



Democracy and Peacebuilding at the Local Level: Lessons Learned

**A Report of the Programme in
Democracy and Conflict Management
International IDEA (Institute for Democracy and Election Assistance)**

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Preface

One of the most poignant lessons learned in peacebuilding in recent years is that while the international community must immediately rebuild and recreate legitimate national-level administration in countries emerging from civil war, without simultaneous efforts to build legitimate local-level governance sustainable peace remains elusive.

It was once thought that local level action could be deferred for years while national state structures were being recreated or reformed; in the initial peacebuilding operations of Namibia, Cambodia, or Bosnia, the local level needed to wait for national level politics to stabilize. Today, it is widely appreciated that this approach was, if not flawed, inadequate. It is now clear that legitimate local-level governance is needed immediately in post-war environments to provide for human security, delivery essential services, to offer a voice to citizens in the political process, and to foster reconciliation among contending social groups. Indeed, a smart strategy is to both build democracy and nurture peace from the bottom up; they are, or should be, complementary aims.

Like the national level of governance, truly legitimate, sustainable local-level governance can only be created through the promotion of democracy. Even in transitional periods, popular participation and local ownership is needed for the new political structures to enjoy legitimacy. Without legitimacy, governance cannot be effective, services cannot be fairly delivered. How can the international community, and especially the United Nations, more effectively promote bottom-up, democratic local-level governance in post-war situations?

This Report summarizes the findings of a three-year project at International IDEA on the United Nations and democracy which has focused on the international organization's role in democratisation of Kosovo, Timor-Leste, and Sierra Leone – each of which has been under UN transitional administration following armed conflict. In particular, the project has focused on the United Nations Mission in Kosovo (UNMIK) and Organization for Security and Cooperation in Europe municipal administration in the disputed territory; options for new structures of local democracy and decentralization in Timor-Leste following the country's newfound independence in May 2002; and options for local governance in post-war Sierra Leone, which in 2004 held elections for newly created local-level democratic institutions. The project was generously supported by the government of Japan, for which IDEA is grateful.

In this report, findings from these activities on UN transitional administrations and from other similar cases such as Macedonia are evaluated in the context of overall lessons learned concerning the imperatives of local-level democracy promotion for post-war peacebuilding. From the analysis, the Report presents integrative findings on options and recommendations for improving policies and programs for democratic peace-building at the local level.

In this and other projects on democracy's role in conflict management, International IDEA seeks to illustrate how in practice the aims of democracy building and peacebuilding can be compatible in today's turbulent world, despite some who argue that democracy should be deferred until peace is secured. Indeed, in immediate post-war environments democracy and peace must go hand in hand with the recognition that these objectives must be pursued with carefully considered strategies to ensure that the efforts aiming at promoting democracy and peace building are complementary and mutually reinforcing rather than contradictory.

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Introduction

Throughout the 1990s and into the 2000's, one of the most recurring "lessons learned" from United Nations and other international efforts to promote peace in war-torn countries is the critical role that frameworks, institutions, and processes of local-level governance play in the sustainability of peace. Policy makers, civil administrators, and military officials alike have recognized that capable local-level administration is necessary for reaching goals related to the implementation of peace agreements, the prevention of renewed violence among distrusting, divided societies, and the long-term economic development and reconciliation required for peace to be sustainable over time.

The new emphasis on local conditions reflects an appreciation that peacebuilding is essentially a state-building task requiring depth in society – creating the conditions for post-war recovery and reconciliation at all levels – and a longer time horizon beyond the initial stabilization of politics at the national level. *Peacebuilding* has emerged as a theme central to the global promotion of peace and security in the context of the "new wars" of the 1990s, in which civil wars, violent ethnic strife, competition over diamonds, oil, and timber, and other forms of intense "internal" conflicts within countries became the dominant threat to international security.

Peacekeeping by the United Nations and regional organizations became commensurately "complex," meaning that in addition to the central tasks of negotiating for peace agreements, overseeing cease fires, and disarming combatants, the international community has become deeply engaged in delivering humanitarian relief, reconstituting national governments, demobilization and demining, organizing and holding elections, monitoring human rights, returning refugees, restoring infrastructures, and promoting reconciliation. Local-level action is essential to the attainment of these objectives.

