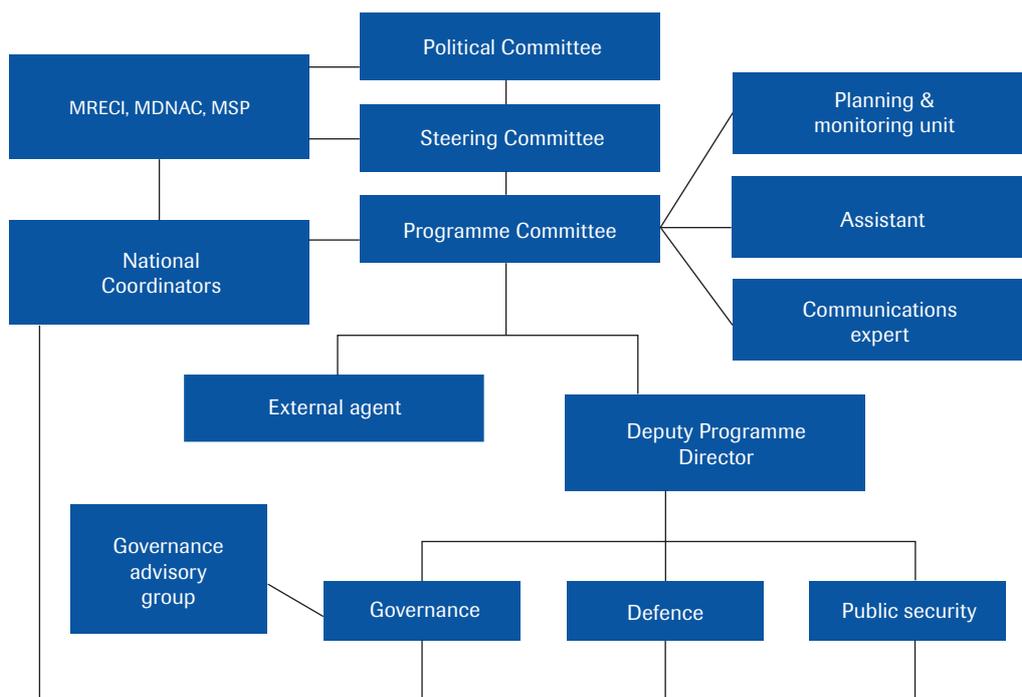
Source: Coopération Burundo-Néerlandaise, UdG DSS/Gouvernance, 'Rapport d'activité trimestriel et prévision, 13 juillet 12-30 octobre 12', pp. 6-7, and author's interviews, 2013.

Programme management

The MoU established three bodies to manage and oversee the work of the programme: 1) the ministerial-level *Comité Politique*/Political Committee, charged with conducting high-level political dialogue between the partners; 2) the senior official-level *Comité Technique du Suivi* (CTdS)/Technical Monitoring Committee, charged with approving work programmes, monitoring their progress and discussing programme strategies and budgets; and 3) the working-level *Unités de Gestion*/Programme Management Units for each pillar, charged with developing and overseeing projects and contributing to planning the future direction of the programme. The work of the programme, and particularly the UdGs, has been supported by an external agent charged with providing administrative and technical support for the execution of the programme according to the MoU (see Figure 1).

At the outset, there was a lack of clarity about the role of the external agent, as the Dutch Ministry of Foreign Affairs (MFA) gave the external agent responsibility for ‘quality control’ of programme activities and held open the possibility that the external agent could provide substantive programme guidance. This lack of clarity created problems in terms of the strategic direction of the programme and the functioning of the external agent.¹⁴

Figure 1. SSD structure, 2013



The substantive direction and some of the political oversight of the programme was initially managed from The Hague by the MFA Peacebuilding and Stabilization Unit, in part due to capacity shortfalls in The Netherlands Embassy Office in Burundi. (The Dutch Embassy Office in Burundi was, at that time, a subsidiary of the Dutch Embassy in Rwanda.) The in-country MFA team was strengthened in 2010 with the addition of a First Secretary responsible for political relations with the Burundian government, which provided the SSD programme with critical real-time political support. It was further strengthened in June 2012 when the Embassy Office became an Embassy in its own right.

For nearly all of Phase 1, the SSD programme lacked a full-time in-country programme director. This was a major shortcoming and was identified as problematic by the Netherlands MFA at the time. However, it was not possible to assign a Dutch official to the Embassy Office to manage the programme and it had not been foreseen that the programme itself would finance this position. Eventually, headquarters-based MFA staff managing the programme were able to make the case for using programme funds to hire a dedicated programme manager (see Box 4).

¹⁴ These problems are well summarised in International Security Sector Advisory Team, *Programme de développement du secteur de la sécurité au Burundi, Évaluation de la phase 1 du programme*, February 2012, pp. 22-26.

Box 4. Challenge in providing adequate support to the SSD programme

The Netherlands was initially unable to increase the Embassy Office staff and thus assign a full-time in-house manager to the SSD programme. It was also difficult to find the right staff. As one person familiar with the development of the SSD programme said in 2011: “A worry until very recently was that the programme didn’t have the right staff. The fact that Burundi was not high on the list of priorities affected the quality of people as well, as did the fact that there is no Netherlands tradition in SSR. The fact that it is a fragile state also contributes to a high turnover of staff. The knowledge and experience to do this work was therefore minimal, let alone in a country like Burundi. It took a while to get the right people in country. Key was that there was an HQ interest and that people kept trying. Important examples were the need to find a programme director, strategic advisers that know about this work, and embassy people with a real interest and better knowledge of this work.”

Source: Nicole Ball and Luc van de Goor, *The challenges of promoting effective security and justice programming*, OECD Development Cooperation Working Paper WP 10, 2013, p. 38.

Programme guidance was initially provided by a combination of the MFA in The Hague, the (overstretched and not-appropriately staffed) Embassy Office in Bujumbura, and a non-resident programme manager working for the external agent (whose main responsibility remained technical). Some degree of strategic guidance for the defence and public security pillars was provided by Dutch strategic advisers (although the public security pillar has not had a strategic adviser since the last Dutch strategic police adviser left in 2011). There were some questions about continuity within the defence pillar, since at the beginning of the SSD programme secondments by The Netherlands Ministry of Defence typically lasted only six months. The Dutch Ministry of Defence subsequently extended deployments to 12 months.¹⁵

Technical guidance for the defence and public security UdGs during Phase 1 of the programme was provided by international consultants acting as programme managers (*chargés de programme*). They were supported by Burundian deputy programme managers. During Phase 2, the deputy programme managers assumed the position of programme manager and the international consultants became coaches. The governance programme manager, who was not hired until 2010, was a Burundian national. The link between the programme and the government at technical level has been provided by three national coordinators, representing MDNAC, MSP and MRECI. In addition, the governance UdG is supported by the Governance Advisory Group discussed earlier.

In early 2011, a resident expatriate programme director was hired from the programme budget. This helped remove ambiguity about the substantive role of the external agent. When the contract of the first external agent expired in 2011, it was not renewed and a new external agent was hired. The second external agent focused exclusively on administrative and logistic support for the programme. In 2012, a deputy programme manager (Burundian national) was hired to oversee the work of the three UdGs. Also in 2012, the CTdS was replaced by

¹⁵ While 12 months is still a short period, given the complexity of the institutional and attitudinal changes that are sought, this problem has been partly overcome by the reassignment of a former adviser to the defence review process as strategic adviser to the defence UdG, which provides a certain continuity.

a Steering Committee (*Comité de Pilotage*, CoPil) because the CTdS had not functioned as intended. The CTdS had neither provided an effective link with the senior political level of government nor monitored the work of the programme adequately. With representation from the Permanent Secretaries of relevant ministries and senior officers from the PNB and FDN, it was hoped that the new CoPil would provide better access to the ministerial level, strengthen coordination on cross-cutting issues that characterise SSR (particularly governance) and improve political dialogue.

The structure of the SSD programme varies considerably from that of most other SSR programmes. The donor is much more engaged at a political level than is typically the case for SSR programmes and specific structures have been created to manage and foster this engagement. Typically, the design, implementation and monitoring/evaluation of SSR programmes are contracted to external agents. The involvement of national actors in these processes varies but generally they are managed by expatriate staff. What is more, the structure of the SSD programme has changed over time as mechanisms foreseen in the MoU have not fulfilled their anticipated function (eg, CTdS) or new needs have arisen (eg, expatriates moving from managing UdGs to coaching Burundian managers). This provides a measure of flexibility that other SSR programmes generally lack.

Approach

The 2009 MoU states that the governments of Burundi and The Netherlands share the vision of making the Burundi security sector a collection of organisations, institutions and regulations that are transparent, guided by democratic principles, financially sustainable and accountable, and capable of assuring the delivery of security and justice to the population of Burundi. The specific strategic objectives outlined in the MoU (see Annex 2) were couched in terms of objectives for political dialogue between the partners, not in terms of programming. That said, these strategic objectives have guided programming during Phases 1 and 2.

In terms of implementation, the only guidance offered by the MoU was a series of areas in which activities were to be developed during Phase 1 of the programme for each of the three pillars. In its first four years of operation, the programme had no logframe or results framework.¹⁶ Rather, it adopted a highly flexible problem-solving approach based on taking conditions on the ground as its starting point and building on them to progressively effect change. The objective was to develop a locally owned programme that would be sustainable because the issues addressed would be priorities for the national actors. To this end, the SSD programme began with some concrete activities during Phase 1 in order to build trust and relationships that would be necessary to seriously tackle the thorny governance-related issues involved in reforming the security sector. In the defence component, this approach enabled a defence review process to be inaugurated after the programme had been underway for about a year.¹⁷

As indicated above, there were expatriate staff at both strategic and technical levels but the bulk of the programme (defence and public security UdGs) was staffed by Burundian officials seconded by their government who worked out of offices provided by their respective

¹⁶ In the third and fourth years, work plans were developed. As part of the strategic planning exercise for Phases 3 and 4, logframes and results chains were developed for each of the three components. The programme still did not have an overall logframe.

¹⁷ See also the section 'Establishing results progressively' in Section 3 and 'Creating space to innovate' in Section 4.

ministries through project management units. Not only did this problem-solving approach enable the programme to respond to needs on the ground, it also enabled both Dutch and Burundian partners to progressively identify needs in terms of programme management and build the capacity of their respective staff members to better meet the challenges of developing and implementing an SSR programme. This approach has enabled the SSD programme to progressively move from concrete activities aimed at improving the capacity of the FDN and PNB to activities intended to change the attitudes and behaviours of key Burundian actors consistent with democratic control of the security sector.

At the half-way point in the MoU, the SSD programme was characterised by:

- an integrated approach to security, encompassing defence, public security, intelligence and governance with links to the justice sector;
- a concern to enable the defence and security forces to respond to the security needs of the population but a recognition that non-state security providers were also important and needed to be better understood and their roles addressed by the programme;
- a focus on strengthening the capacity of key actors to engage in a process of reform, for example by educating them on governance-related issues (such as the role of Parliament in overseeing the budgeting process or the quality of the legal framework of the security sector and how to improve it) and by providing critical infrastructure (vehicles, computers) and technical assistance (expertise in drafting legislation and developing defence policy and strategic documents) to enable security sector actors to fulfil their legally mandated tasks;
- a focus on strengthening the integrity of key security actors with a view to ending impunity;
- a concern to ensure the sustainability of results recorded through the work of the programme; and
- coordination of interventions by international partners in order to maximise the complementarity of activities and objectives.

3. Factors promoting a process of change

The previous section discussed the structure and approach of the SSD programme. This section focuses on how that structure operates to implement the approach and facilitate change. An examination of the SSD programme suggests that its ability to work in a highly flexible manner that prioritises the process of change has been critical to its ability to achieve results.

There are four main components of the SSD's process-oriented approach, which will be examined in turn:

- proactively addressing the political aspects of a process of change at all levels and on a daily basis;
- establishing results progressively;
- prioritising the progressive development of ownership; and
- matching programme timeframe with ambition and environment.¹⁸

Proactively addressing the political aspects of a process of change

In implementing SSR programmes, it is essential to engage with the politics of reform and in particular to influence the way in which power is organised and employed. This requires all stakeholders to both analyse the political context and act politically. From the outset, the SSD programme asserted the importance of political dialogue in implementing the MoU, which made provision, however, for only an annual dialogue at ministerial level between both governments through the *Comité Politique*. Although the programme was envisioned as a partnership between the two governments, it took the Dutch partner some time to engage in partnership mode in this dialogue and for the Burundian partner to develop the confidence to engage as a full partner. That said, the creation of the Political Committee demonstrated the seriousness with which the Dutch government approached the question of security sector governance. While many donors espouse the importance of strengthening security sector governance, they generally do not provide the necessary political backing to achieve their governance-related objectives.

The first strategic objective of the MoU was to conduct the political dialogue according to the principles agreed by the partners, such as legitimate governance of the security sector and respect for human rights. The MoU also provided some guidance on key issues that the political dialogue should address for each of the other five strategic objectives (see Annex 2). As the programme began to be implemented, it became evident that political dialogue at all levels and in various forums was essential for its success. By mid-2013, political dialogue had occurred between the two governments (at ministerial level and between the Dutch Embassy in Bujumbura and senior Burundian government officials), between the government

¹⁸ The importance of these process elements was highlighted by research conducted under the auspices of the International Network on Conflict and Fragility, which is summarised in the OECD publication *More politics, better change management*.

of Burundi and other international partners,¹⁹ and among different Burundian stakeholders. The objective of this multi-layered political dialogue was threefold:

- to evaluate the status of the programme (positive outcomes and constraints);
- to provide a strategic approach for the programme (particularly within the CoPil); and
- to address specific issues facing the programme (notably the constitutionality of the security sector's legal framework).

The success of this dialogue process has depended upon a close working relationship between the programme and the two governments and a certain balancing act on the part of the programme. Because the programme supports both governments in implementing the MoU, the donor political agenda cannot drive programming decisions, although the donor clearly has had certain limits on the use of its resources. The Netherlands has by and large succeeded in engaging politically in a constructive manner to support the attainment of the MoU objectives, particularly during phase 2 of the programme. The challenge that has at times confronted the government of Burundi is adhering to the objectives of the MoU and not simply seeing the SSD as a source of funding to meet the material needs of the country's security sector. The programme's relationship with the government of Burundi has experienced some hiccups, notably in 2012 over the issue of the PNB legal framework,²⁰ but on the whole the programme has succeeded in maintaining the necessary balance and repairing any damage to relationships of trust.

Establishing results progressively

The SSD programme develops work plans on a two year basis and within those two year phases it has the ability to respond to emerging requirements. This is particularly important in the governance area, where issues continually surface; the ability of the programme to address any of those issues evolves over time as trust and relationships develop. It was also helpful when the Burundian government decided that it wanted to explore the possibility of conducting a defence review mid-way through the first two-year programming cycle and again when the National Intelligence Service and the National Security Council (*Conseil National de Sécurité*, CNS) expressed an interest in participating in programme activities during Phase 2.