Moreover, local-level governance – to be legitimate, accountable and consequently effective – needs to be democratic. Democracy at the local level provides a critical building block for state reconstruction. Indeed, despite all the difficulties of creating a democracy after civil war, devastating social violence, and in the worst situations crimes against humanity, there is no feasible alternative to democracy as the core principle on which post-war nation-building. Kofi Annan, Secretary General of the United Nations (UN) succinctly described the connection between post-war democracy and peace.

"At the centre of virtually every conflict is the State and its power – who controls it and how it is used. No conflict can be resolved without answering those questions, and nowadays the answers almost always have to be democratic ones, at least in form... Democracy is practised in many ways, and none of them is perfect. But at its best it provides a means for managing and resolving disputes peacefully, in an atmosphere of mutual trust.¹"

Without local-level democratisation initiatives, peacebuilding remains incomplete and unsustainable. The basis for long-term peace is a meaningful and well-developed democracy. At all levels of society, the legitimacy of local level of governance is critical because this is the tier of authority to which people turn first to address basic human needs.

¹ UN Secretary General Kofi Annan, "Why Democracy is an International Issue," Cyril Foster Lecture, Oxford University (UK), June 19, 2001 (available at <http://www.escwa.org.lb/information/press/un/2001/word-pdf/19june.pdf>)

This policy paper builds on IDEA's earlier work on democracy at the local level and, in particular, on its Handbook "Democracy at the Local Level" published in 2001. It explores the specific circumstances and reasons that make the building of democracy at the local level both vitally important and extremely challenging.

The analysis points to the need to conceive strategies for local level democratization and peacekeeping that emphasize:

- i) Providing security to the local population through the establishment of capable, autonomous and legitimate local authorities (security is a vital objective, but also one of the most difficult to achieve in a post conflict environment; therefore, until local capacities are put in place, the "security gap" should be addressed through appropriate forms of international assistance);
- ii) Ensuring that the delivery of humanitarian aid and basic services is based on transparency, accountability, participation by beneficiaries, a direct relationship with local authorities and a good understanding of the local needs;
- iii) Designing such local governance frameworks that are supportive of conflict management: this includes options that avoid winner-take-all democracy, an appropriate sequencing of elections at local and national level taking fully into account the specific historical and geo-political circumstances as well as balancing decentralization and fragmentation;
- iv) Engaging civil society and in particular, youth, in all peace-building and democracy-promotion efforts.

Part I

Local Democracy and Peacebuilding: Exploring the Linkages

1.0 Local-Level Democracy in Post-War Situations

Increasingly, there is recognition in the policy community that establishing or resuscitating local-level state capacities for security and service delivery is an important if not critical arena for early intervention in post-war situations. An integral part of building local-level capacity for legitimate, inclusive, democratic political processes is to help the newly established local structures acquire the legitimacy they need to carry out their activities in a sustainable manner. Lessons learned from previous peace-building missions reveal that failure to develop local-level democracy frustrates the pursuit of security and hampers service delivery; where municipal-level governance is more democratic and where there is community involvement in decision making, security, relief, and development activities are more likely to be sustainable over time.

This section explores these and other linkages between local democracy and peacebuilding after deadly violence and civil war. Following is an evaluation of the principal ways in which local democracy can contribute to peacebuilding efforts, the difficulties international organizations face in engaging at the local level, and strategies and approaches to achieving more successful peacebuilding efforts through localized action. In the following section (2.0-2.4), four central themes are more fully explored: security, service delivery, elections, and civil society.