Aspects of the SSD programme that have facilitated achieving results progressively include:

- flexibility in terms of programming approach (not tied to a logframe or business case established early in the programming process and thus able to adjust course as new priorities and opportunities arise);
- a long-term horizon for programme development; and
- relationships of trust between the government and the programme and the government and the donor.

On this last point, part of the process of developing this relationship of trust has been the ability of the programme to operate simultaneously on two distinct but interrelated tracks. This has involved providing tangible benefits (training, certain types of equipment, infrastructure) prioritised by national stakeholders, while at the same time assessing the most

¹⁹ For example, the Netherlands Embassy initiated a dialogue between the Minister of Public Security and the ambassadors of four countries that provide assistance to the security and justice sectors (The Netherlands, Belgium, France and Germany) on critical security issues, such as the legal framework for the police.

²⁰ See discussion in Section 4 under 'Putting politics centre stage'.

appropriate way to address the highly political transformational aspects of change. Working together on the more concrete activities has enabled the partners to develop the trust necessary to tackle the more complex and political change issues.

The SSD programme has become increasingly skilled at using projects designed to deliver these benefits to open windows of opportunity for longer-term change issues to be addressed. For example, the SSD indicated its willingness to construct a building for the Constitutional Court, which has been housed in a particularly decrepit building, on the condition that the government accord budgetary independence to the Court by 2016. The government has reportedly acceded to this requirement. Historically, the budget of the Court has been managed by the Ministry of Justice, which failed over the years to give the Court access to all of the funds allocated to it. This created a major problem for the Court. Not only did it receive fewer resources than it should have through the state budget, but donors were loath to provide support to the Court while this situation continued. Budgetary independence will thus enable the Constitutional Court to raise funds for a reform process. The situation could further improve for the Constitutional Court because the SSD programme has been asked to elaborate a roadmap to enable the Court to become completely independent of the Ministry of Justice in 2015.

The SSD programme has recognised that achieving sustainable results that transform power relations within society requires agreement on a vision of the desired outcome. However, particularly in fragile and conflict-affected states such as Burundi, developing such a vision takes time, partly for political reasons and partly for capacity reasons. Combining concrete activities that can be implemented relatively quickly while a process is established for addressing more transformational issues has been beneficial in Burundi. One Burundian familiar with the SSD programme made the point that if that programme had attempted to tackle only transformational issues during its first two years, it would have not gained the degree of acceptance it has because “military officers who had spent the previous ten years at war were not ready to think strategically in year one [of the programme]”. Additionally, in the eyes of many Burundian counterparts, the fact that the Dutch government was willing to begin by addressing the concrete needs of the FDN and the PNB demonstrated its concern for the effective functioning of these organisations and gained the confidence of key actors in these bodies. Although Dutch interest in governance-related reforms was clear from the MoU, the fact that the programme did not prioritise ‘the European agenda’ at the outset was critical in gaining the trust of these actors.

Prioritising the progressive development of ownership

For SSR programmes to be sustainable, it is essential that they are owned by local stakeholders. The attainment of the necessary degree of ownership can be complicated by a number of factors, such as the attitude adopted by the donor, the political agenda of key local stakeholders, and the capacity of local actors to identify their priorities and communicate them effectively. For these reasons, ownership generally needs to evolve progressively and the SSD programme has made important progress in this regard. Although initially key programme leadership positions – the financial agent, strategic advisers to the ministries of defence and public security, the heads of the Programme Management Units for defence and public security and, later, programme director – were held by expatriates, from the outset the MFA team anticipated that the programme would become Burundian managed.

Around the end of the first year of the SSD programme, the MFA team began to discuss the need to work towards a phased handover of certain programme positions to Burundians. However, it was only once the position of programme director was filled and there was adequate capacity at the Embassy Office in Bujumbura that the strategy began to be implemented. Unfortunately, many of these strategic discussions had taken place within the Dutch inner circle at headquarters. This meant that the Burundians involved in the programme were not aware of these plans. Although changes that enhanced the authority of Burundians were not unwelcome, this was one of several instances where the Burundian partners felt that major decisions had been taken without their involvement, which clearly has a negative impact on ownership.

That said, Burundians involved with the SSD programme have been pleased with the progressive transfer of responsibility and authority. Indeed, the desirability of giving Burundian partners more responsibility and authority arose independently within the defence UdG. Burundians now head all three UdGs. Burundian interviewees generally agree that the national members of the defence and public security UdGs needed a period of apprenticeship in order to be able to assume the position of UdG head and that the continued support of expatriate coaches has been useful. A Burundian deputy programme director has been in place since mid-2012, selected by a committee comprising both Burundian and international stakeholders.²¹ A similar process will be followed during 2014 to find a new programme director.

The ultimate objective has been an entirely Burundian-managed programme. However, as the programme began to gear up to search for a new programme director in late 2013, there was widespread agreement among Burundians involved in the programme that an international programme director would have greater freedom of movement in the prevailing political climate in Burundi. They therefore cautioned that a Burundian should not be hired simply to give the impression of full ownership.

In addition to placing Burundians in leadership positions, it is anticipated that the defence and public security UdGs will be absorbed into their parent ministries in due course. During Phase 3 of the programme, a number of individuals who have long worked in the defence and public security UdGs will be rotated back into their parent ministries, potentially providing increased capacity in terms of programme formulation and management.

This stands in contrast to the degree of ownership generated by many other SSR programmes. A review of donor support to security and justice for the International Network on Conflict and Fragility, based on interviews conducted in 2011, found that, “‘ownership’ is often conflated with ‘buy-in’. Structures are meant to enhance local buy-in to donor-conceived and -led activities, not to enable local actors to take the lead in programming decisions.”²² National actors may be consulted during programme design but are often not the ultimate decision-makers. Specifically with regard to Burundi, the SSD programme has been compared favourably to other donor-supported programmes of support to justice and security. The Burundian partners have been particularly pleased with the degree to which Burundians have been able to manage the programme and act as its public face (see Box 5).

21 Burundian interviewees compare this process very favorably to the recruitment of the first programme director, which was another instance where the Burundians felt they had not been adequately consulted.

22 Ball and van de Goor, *The challenges of supporting effective security and justice programming*.

Box 5. Comparing the SSD programme with other international support

“There is no other program like the SSD. There is a hierarchy of management: the CTdS, the UdGs. Others don’t have this. With [another donor] you negotiate one activity, they develop the budget, the activity is executed and that is it. The SSD program has a lot of ownership between the definition of a need and its implementation.”

Source: Ball, Gasana and Nindorera, *From Quick Wins to Long-Term Profits?*, p. 26.

The strategic planning session for Phases 3 and 4, held in September 2013, has been highlighted as an indication of the seriousness with which the SSD programme applies the principle of ownership. One hundred SSD stakeholders met to identify priority areas for SSD engagement. This process was followed by additional workshops to develop operational plans for Phase 3, basically identifying near-term priorities and ideas for activities to address these priorities. It is important to recognise, however, that there appears to have been somewhat of a trade-off between encouraging programme stakeholders to determine programme priorities and the ability to identify the most strategically important interventions and direct resources to them. At least within the governance component, it has been difficult for the different actors to understand how joint activities can achieve multiple objectives. There has been a tendency for governance stakeholders to want to have ‘their’ activities and it is not clear whether the programme direction has managed to curtail this tendency adequately. The creation of a small planning and monitoring unit should provide additional guidance in this regard.