1.1 Local Democracy and Contemporary Peacebuilding

These are difficult times for peacebuilding. The unsettled international climate that has followed in the wake of the September 11 terrorist attacks in the United States, and the war in Iraq waged without authority of the United Nations Security Council, has brought into question the continued relevance of the peacebuilding theme. Neclâ Tschirgi of the International Peace Academy rightly questions whether many of the gains made during the last decade in building an international capacity to respond to violent conflict can continue. She contends that there has been a return to state-centric approaches to security, meaning that international engagement to build peace after civil wars will drop to lower places on the international agenda as long as terrorism and Iraq dominate the headlines.²

At the same time, the demand for continued understanding and policy frameworks for successful peacebuilding remains, even if many of today's most urgent situations – from post-war Iraq to “failed state” Liberia to war-torn Sri Lanka, Angola, and the Democratic Republic of the Congo – are not able to garner the same type of international response that was seen in the ambitious efforts to end 1990s civil wars in Mozambique, Bosnia and Herzegovina, or El Salvador. While the context of peacebuilding has changed the imperative of taking a more holistic and transformational approach to post-war conflict management has not waned.

Peacebuilding – a term coined in the early 1990s to describe post-war “complex” peace operations – is having an increasing focus on the creation of viable, national-level systems of democracy which are inclusive, consensus oriented (as opposed to fully competitive) or based on power-sharing, and which give priority to processes of constitution-

² Neclâ Tschirgi, “Peacebuilding as the Link between Security and Development: Is the Window of Opportunity Closing?” New York: International Peace Academy, December 2003.

making and reform and to national-level elections. This focus is not necessarily misplaced, because the creation of viable post-war governments is essential to ending wars.

Likewise, peacebuilding has also been a matter of post-war democratization.

“Democratic validation” of peace agreements reached by political leaders – government officials and rebels, for example – is appreciated as a necessary step, and a critical turning point, in the peacebuilding process. As Ben Reilly appropriately observes, “In any transition from conflict to peace, the creation or restoration of some form of legitimate authority is paramount. . . . the support of the citizenry must be tested and obtained. . . . The overarching challenge of peacebuilding is to construct a sustainable democratic state that can function without international involvement.”³

Indeed, in situations like those in Cambodia, Bosnia, and East Timor – and presently in Afghanistan – the United Nations has been central to election processes in post-war settings; in many other contexts, such as South Africa, Nicaragua, or Rwanda, international observers have played important roles in assisting and monitoring elections that usher in post-conflict peace. Among the tasks are the creation of electoral administration institutions such as election management bodies, creation or validation of voters’ roles, registering new voters, training election officers, helping draft political party laws, assessing the security situation in relation to polling, managing election day(s), counting ballots, and certifying outcomes.

The “electoral validation” of peace agreements needs to go hand in hand with other important aspects of democracy building and, in particular, with the construction of a democratic institutional framework and the strengthening of a supportive social environment through consensus seeking and inclusive dialogue and reconciliation processes. The encouragement and facilitation of such processes has also become part of the daily work of most contemporary multi-faceted peacebuilding missions set up by the United Nations and other international actors.

This fundamental appreciation that peacebuilding is about democratic state building is coupled with a stark recognition that prior efforts to build peace have been lacking in devoting sufficient attention to the local level. Tschirgi argues, for example, that “Despite lip service being paid to the centrality of local ownership of peacebuilding, it is not clear that international actors have developed effective strategies for assessing local needs, setting priorities, allocating resources, or establishing accountability.”⁴ This deficit in international engagement has been especially true at the municipal or city level, where in fact many of the wars of the recent years have been waged.

How can local democracy promotion contribute to peacebuilding? Two findings emerge as critically important in the local democracy-peacebuilding nexus, presented in the box below.

³ Ben Reilly, “Democratic Validation,” in *Contemporary Peacemaking: Conflict, Violence and Peace Processes*, John Darby and Roger MacGinty, eds. (London: Palgrave, 2003).

⁴ Tschirgi, “Peacebuilding as the Link...” p. 0.

**Peace-Building and Local-Level Conflict Management:
A Summary of the Connections**

- *Containing disruptions from below.* Local-level conflict and violence can undermine broader attempts to consolidate peace through democracy by causing “disruptions from below” that increase insecurities, exacerbate differences, challenge capacities for security, and reinforce intolerance. Robust local democracy systems are more likely to manage and contain such “disruptions from below” than are municipal authorities lacking in legitimacy and the consent of the people. There is a risk, however, that empowerment at the local level can lead to “warlord” politics if strong, intolerant, corrupt leadership is already in place or emerges in the post-war environment.
- *Extending the depth of peace through democratization.* Democracy at the local level deepens peacebuilding processes and broadens the basis of peace at the community, municipal, and city level. Strong systems of local democracy diffuse values of tolerance, inclusion, accountability, and citizen participation through a wider network of government and in a proliferation of arenas of interaction.
- *War-free zones.* A democratization agenda (including aspects like the participation in the management of community programmes) may also contribute to the creation of “war-free zones”. Depending on the nature and the dynamics of the conflict, such zones can exercise a positive impact on neighbouring areas, but they can also remain isolated “islands of peace”, disconnected from the rest of the territory, with a limited impact on the broader conflict.

1.2 Linking to the Local: International Efforts to Tap the Grass Roots

Innovative approaches, sustained engagement, and wise investments can yield enduring results for conflict mitigation through programs that create local capacities to prevent the emergence of violence, to manage it when it occurs, and to foster reconciliation, reconstruction and democracy in post war environments. Contemporary conceptual frameworks of post-war conflict management offer the approach of “conflict transformation” to provide guidance in the design and programmatic specifics of supporting local-level governance capacities for managing conflicts.⁵

The conflict transformation approach emphasizes two dimensions. The first focuses on levels of governance and social interaction complementary peacemaking efforts that work simultaneously at governing elite, community leaders, and grass-roots processes. The second dimension is to design programs that address short-, medium, and long-term objectives for conflict mitigation that are reinforcing and sustaining over time. This approach cannot be formulaic, however, as summarized in a recent International Peace Academy report that evaluates strategies of state building: “A key dilemma is how to strike the balance between necessary decentralization, in recognition of the division of power through disparate actors, and the importance of building a centralized state that can itself provide certain basic public good for the population.”⁶

⁵ For an overview of the “conflict transformation” approach, see John Paul Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, DC: United States Institute of Peace Press, 1997).

⁶ Simon Chesterman, Michael Ignatieff, and Ramesh Thakur, “Making States Work: From State Failure to State-Building,” International Peace Academy, July 2004.

The challenges of local-level peacebuilding are illustrated in the long-running efforts to achieve conflict transformation in the divided city of Mostar, which was the scene of significant violence and displacement during the 1992-1995 war. Mostar is one of the most divided cities in post-war Bosnia, has proven doggedly resistant to international efforts to promote post-conflict reconciliation; during the war, the historical city hall and centuries-old Ottoman Old Bridge ridge linking the cities divided communities were destroyed and after the war the Croat and Muslim communities remain distrustful and highly nationalistic.

After more than five years of frustrated efforts to use infrastructure rehabilitation as a way to promote cross-communal reconciliation, Mostar has seen its share of the international limelight as a “poster child” of local-level reconciliation in post-war Bosnia. The OSCE’s Office of the High Representative’s program to remodel the city administration in Mostar has sought to promote reconciliation efforts through social inclusion. The program reconstitutes the city administration to ensure that no “constituent people” would gain more than 50% of seats on the reformed city council, and that fair representation would be assured in all administrative offices. The famous Old Bridge across the city was reopened with a world-broadcast ceremony, with dancing, fireworks, and speeches, involving both sides of the divided community and international representatives in July 2004. Although the opening of the Mostar Bridge is seen as a dramatic turning point in the peacebuilding process, others see mostly continuing tension among the still-divided residents of this Balkan town.

2.0 Understanding Local-Level Conflict Arenas

While national-level peace settlements seek to end fighting, create an overall solution to an internal conflict – power sharing, separation, or decentralization, for example – and a process of implementation of the terms of agreement, their on-the-ground implications are invariably uneven. Indeed, recent findings of the impact of civil war and internal conflict are that their effect on war-torn societies is often differential: some areas of the country, or some cities, are much more affected by war, either as the locus of fighting or as the subject of conflict (over land or natural resources for example) in the first place. From civil wars to terrorist attacks, from deadly ethnic riots to criminal conflict, violent encounters today are increasingly concentrated in local contexts.