Matching timeframe with ambition and environment

Many SSR programmes are quite ambitious in their expectations of change and cannot be carried out in the anticipated timeframe because of underlying environmental conditions (notably the need to develop capacity and change behaviours and attitudes). The SSD programme’s eight-year timeframe is widely recognised among stakeholders as an enormous benefit. Numerous stakeholders have stated that if the SSD programme had tried to address the governance-related structural issues foreseen in the MoU from day one, the programme would have failed. Part of the problem was the willingness of key political actors to accept change. But another critical part of the problem was that key Burundian stakeholders simply did not understand what the necessary reforms consisted of, why they were important and how to implement a process of change. As one interviewee stated in 2012, when people do not understand something, their default position is ‘no’. Once they understand why change is needed and how they can support the process of change, they become more open to change. This process of education is, however, a lengthy one, which is why the SSD’s eight-year timeframe is so important.

4. Governance outcomes at the half-way mark: three key enablers

During its first four years, the SSD programme has made important contributions to improving the quality of governance in the Burundian security sector. When the MoU establishing the programme was signed in April 2009, relations between the security forces and civilians in Burundi were characterised by mistrust, a near complete lack of transparency, and very weak accountability. Underlying this state of affairs was a history of the security forces making decisions about security policy and its implementation as well as the near total lack of capacity of the constitutionally mandated management and oversight bodies to function effectively.

The MoU identified a number of priority areas for Phase 1 activities in all three components. Expectations regarding governance were modest. Not only was the term ‘governance’ eschewed in favour of the less politically charged ‘cross-cutting issues’, but the MoU foresaw activities in only four issue areas during Phase 1 (compared with over a dozen each for the other two): 1) parliamentary oversight of the security sector; 2) civil society security sector monitoring; 3) dialogue forums on security issues; and 4) security expenditure management.

Moreover, the Dutch government was initially unclear how best to proceed to implement governance activities. It took them about a year following the signing of the MOU to decide on the structure described in Section 2. While this ‘slow’ start to governance-related work was due to some extent to capacity shortages on the side of the Dutch government, it also reflected the enormous sensitivity of addressing issues of this nature within the Burundian government. Considerable dialogue between the two partners and among Burundians was necessary before the work could commence. Because of the necessarily cautious approach to governance, none of the activities foreseen in the MoU for Phase 1 were actually carried out during that period. However, the issue areas identified in the MoU framed much of the subsequent work of the governance component of the SSD programme.

As the SSD programme neared its half-way mark, an evaluation of the governance component found that the situation had evolved appreciably since 2009.

- Important barriers to openness in the security sector had been eroded, and security issues were now acknowledged by many to be the legitimate concern of the full range of Burundian stakeholders, including civil society.
- Dialogue on SSR and, specifically, governance-related aspects of SSR was occurring more frequently among key stakeholders.
- The programme itself had become more inclusive with the addition of key oversight actors (the Constitutional Court, the Ombudsman’s Office and the Auditor General) and key security actors (SNR and CNS).
- The programme had made progress in achieving the strategic objectives of the SSD MoU, particularly in terms of promoting political dialogue among the partners, strengthening

security sector accountability to civil authorities and to national and international law, and introducing the concept of financial accountability to the security services.²³

All parts of the SSD programme have contributed to these outcomes. However, without a mechanism for ensuring that governance-related issues could be addressed on an equal footing with capacity-building for the defence and security bodies, the programme would have recorded considerably less progress in the area of governance. There are two reasons for this: 1) the mandate of the governance component is solely to strengthen governance, enabling it to focus exclusively on that issue; and 2) the governance component has played an important role in sensitising the defence and public security components to governance needs.

In addition to this structural issue, the experience of the SSD programme to date suggests that there are three key factors necessary for the development of sustainable change in security sector governance:

- Politics must be placed centre stage.
- Programmes must provide space to innovate.
- Adequate attention must be given to changing attitudes and behaviour.²⁴

Putting politics centre stage

The ability to address politically sensitive issues is probably the most critical factor influencing the success of security sector reform programmes in general and the governance aspects of SSR in particular. Acting politically involves identifying, understanding and working through political issues pertinent to SSR, as well as responding to their programme implications. It requires addressing two different types of political issues (see Box 6) and the ability to address these issues at multiple levels. For the most part, SSR programmes supported by donors have not performed well in this regard. As explained in Section 3, a key element of the SSD programme's approach is to proactively address the political aspects of the SSR change process, at all levels, on a daily basis. In doing so, all SSD stakeholders have been willing and able to engage politically including:

- the programme leadership: director, deputy director;
- the three programme components: defence, public security and governance; and
- Burundian and Dutch political actors at various levels: within the programme (*Comité Politique, Comité de Pilotage, UdGs, Governance Advisory Group*) and key decision-makers affecting the programme (Ministers, Embassy, Office of the President and other key political actors).

The engagement of the Dutch government through its Embassy has proven to be extremely important in addressing potential blockages to programme activities. Once a full-time political secretary was assigned to Bujumbura in 2010, the Embassy (then Embassy Office) was in a position to closely monitor the progress of the programme, engage in dialogue with its Burundian counterparts and provide support to the programme as needed. Additionally, the Embassy has been able to mobilise other international actors to ensure a common line on critical issues of security sector governance, such as the constitutionality of the proposed revision to the public security organic law in 2012.

²³ Ball and Nsengimana, *Évaluation du Volet Gouvernance du Programme DSS*, pp. 14-29.

²⁴ This finding is in line with the results of the INCAF work. See OECD, *More politics, better change management*.

Box 6. Two types of political issues

In developing and implementing SSR programmes, two types of political issues routinely arise. The first is the normal process of institutions trying to maximise for themselves the benefits of a change process. This necessitates dialogue, negotiation, trade-offs and compromise, all inherently political processes. The second is the politicisation of the change process. It is highly non-transparent and is generally intended to control the change process and often to blunt its impact. It may involve negotiation and trade-offs, but among a small group of political powerful individuals and institutions. All change processes are politicised but to differing degrees. Some are more transparent than others. In conflict-affected countries where the rules of the game are still being worked out, significant politicisation of change processes is the norm. It can be extremely difficult for those outside the ruling elite – both national and international actors – to understand how decisions are made, and even seemingly small issues can be blocked.

Where the Dutch government is able to take responsibility for addressing the political issues surrounding highly contentious activities aimed at implementing the MoU, it provides a degree of political ‘cover’ for the programme and enables the programme to focus on helping the parties arrive at solutions to the political blockage. Where the Dutch government has not been in a position to play this role as fully as desirable, the programme has suffered. Particularly problematic was the gap between the departure of one First Secretary in mid-2012 and the arrival of another at a time when highly contentious discussions were taking place about the fate of the first public security organic law (which was ultimately withdrawn from Parliament because portions of it were unconstitutional). The absence of sustained support from the Dutch government led the programme director to play a more political role than was desirable and contributed to serious strains in the relationship between the programme and the Burundian government.

The programme’s ability to address the political issues that arise at every level has been essential to its success in achieving the results it has to date in areas such as the security sector’s legal framework and financial management and the capacity of oversight actors to work effectively. These results will be discussed in more detail in the section immediately below. From the perspective of deepening the results achieved to date and ensuring their sustainability when the current MoU expires in 2017, the programme has identified several areas in which additional attention is required. The first is to decentralise the pursuit of SSR by educating local government officials and the population outside of Bujumbura on the objectives of SSR: the importance of transparency, accountability and respect for human rights, and the roles of the respective actors in creating a safe and secure environment for all Burundians. It is also considering how best to enhance the understanding of these same issues among the most senior cadre of Burundian political leaders.

There is no doubt that this type of political engagement involves risks. In general, the international actors that finance activities in conflict-affected and fragile states tend to transfer risk to the entities that implement their programmes. What this means in terms of addressing the political dimensions of SSR is that the funding organisation is not closely involved in programme implementation, while the organisation responsible for implementation seeks to minimise its own risks, which often means avoiding difficult political issues because it does not want to jeopardise its ability to meet its contractual obligations. In addition, the ability of

implementers to address the most difficult governance issues is limited by the fact that they only represent the funder; they are not political actors and can never operate on an equal footing with the recipient government. However, as a 2011 report on risk management in fragile and transitional environment emphasised, it is essential to balance risk because in fact there are also enormous risks in not engaging (see Box 7). Reform processes that take place without adequate attention to underlying politics can all too easily be derailed.

Box 7. Balancing risk

According to a study commissioned by the OECD on managing risk in fragile and transition contexts, individuals interviewed unanimously agreed that “a risk-opportunity balance has to be struck: exposure to institutional or programme risk versus the opportunity to reduce external risk (e.g. by achieving political breakthrough). This boils down to deciding whether the risk of not acting in a particular situation is greater than that of acting.”

Source: OECD, *Managing Risks in Fragile and Transitional Contexts. The Price of Success?*, Paris: 2011, p. 118.

Creating space to innovate

As discussed in Section 3 above, the SSD’s lengthy timeframe and its ability to work flexibly and establish results progressively have been critical to its success to date. It has been able to identify the most appropriate avenues for achieving its objectives and to revisit its approach and calibrate its assumptions with reality on a regular basis. The absence of log-frames during the first half of the programme’s lifespan does not mean there has not been any rigour in the SSD planning process or that SSD projects do not foresee specific outputs and outcomes. It does mean that the SSD programme as a whole has not been tied to a set of predetermined results, activities or indicators, except in the broadest sense of the objectives and principles identified in the MoU. As will be discussed in more detail below, the development of indicators at the half-way point is appropriate, since it is now clear what is likely to be achievable during the second half of the programme, making the indicators more realistic than any that might have been devised during either of the first two phases.

Independent evaluation of the programme has underlined the appropriateness of this approach for the programme’s governance work:

“The SSD program has adopted a ‘progressive’ approach to the questions of governance: identify, inform and sensitise actors, create space for dialogue, identify technical entry points for governance issues. This approach appears adapted to the sensitivity of the issues at hand and the weak political will to promote transparency, accountability and other governance principles.”²⁵

Even more important, this very flexible, iterative programming approach has been viewed positively by the Burundian stakeholders. The belief that Burundian priorities are furthered

²⁵ International Security Sector Advisory Team, *Programme de développement du secteur de la sécurité au Burundi*, p. 62.

by programme activities has increased the sense of ownership over SSD activities and outcomes and, in principle, should contribute to the sustainability of programme outcomes.²⁶ The programme's flexible structure has been especially important for the governance component because it was impossible to tell at the outset where the opportunities for governance-related work would be and exactly where the initial activities designed to take advantage of those opportunities would lead. Rather than developing and attempting to implement a detailed framework for the governance work that would have required specifying anticipated outputs and results before the work got underway or after a short inception period, the SSD governance component has allowed one activity to lead to another activity, always with the objective of promoting the strategic objectives of the MoU in a sort of extended inception phase to the work.

Flexibility has also been important because, as the programme has matured and begun to show results, new actors whose participation is critical to the achievement of MoU objectives have joined the programme. For example, the progress recorded within Parliament on budgetary oversight is important but if the objective of improving the adherence of the security sector to principles of public expenditure management is to be achieved, the involvement of many other actors is critical. The Ministry of Defence proposal to the Ministry of Finance for improving the transparency of the defence budget in 2014 and its decision to submit the execution of its 2013 budget to an audit are important results, both in and of themselves and because they open the window to more significant enhancement of accountability and transparency in security sector budgeting in Burundi. The willingness and ability of the Ministry of Finance and the Auditor General's office to engage rapidly will be critical to the ability to respond to the Ministry's initiative. Similarly, for the overall good management of the security budget it is essential that methods are in place to ensure that the expenditure of key actors such as the SNR and the CNS is managed according to good financial management practices. While this is a highly sensitive issue, because these two bodies are part of the Office of the President, it is more likely that some positive results will be achieved if these actors are inside the programme than if they are not. The fact that all of these actors meet regularly within the context of the Governance Advisory Group and have access to SSD-supported training and peer-to-peer learning opportunities is an important contribution to the ultimate objective of better financial management and oversight of the security budgeting process.

Similarly, opportunities have opened up during the implementation of each of the first two two-year phases of the programme that were not foreseen in the initial work plans. The programme has sought to take advantage of these opportunities as far as possible. The major opportunity during Phase 1 of the programme was the defence review process. This process had been discussed informally within the Burundi government for some time but it was only during the course of phase 1 that the political opening for such a review arose. The SSD was able to accommodate the Burundian's request for resources to explore the possibility of conducting such a review during Phase 1, and during Phase 2 the defence review became a major activity supported by the programme. While the defence review process has been carried out almost entirely by the defence UdG, it clearly has important implications for the governance of the Burundi security sector. It has received some support for the governance component, particularly in terms of contacts with oversight actors and civil society, underscoring the importance of an integrated approach to SSR.

²⁶ Ultimate sustainability of programme results depends on the attitudes of a handful of individuals at the highest political level and cannot, at this point in time, be foreseen. The programme is well aware of this potential constraint and has plans to address it during Phases 3 and 4. See discussion in 'Putting politics centre stage'.

All that said, while maximum flexibility was critically important at the outset for the success of the SSD's governance work, by 2013 it was clear that a more strategic, results-oriented approach needed to be adopted to maximise the programme's outcomes and their sustainability. First, even with additional staff, the governance UdG was simply too small to manage an ever-expanding set of activities. Second, the signals were that financial resources would be more limited during the second half of the programme. This places a premium on using available resources as effectively and efficiently as possible. Third, it is now possible to cluster governance activities into issue areas, which, in turn, enables synergies to be developed among activities. The programme began to develop a set of indicators against which to measure work in Phase 3. The challenge facing the programme is to retain adequate flexibility while focusing on the highest priority activities.

Giving adequate attention to changing attitudes and behaviours

Governance outcomes are notoriously difficult to measure, in large part because they require changes in attitudes and behaviours as well as in the structure and functioning of institutions and the development of legal and policy frameworks. The history of SSR is replete with examples of technically satisfactory products (restructured ministries, White Papers, audit reports) that do not deliver the anticipated results because of inadequate attention to helping key stakeholders change the way in which they behave. The SSD programme has faced a particular challenge because while the MoU provided general guidance in terms of strategic objectives, all of which have governance components, the programme did not establish any indicators of progress toward achieving these objectives during its first three years.

Nonetheless, a 2013 evaluation of the SSD governance component indicated that at mid-point, the SSD programme had recorded progress on implementing the six strategic objectives of the SSD MoU. In large part this can be traced to the programme's success in promoting changes in attitudes and behaviours on the part of a growing number of stakeholders in the security sector. Some of these changes have laid the foundation for implementing the MoU while others have contributed more directly to progress in achieving the MoU's strategic objectives.²⁷

Outcomes can be difficult to ascribe to a particular programme or activity. This is one reason why output measures have been so popular. It is somewhat easier to assign a measure of causality to the SSD programme because it is virtually the only programme in Burundi addressing security sector governance.²⁸ That said, it is extremely difficult to measure the impact of a particular programme on changing behaviours and attitudes. For example, as one person familiar with the SSD programme noted in 2012, it is difficult to determine how the decrease in the incidence of rape, theft and other crimes between 2004 and 2011 was related to the military ethics courses supported by the SSD programme. Similarly, the population's perception of the army has improved markedly over the past decade. It is difficult to know to what extent this outcome can be linked to the military ethics training and to what extent it is

²⁷ Ball and Nsengimana, *Evaluation du Volet Gouvernance du Programme DSS*, pp. 14-29.