Many of today’s armed conflicts have their origins in essentially local dynamics, play out in local settings, or involve fights over disputed territory and local self-control. In recent years, competitions of greed have fuelled wars over locally scarce or especially lucrative natural resources, such as diamonds, oil, timber, and drugs. Urban rioting has become an essential feature of the 21st century landscape. And 23 armed conflicts raged in 2002 as struggles for local self-determination, from Chechens in Russia to Acehese in Indonesia to Oromos in Ethiopia.⁷

Recent surveys of armed conflict and other forms of violence reveal these features of local-level violence.

- *Street-level violence* that reflect highly localized conflict conditions in community contexts where factors such poverty and scarcity, population pressures, environmental and health risks, and competition for highly-prized goods are the underlying drivers of violent social conflicts.

⁷ For 2002 armed conflict data and further information on 2002 self-determination disputes, see Monty G. Marshall and Ted Robert Gurr, “A Global Survey of Armed Conflicts, Self-Determination Movements, and Democracy,” University of Maryland Center for International Development and Conflict Management, February 2003. Available at: <http://www.cidcm.umd.edu/inscr/PC03web.pdf>.

- *Social identity disputes* that occur where the conflict is framed in terms of ethnic, religious, racial, or nationalist groups in competition; party-political conflict follows similar identity patterns, and political parties often dovetail with ethnic groups.
- *Decentralization of power* conflicts, which often arise over political frameworks that determine the parameters of state power, or the flow of revenue, among local and central political authorities.
- *Territorial boundary clashes* in which claims for secession (national independence) or autonomy in contrast to national or state claims of territorial integrity and sovereignty.

The local dimension of contemporary armed conflict is often under appreciated. In many situations today, from Colombia to Kashmir, violent conflict is often concentrated in those areas of countries where poverty is most endemic, resources for livelihoods are scarce, where valuable commodities are siphoned away by central authorities, ethnic discrimination is acute, and most people live at risk for crime, displacement, and other threats to their personal security.

2.1 Local-Level Conflict: Deeply Rooted Causes

Poverty, social injustice, discrimination, exclusion, combined with environmental degradation, high rates of deaths from curable diseases, poverty and economic decline, environmental stress, and rapid urbanization are understood to be the underlying drivers of violent social conflict. Added to these difficulties of attaining prosperity today, in many local settings where violence occurs an additional key root cause is the absence of legitimate, capable local authorities that can manage inevitable conflicts of interest through inclusive, legitimate exercise of power. As the box to the right illustrates, violent conflict also leaves these areas more underdeveloped, complicating the peacebuilding tasks.

In Nepal, for example, the Maoist rebellion that emerged in 1996 began in the country's impoverished and hard-scrabble northwest provinces; villages there lack basic health, education, and sanitation services. The villages suffer from chronic food insecurity. And, they are isolated from a national economy that thrives on international tourism. Because of the reliance on tourism for foreign exchange earnings, Nepal especially needs peace and security in these areas of the country that have been especially affected by the violence.

Scarcity of and unequal access to resources is a strong driver of local conflict conditions; often, this occurs in those regions where valued goods are too few. A manifestation of this kind of conflict is the rapidly growing phenomenon of locally organized movements of landless people in urban or rural spaces, found poignantly in Brazil,

**Local Conflict and Underdevelopment:
Exploring the Nexus**

“Violent conflicts are often contained within certain areas of countries, driven by ethnic, linguistic and other similar faultlines... Human development is likely to be lower in areas that suffer from conflict than in areas not directly affected by it.

The links between conflicts and poor development can go both ways. Economic and social hardships, especially when accompanied by sharp inequalities across groups and areas, can foment violence. At the same time, conflicts are often major causes of weak economic development, leading to (among other things) health crises and destruction of infrastructure.”

Human Development Report 2003, United Nations Development Program (UNDP 2003: 48).

Guatemala, South Africa, Kenya, and India and Bangladesh; in some instances, land owners and claims by landless have generated significant violence, most recently in Zimbabwe. Ironically, plentiful natural resources are associated with violent conflict. Valuable natural resources are often concentrated at the local level and competition over those resources, either between localities or between the local elites and the state has been a potent source of conflict. In situations where local resources fuel greed and stimulate violence for lootable goods – such as the wars in Afghanistan, Angola, Colombia, Liberia, or Georgia driven by lust for diamonds, drugs, timber, or fossil fuels (respectively) – much of the most intense fighting is found in the more localized source areas of these commodities.