²⁸ There has been some related work in the area of policing and justice, and the SSD programme has sought to collaborate closely with these activities where relevant. See Ball, Gasana and Nindorera, *From Quick Wins to Long-term Profits?* Additionally, there have been programmes aimed at training the FDN, particularly for involvement in peace support operations. The SSD programme also benefited from previous work carried out by the Burundi Leadership Training Program (BLTP), which has trained military and police officers, executive branch and parliamentary offices and members of civil society in conflict management, interpersonal communication and related skills. For example, see the BLTP website: <http://bltprogram.wordpress.com/>.

a result of the military barracks programme that has separated military personnel from the civilian population, or to what extent it is an outcome of other factors.

This section will first examine how changes in attitudes and behaviour helped the SSD programme lay the foundation for implementing the MoU. In doing so, it will examine how the SSD helped to break down barriers created by security-sector secrecy, provide a unique dialogue forum, and increase inclusivity. It will then consider how the SSD programme has helped to change attitudes and behaviours that have directly promoted progress toward achieving the MoU's strategic objectives.

Laying the foundations

The SSD programme began operations in 2009 at a time when many of the fundamental prerequisites for a successful change process in the security sector were absent or very weak in Burundi. Secrecy was strong; only a few actors, primarily uniformed officers, made decisions about security-related issues. Most stakeholders were absent from the decision-making process and Burundians lacked the habit of conducting broad-based dialogues on security. In this, the situation in Burundi was not appreciably different from that in other conflict-affected poor countries. What was different, is that the SSD programme had the time and space to address these conditions, which was essential if its activities were to make a significant and lasting change to the way in which the security sector is governed.

Breaking down the barriers created by secrecy in the security sector. The importance of introducing governance into the discussion of security in Burundi cannot be overstated. As discussed above, the security sector was essentially closed to civilians when the SSD MoU was signed in 2009. Through its various activities, the SSD programme has progressively introduced the concept of SSR to key security actors, educated them on the requirements of the constitution and the Arusha accords in the area of security, and helped them understand the role that civilians (governmental and non-governmental) should play in developing and implementing security policy. Creating the understanding that security is not simply the prerogative of uniformed officers is an essential building block for achieving the strategic objectives of the SSD MoU.

The inclusion of civil society actors in the debate was particularly contentious, and not only with the security forces (see Box 8). Some members of Parliament in the defence and public security committees initially believed that civil society organisations had no right to participate in security discussions with governmental officials because that was the role of elected parliamentary representatives. Since CSOs were not elected by the population to represent them, it was argued that they had no legitimate role to play.

As the different SSD stakeholders engaged with each other more and more frequently, they came to understand and appreciate the different roles that each of them should ideally play in the security sector. Although the conversations were often difficult, the SSD programme, and particularly the governance component, continued to seek opportunities to bring diverse actors together. Skilled facilitators were employed to make the dialogue as constructive as possible. The experience of other African countries was examined, often with the support of individuals from those countries or by study trips abroad.²⁹ What is more, the concept of human security began to take hold. Once it became evident that security had multiple

²⁹ See also discussion on the SSD as a dialogue forum immediately below.

dimensions beyond purely a military orientation, it became easier to accept the roles that other actors would play in creating an environment of security for all Burundians.

Box 8. Relations between civilians and the security forces

A member of the SSD programme reported that relations between civilians and the security forces have changed significantly in the last few years due to the dialogue enabled by the programme. This individual described the situation obtaining when the defence review process began in 2010. At the workshop to open the defence review, to which a wide array of SSD stakeholders had been invited, including members of civil society, a military officer strongly objected to discussing security with civilians. Two years later, problems sometimes still occur in interactions between civilians (who condemn) and the security services (who become defensive), but overall the relationship is completely different. In 2013, representatives of civil society organisations were included in teams evaluating the degree to which FDN troops adhere to ethics norms when dealing with the civilian population. In the view of this individual, this change is a result of the dialogue opportunities offered by the SSD programme.

Source: Author's interview, September 2013.

Within the SSD programme there is now acceptance of the importance of discussing security issues outside the restricted circle of uniformed service personnel. Security has become 'everyone's affair'. This was manifested during the second half of 2013 by the strategic planning session for the SSD programme described above, which brought together some 100 individuals to debate priorities for the second half of the programme, 2014-2017. Participants interviewed for an evaluation of the SSD governance component were uniformly enthusiastic about the experience. The strategic planning workshop led to the creation of a Security Sector Reform Network, which began meeting once a month to discuss and debate various SSR-related issues. Attendance at the first four meetings – 65, 70, 100 and 100+ participants respectively – indicated an appetite for addressing this politically sensitive issue. The February 2014 meeting saw joint teams (military-police-civil society) introducing the discussion topics.

Providing a unique dialogue forum. As the foregoing examples suggest, the SSD programme has become an important mechanism for dialogue among its diverse stakeholders. Indeed, many programme participants have indicated that it is the only forum for sustained dialogue on security sector governance issues in Burundi at this time.³⁰

30 The United Nations Development Programme (UNDP) has sponsored a handful of meetings on this subject but SSD stakeholders report that there is no comparison between these discussions and those that occur under the rubric of the SSD, as the UNDP meetings are seen as 'one-off' events with no continuity.

In societies such as post-conflict Burundi where the security sector has been non-transparent and unaccountable for so many years, opening the sector to scrutiny requires extensive trust-building among key stakeholders. Sustained dialogue is key to this process. The SSD programme has employed three main arenas of dialogue:

- *within the programme*: primarily between the UdGs as discussed above and within the Governance Advisory Group to build trust among its members and to identify specific governance-related activities to be pursued;
- *as part of the technical assistance provided by the programme to key stakeholders*: where a diverse group of actors is assembled to discuss issues such as the roles of Parliament and civil society in security sector oversight or in the process of drafting laws and understanding each other's perspectives and the role each can play in making the country and its population more secure; and
- *between the programme and the government of Burundi*: discussions involving the three national coordinators, the heads of the three UdGs, the director and deputy director of the SSD programme, and representatives of various ministries around specific governance issues.

Within each of these dialogue forums, the governance UdG, the Governance Advisory Group and the programme director/assistant director have been particularly active. However, the other UdGs have also made use of dialogue to achieve progress in meeting the SSD MoU's strategic objectives. One interesting example is the decision to hold an open day at military and police facilities (*journée de portes ouvertes*). The idea was raised within the defence UdG around 2010 but was too politically contentious to implement. However, in the process of planning the celebrations for Burundi's 50th anniversary, it was raised again. Following extensive discussions within the military, MDNAC decided to hold an open day, which was highly successful. The police also decided to hold an open day, although for them the decision was less contentious because they had already decided to open non-sensitive units to the public. The police were also pleased with the outcome, although it has been suggested that maximum benefit was not derived from this exercise because the event was planned at the last moment. For the army, however, the success of the open day led directly to other confidence-building activities between civilians and the military (see Box 9).

Box 9. Army open day leads to more collaboration with civil society

In 2013 the FDN decided to hold an ethics competition. Participating military units were asked to organise a military operation to protect the population against a particular threat, such as defending a village from rebel attack. Evaluators rated each unit against an agreed set of ethical norms. The team with the highest rating won a cup. The evaluation teams were comprised of civilians belonging to human rights and women's organisations and military officers. According to one FDN officer familiar with this event, it would not have been possible for civilians to collaborate with military officers to judge an event such as the ethics competition before the military open day in 2012: "It is a miracle that military troops were evaluated by civilians."

Source: Author's interview, September 2013.