2.2 Conflicts that involve identitarian dimensions: Ethnicity, Religion, and Race

Peacebuilding has also been inhibited in areas where conflicts with identitarian dimensions are especially acute. Such conflicts emerge when in an ethnically, linguistically or otherwise plural society, one group perceives itself as the victim of discrimination, exclusion or repression by other group or groups, regardless of whether such a perception is based on reality or induced by political manipulation. Given such distinctions, local conflict “entrepreneurs” are thus able to effectively mobilize for conflict and create the conditions for cohesive armed forces – gangs, militias, and armies – that are capable of producing mass social violence.

Conflicts involving frictions between traditional authorities and modern state authorities also drive local-level conflicts, particularly in settings that have witnessed persistence of longstanding forms of community self-rule – such as hereditary chiefdoms, councils of elders, or traditional religious courts – that run counter to the authority of state and its laws and institutions. Such conflicts are often exacerbated by competition over control of income-generating natural resources or normative values such as the rights of women. At times, central state authorities have manipulated or coalesced with traditional authorities in nefarious ways that have generated substantial violence involving tribal chiefs, opposition elites, and state security forces.

Violent conflict at the local level can also escalate to encompass other arenas, reinforcing or stimulating broader patterns of violent confrontation at the sub-national, national, regional or global levels; similarly, if unchecked local-level tensions can spread, reproducing itself in similar settings through spillovers or contagion effects. Local-level conflicts may be the pivotal battlegrounds in larger civil wars, as struggles for control of vital assets of key centres of power. Capital cities and territories seem to be especially vulnerable to such localized violence, as Sarajevo was during the Bosnian civil war of 1992-1995 or Jakarta has been as the scene of ethnic violence in Indonesia. In the Middle East, capital cities such as Beirut, Cairo, Khartoum, and Jerusalem have all seen significant social strife. Control over vital local turf, such as a capital city, a major port, a military stronghold, or a thriving commercial center, is often its own stimulant to violent encounters.

Local-level disputes may also be highly symbolic struggles with context and meaning far beyond their boundaries. When locally specific characteristics such as historical symbolism, religious symbols and shrines, or claims for sacred rights of ownership are involved, conflicts over these symbols can generate especially powerful disputes. From Islamic religious shrines in the Kashmir Valley, to claims of ancient Islamic and Hindu temples in Ayodhya, India, to battles waged long ago on the Kosovo plain, the world’s historically significant and sacred places generate their own dynamics of conflicts particularly difficult to manage.

2.3 Struggles for Self-Determination and Decentralization

Conflicts over self-determination and struggles for local self-governance characterize many of the most serious and devastating civil wars today, from the grinding, decades-long

conflict in Sudan to the shorter but costly and intense fight over Chechnya in Russia, self-determination conflicts that pit local-level aspirations for statehood and autonomy and national-level claims of sovereignty generate devastating violence. These conflicts are especially difficult to resolve because they often involve irreconcilable claims over territory. Similarly, decentralization reforms have often been a powerful generator as states and regions compete for political control and access to state revenue.

3.0 Strategies for Local-Level, Democratic Peacebuilding: Four Themes

Efforts by the United Nations and others to mitigate local-level conflicts begins with an evaluation of ways to strategically intervene in the root causes of conflict and the dynamics of a situation to try and tip the balance toward the prevention, management, or recovery from violence. Strategies for local-level conflict action share common themes: establishing a working system of professional, fair, and capable local authorities able to secure group and individual security and human rights; promotion of democratic, inclusive, consensus-oriented decision making; creating or reviving institutions and processes for fair, proportional distribution of public goods; and the fostering of social integration in divided communities.

Strategies for promoting local governance as a system able to manage acute social conflict are based on four key principles.