Increasing inclusivity. One of the tenets of the SSR concept is that it should be “founded on activities with multi-sectoral strategies, based upon a broad assessment of the range of security and justice needs of the people and the state.”³¹ While it is recognised that no single SSR programme can address all of the security and justice needs of a particular country, there clearly is value in involving the maximum number of stakeholders in the process of assessing needs and determining priorities. One of the working principles of the SSD’s governance component is to work in a participatory manner and to build partnerships. Working together with the programme leadership, the governance component has brought new oversight and security actors into the work of the programme. The 2014-2017 strategic planning exercise was a major partnership-strengthening activity.

Making progress toward achieving the strategic objectives of the SSD MoU through changes in attitudes and behaviours

All SSD programme components have contributed toward progress in achieving the strategic objectives of the SSD MoU.³² The governance component has played a particularly important role by using dialogue and connection-building to help develop trust among the diverse stakeholders, by strengthening critical skills of oversight actors to enable them to play their constitutionally mandated roles effectively, and by progressively helping to promote attitudinal and behaviour change among key stakeholders. Efforts to strengthen the accountability of the security bodies to civil authority illustrate how this process unfolded during the first half of the SSD.

Much of the work carried out by the SSD governance component since 2011 has focused on improving the competence of external oversight actors. Parliament has benefited the most from SSD governance support to date, with eight activities providing technical and material assistance to the committees on defence and security and on finance in the Senate and National Assembly by mid-2013. The Office of the Ombudsman, the Constitutional Court, the Office of the Auditor General, civil society and media organisations have received similar, if more limited, support. Various other activities supported by the SSD programme have also helped develop relationships and build trust among the various stakeholders.

Technical assistance has encompassed both theoretical information (what is the role of the Parliament according to the constitution, what constitutes international good practice, how are laws to be drafted) and study missions to help understand how this information can be applied in practice (how the Senegalese Parliament actually functions; how the budget authorised for Burundian troops assigned to AMISOM in Somalia is actually used). These efforts have led to some changes in attitudes and behaviour on the part of key SSD stakeholders.

A parliamentary visit to Senegal was reportedly especially helpful in enabling deputies and senators to understand the role of Parliament vis-à-vis the executive branch of government and resulted in a modestly more assertive stance of at least some parliamentarians toward the executive branch. Some oral and written questions are now being asked of ministers. The rules of Parliament may be revised to enable the defence and security committees to have a role in assessing the budgets of security ministries. (At the end of 2013, only the

31 OECD Development Assistance Committee, ‘Policy Statement: Security System Reform and Governance – Policy and Good Practice’, p. 8 in *Security System Reform and Governance, A DAC Reference Document*, Paris: 2004, <http://www.oecd.org/development/incaf/31785288.pdf>.

32 See Ball and Nsengimana, *Evaluation du Volet Gouvernance du Programme DSS*, pp. 14-22 for a discussion of the progress recorded to date on achieving the six strategic objectives of the SSD MoU.

Finance Committee had that right.) And of benefit beyond the security sector, the government held the first-ever budgetary orientation session in July 2013 (as required by the finance law of 2008) to give parliamentarians a preview of the 2014-2016 budget proposal, which would be submitted later in 2013. All of this was linked directly to the study visit to Senegal by several parliamentarians interviewed in September 2013.

These are modest gains. Many Burundian oversight actors are themselves well aware of the road yet to be travelled before serious external oversight of the security sector will be possible. This will require additional training and education and, importantly, attitudinal changes on the part of the oversight actors themselves, some of whom continue to resist playing their constitutionally mandated roles. Many senators and deputies on the defence and security committees have a background in the military and do not yet understand the importance of independent parliamentary oversight. In view of the results of the 2010 elections, when the opposition largely boycotted the election, virtually all parliamentarians belong to the party of the president and many have had difficulty in understanding the concept of separation of powers and the role that the Senate and National Assembly play as institutions, irrespective of the political affiliation of the majority of parliamentarians.

Nevertheless, from the perspective of a country where, until very recently, the security sector was essentially closed to external oversight and oversight actors had only the vaguest understanding of what they ought to be doing to monitor the activities of the security sector, these gains are not negligible.

Similarly, the SSD programme has taken a multi-pronged approach to addressing fiscal transparency and accountability in the security sector. This has required first working with the defence and public security UdGs to explain the importance of adhering to the same international financial standards in the security sector as in other parts of the government. It then required the defence and public security UdGs to carry this message to their respective ministries, supported by the programme director. At the same time, the governance component's capacity-building support for parliamentarians and the Office of the Auditor General has sought to enhance their capacity to exercise their fiscal oversight responsibilities in the security sector, and the SSD worked with civil society to strengthen its capacity to monitor security spending.

At the end of 2013, MDNAC indicated its willingness to provide more budgetary detail in its annual budget submission and agreed to allow the Auditor General to audit its accounts for 2013. This is just a first step in terms of defence budget transparency but the defence sector has been ahead of internal security. The Ministry of Public Security (MSP) has resisted efforts to enhance the transparency of its budget, although there were signs in late 2013 that the MSP was beginning to open up on this issue.

Conclusion

The Security Sector Development Programme has taken important steps toward achieving the governance-oriented objectives agreed by the governments of Burundi and The Netherlands in the MoU they signed in April 2009. Many challenges lie ahead, not least of which is ensuring that the foundation of security sector governance that the programme will have helped develop by 2017 is sustainable.

Although the governance environment in the security sector has improved since the beginning of the SSD programme, strengthening security-sector governance remains a work in progress. The degree to which the programme will ultimately change the security governance landscape in Burundi remains to be seen. Political will at the highest levels of Burundian political decision-makers remains weak and although demand for change is growing, it may not be adequate to offset the concerns of those who ultimately make decisions on the country's political direction by the time the programme ends in 2017.

Although it remains a work in progress, the SSD programme has already produced important lessons.

- **There can be no effective SSR unless the political challenges to processes of change are squarely addressed.** All programme stakeholders must be prepared to address the political constraints to significant change in the security sector. It is essential to structure programmes so that political issues can be dealt with at the appropriate level. The results of the SSD programme to date suggest that a dedicated unit focusing on governance issues with close links to both the host government and the donor government is an asset in this regard.
- **Results need to be built progressively.** While it is impossible to predict precisely what the security sector governance will look like in Burundi in 2017, it appears in late 2013 that momentum is building in favour of greater transparency and accountability. Had the SSD been a 'typical' SSR programme, it would have reached the end of its lifespan just as it was hitting its stride in terms of building governance results.
- **Because attitudinal and behavioural change is essential and because the governance component raises inherently sensitive subjects, it is unrealistic to assume that results will be achieved quickly.** The SSD governance component only began operating in early 2011 and initial results were modest. However, by late 2013, the pace of change appeared to be increasing. The decision on the part of the FDN to hold an open day took several years to approve. Although the finance law of 2008 required the Ministry of Finance to provide Parliament with a budget orientation before the annual budget development process gets under way, the first such orientation occurred only in 2013. Activities that are standard operating procedures for 'Northern' countries assume far greater significance in conflict-affected countries with little experience of democratic governance. The temptation is great on the part of observers to dismiss these milestones as relatively unimportant. However, the experience of the Burundi SSD programme suggests otherwise. Seemingly small steps can lead to additional, and potentially more significant, steps.

Sustainability of achievements remains the biggest challenge. In late 2013 the programme was contemplating steps to improve the chances of sustainability by expanding upwards and outwards. Had the SSD had the typical 3-5-year duration of donor-funded SSR programmes, there is good reason to believe its results would not have been sustainable. At the same time, many programme stakeholders have expressed concern that even eight years is not sufficient to guarantee sustainability. This is not only because Burundi remains a resource-constrained country and continued financing will be desirable even after the MoU comes to an end in 2017. Even more important is the political pressure that programmes such as the SSD provide to stay on the path of reform.

Annex 1. Constraints on Burundi's armed forces and police in meeting security challenges, 2009

Constraint	Description
Capacity	<p>There were six major capacity deficits facing the security sector:</p> <ol style="list-style-type: none"> 1) the need to harmonise the diverse professional backgrounds of members of the security (<i>Force de Défense Nationale</i>, FDN; the PNB, and former rebel groups); 2) low level of training/education of many members of the security services, which complicated efforts to improve their capacity; 3) low level of human, financial and material resources available to the security services and the ministries charged with managing them (<i>Ministère de la Défense Nationale et des Anciens Combattants</i>, MDNAC and <i>Ministère de la Sécurité Publique</i>, MSP); 4) poorly developed organisational structures; 5) very weak discipline within the PNB and FDN, which facilitated criminality on the part of police officers and soldiers; and 6) the politicisation and instrumentalisation of some members of the security services.³³
Vision and political will	<p>MDNAC/FDN and MSP/PNB had each developed their strategic vision by 2009 but were experiencing considerable difficulty in translating them into concrete policies and coherent actions. This was largely due to:</p> <ol style="list-style-type: none"> 1) operational demands on the police and the army that they had difficulty meeting with existing resources, which gave structural reform and policy development a relatively low priority; 2) weak commitment to reform on the part of some key security actors; 3) weak political commitment at the highest levels of government to a process of change in the security sector (engendered at least in part by fear of the unknown that is attendant on all change processes in every part of the world and at every level of development).³⁴
Oversight	<p>External and internal oversight mechanisms existed in 2009 but their ability to function as intended was weak.</p> <p>Internal oversight:</p> <ol style="list-style-type: none"> 1) Military courts existed but received insufficient resources. 2) Despite commitment of senior military officers to pursue justice for victims of military criminality, political pressure on the FDN continued. 3) Despite the gaoling of a relatively large number of police officers for criminal offences in 2009, police officers guilty of crimes and human rights abuses were often protected or not openly pursued. The PNB Inspectorate General lacked the necessary legal, human and financial capacity to fulfil its mandate.

³³ All of these problems afflicted both MDNAC/FDN and MSP/PNB but given the newness of both the MSP and the PNB, these organisations were affected to a larger degree. The FDN was created by law n°1/019 of 31 December 2004. The PNB was created by law n°1/023 of 31 December 2004. The FDN was able to draw on a cadre of experienced military officers from the former *Forces Armées Burundaises*, which, despite its human rights record, had a certain level of professional capacity. The PNB lacked this background, although there had been a small number of police prior to the creation of the PNB, and a decade after its creation was still characterised as 'very young'. The MSP was created in February 2009; prior to that, the police were attached to the Ministry of Interior.

³⁴ This began to change in 2010 for MDNAC/FDN, which inaugurated a structured process of strengthening defence policies and plans as senior figures in the leadership began to see the benefits of reform. MSP/PNB demonstrated less interest in and capacity for planning a reform process.

Constraint	Description
	<p>External oversight:</p> <ol style="list-style-type: none">1) Parliament, particularly the National Assembly, was not engaged in issues relating to the transparency and accountability of the security sector.2) There was no review of security budget execution or audit of MSP or MDNAC by Auditor General (<i>Cour des Comptes</i>).3) Few civil society organisations examined the functioning of the security sector; it was preferred to focus on human rights. There was a tendency to denounce the activities of security services, rather than work with them to improve their ability to function according to the law violations (although some exceptions).

Source: Nicole Ball, Madjior Solness DIngamadji, Sylvie More and Willy Nindorera, *Étude de Base: La sécurité au Burundi dans le cadres du programme de développement du secteur de la sécurité (DSS)*, 3 January 2010.

Annex 2. Strategic objectives of the Burundi-Netherlands Memorandum of Understanding

ANNEX B: Elements of a political dialogue between Burundi and The Netherlands on the Development of the Security Sector (SSD)

1. Affirmation of the partnership principles

The dialogue will focus on the principles of partnership approved by both parties, such as legitimate governance and respect for human rights, in accordance with the Memorandum of Understanding. Dialogue is led primarily by the Political Committee (see point 6 of the Memorandum).

2. Accountability of the security bodies to civil authorities

The post-transition Constitution of Burundi places the defence and security institutions under the control of Parliament (Article 242), and holds them accountable for their actions. The parliamentary committee on defence and security, the only commission mentioned by the constitution, is responsible for overseeing the work of these bodies (Article 243).

Political dialogue will focus on the accountability of defence and security to parliamentarians and civil oversight bodies. It will focus particularly on the transparency of policy and practice, the role of Parliament and the performance by the Parliamentary Committee of the mission assigned to it by the Constitution. The focus will be on improving the situation and on concrete action for advancing practice. An important part of the political dialogue will concern the way in which the media and civil society can play a role in overseeing and monitoring the performance of the defence and security institutions.

3. Adherence of the defence and security bodies to national and international law

The post-transition Burundi Constitution requires that defence and security institutions teach their members to act in accordance with the Constitution and other laws, as well as international conventions and agreements to which Burundi is a party, and requires them to comply with these texts (Article 241). Members of these bodies must also be trained at all levels to respect international humanitarian law and the supremacy of the Constitution (Article 260). Recognising that much remains to be done in these areas in terms of training and awareness, adherence to existing law is essential.

Political dialogue will focus on training of defence and security bodies in these areas. It will examine the actual impact in terms of enhancing adherence to the principles identified (international standards of human rights, national Constitution and legal framework) and in terms of reducing abuses and violations of human rights.

4. Adherence of the security sector to the general principles of public expenditure management

The state budget, including that of the Ministries of National Defence and Public Safety, is subject to parliamentary control. The Constitution stipulates that the National Assembly must approve the state budget. It also provides that the Auditor General must examine and certify the accounts of all public services, and assist Parliament in monitoring the implementation of the Finance Act. In addition, the Inspector General has a continuing responsibility for overseeing the operation and management of public institutions and services.

Political dialogue will focus on adherence to law, financial control and fiscal transparency as well as the level of off-budget spending.

5. Impartiality of the security institutions

Members of the defence and security institutions are required to be politically neutral and to respect the Constitution (Article 244). Therefore they cannot “harm the interests of a political party which is deemed legal under the Constitution; express their political preferences; promote the partisan interests of a political party [...] participate in activities or political demonstrations.” The same article states that violation of these rules will be punished. Law No. 1/06 of 2 March 2006 laying down the Staff Regulations of the PNB and Law No. 019 Act No. 1/2004 establishing the FDN (Articles 29 and 43) also emphasise the principle of political neutrality.

Political dialogue will focus on adherence to the principle of political neutrality and, where appropriate, the impact of non-compliance on the functioning and independent application of the law, that is to say, the political instrumentalisation of defence and security institutions.

6. Professionalism of the security institutions

The professionalism of defence and security institutions is the foundation of several provisions of the Constitution (especially Articles 241, 257 and 259). It is also stipulated in the laws establishing the PNB (Articles 2 and 49) and FDN (Article 29).

Recognising that much remains to be done in terms of training, it is important to review progress in terms of professionalism and service delivery of the defence and security institutions. The questions to be addressed will concern the level of corruption, operational weaknesses, disproportionate use of firearms, the use of excessive force, indiscipline, etc.

Source: Mémorandum d'Entente entre le Gouvernement de la République du Burundi et les Ministres des Affaires Etrangères, de la Coopération au Développement et de la Défense des Pays Bas sur la Développement du Secteur de la Sécurité, 9 April 2009 (Author's translation).