- *Implementing immediate security and crisis-management capacities*: communities need home-grown and sustainable capacities for crisis handling and for the monitoring and amelioration of violence when it occurs. This implies a special focus on local-level political authority, policing and monitoring and protection of human security and human rights. In an immediate post conflict situation there are usually no local authorities able to guarantee security to the population. Yet, establishing minimum security conditions is vital for any other peacebuilding effort to be effective. In an interim period – until accountable local police forces are trained and deployed – the “security gap” will need to be addressed by an appropriate form of direct external security assistance.
- *Delivering humanitarian and essential services*, coupled with longer-term economic development: resources and public goods must be equitably shared, to include non-tangible goods such as autonomy over education, linguistic, and cultural practices. Development policies should also focus on especially vulnerable groups, particularly youth and women.
- *Creating frameworks for democratic institutions and decision-making process*: all groups, especially the disadvantaged, should have representation and influence in governance. Public policy must be sensitive, balanced, and respectful of majority prerogatives and minority rights.
- *Holding elections and building social capital through economic incentives*: elections remain the essential path to establishing the legitimacy of local-level governments, while at the same time building autonomous, socially integrated civil society is a prerequisite to creating the social capital necessary for peace; research shows that those local setting that have a socially integrated civil society (i.e., organizations that transcend the lines of conflict) are less prone to violent conflict than those which lack such social capital.⁸

⁸ See Varshney, Ashutosh, 2003. *Ethnic Conflict and Civic Life: Hindus and Muslims in India* (New Haven: Yale University Press, 2003)

These principles help identify the key questions to be addressed in each of the case studies that follow in this report. Following a brief introduction to the themes, presented here are some questions that arise for the evaluations of a given context of local-level peacebuilding.

3.1 Imperatives of Security and Crisis Management

Local authorities play critical roles in the quality of local-level democracy, and they are pivotal actors in conflict management. At the local-level, much depends on legitimate, authoritative local government: mayors, councillors, administrators, and security personnel and their capacities to manage conflict, to prevent the outbreak of violence, to respond to crises when they occur, or to be the front line of reconstruction in devastated post-war environments. Thus, international authorities endeavoured, within their peacebuilding mandate and with different levels of success, to set up local level authorities in Afghanistan, East Timor, Iraq, or Liberia.

Providing basic, transparent and responsible policing in the community is the front-burner task in ensuring local-level human security and human rights. Together with appropriate innovative judicial processes local community oversight and engagement with police and other internal security forces may be important to build the necessary trust for policing to be effective. Local partnerships with schools, religious organizations, human rights monitoring groups, and leaders of minority and indigenous groups have proven to be important mechanisms in promoting healthier relations among police and judicial entities in troubled communities.

During South Africa's violent transition from apartheid to democracy, local-level violence – in some cases, instigated by rogue elements of the police – threatened to undermine the fragile peace process. In response, a comprehensive system of national, regional, and local peace committees was established to investigate instances of violence, to manage public gatherings such as protests and campaign rallies, and to foster dialogue among community leaders, the police, and political parties. The National Peace Accord experience has emerged as a model for local-level conciliation in the midst of violent conflict, and the structures and processes of conciliation created by the Accord are credited with having mitigated violence and facilitated progress in national-level talks. Similar efforts have been tried in several other states, with some success.

Key Questions for practitioners and researchers on Local Security and Democracy

- What has been the experience on the establishment of security at the local level? Who has been the responsible agent for the legitimate use of violence at the local level?
- Has there been a (spoiler) challenge to military authority emanating from a local context (e.g., a local warlord, gang, or aggrieved party)? How were the challenges dealt with? What are the principal challenges to human security for local communities? (e.g., who are the most vulnerable populations and how have their needs/vulnerabilities been addressed?)
- How was the DDR (disarmament, demobilization, and reintegration) process handled and by whom? Which agents – international peacekeepers, national authorities, local communities – have been most effective in the DDR process?
- Have there been other sources of threats to human security at the local level? For example, has any given community seen significant violations of human rights in the peacebuilding period?
- What has been the experience with the creation of security by the post-war state (government) – both military and in terms of policing – at the local level? Which approach has been most or least successful in establishing post-war security?
- To what extent have measures to promote human rights – monitoring, assessment, responses – been put into place? Which approaches have been most effective? What lessons learned are there to involve the local community in the provision of basic human security? (E.g, is there local oversight or involvement on security issues?)
- What are the options for improving human security and human rights in this particular case? What needs to be done urgently, in the medium term, and over the long term?

3.2 Service Delivery: Emergency Aid and Essential Services

The introduction of new resources in the form of humanitarian aid in post-conflict settings can introduce competition and – rather than ameliorating conflict – can stimulate new disputes. Immediate humanitarian relief and intermediate-term development assistance can generate conflict over economic opportunities: jobs, employment, and regular sources of income, housing, transportation, and – especially – control of public budgets. Within the context of humanitarian organizations' need to be impartial in volatile political settings and to strictly adhere to neutral and apolitical delivery of relief and reconstruction assistance, there is an almost inevitable element of humanitarian action requiring a concern with local democracy.

For example, whenever possible humanitarian aid should be delivered with the participation of local beneficiaries, local authorities and civil society, and it should be delivered in such a way that does not harm existing livelihoods through unintended market distortions. While aid should not unduly recognize or confer legitimacy on a local authority or a rebel movement, humanitarian relief organizations are duty bound to ensure that these local actors are involved in tasks such as needs assessment, the provision and distribution of aid, monitoring, and the transition from emergency relief to long-term reconstruction help. The essentially democratic principles of human rights, transparency, accountability, and fairness are essential to practical operational guidelines in the delivery of humanitarian relief.

Key Questions on Humanitarian Aid and Service Delivery

- How was immediate, post-war emergency humanitarian relief delivered? What has been the consequence of providing relief in this manner? Are there lessons learned for the impact of emergency humanitarian relief on long-term development aims?
- What was the approach to providing immediate, post-war local service delivery? What services were delivered and by whom? What was the role of local authorities? What was the effect of this method on medium and longer-term development aims?
- How has the economic recovery affected attitudes toward peace? To what extent has a “peace dividend” been realized that could undermine incentives for the return to violence?
- What has been the role of transitional (both external and internal to the society) authorities been in the delivery of local services? What impact has this approach had the creation of a sustainable system of local democracy?

3.3 Frameworks for Governance: Establishing Institutions, Building States

Decentralization and federalism are well-appreciated approaches to managing ethnic, regional, linguistic and language conflict, as in India. More recently, Afghanistan, Bosnia, Ethiopia, and Uganda have all adopted decentralized systems as a fundamental principle to gain post-war peace. While contention and contestation between local and national authorities is a common and indeed necessary characteristic of decentralized political systems, sometimes the tensions are alone sufficient to generate political violence. These tensions create serious challenges for peacebuilding even as decentralization remains a critical strategy for post-war peacemaking in situations involving claims of minority discrimination or other identity-based grievances..

In Mexico, for example, the economic deprivation and the perception of the local Mayas about their centuries-long discrimination and exclusion from the building of the Mexican nation were among the principal causes of the uprising by rebellious peasants in Chiapas in 1994 against the central state. Many factors led to the conflict in Chiapas: endemic poverty, dislocation from land, declining employment opportunities, entrenched social discrimination, and decades of neglect generated despair and alienation among the Mayas of Chiapas, eventually leading to the declaration of “war” against the Mexican state. Although the Chiapas conflict was small in comparative terms (about 150 fatalities and a few minor battles), the conflict produced extensive economic and social costs to the Mexican state. On the other hand, it raised the awareness of millions of Mexicans about the need to acknowledge the aspirations of the Mayas and other indigenous peoples. An interim peace agreement was sealed in 1996, but its terms have not been fully implemented. More promising, however, is the local autonomy plan introduced by President Vicente Fox that has restored, with the elections of June 2003, some self-governance to the indigenous peoples of Chiapas and has allowed for the reintroduction of indigenous customary law and practice.

Closely related to the decentralization theme is the role of public policy. Assistance to foster a neutral, fair, and effective state is critical to ensuring that public goods service delivery is distributed in a proportionate manner to all social groups, that language, cultural, education, and economic regulation should be sensitive to issues of equal dignity and respect for all nationalities (including immigrants). The research of urban planner Scott Bollens summarizes lessons learned on public policy frameworks for high-conflict local communities. The box at the right provides the findings of his research.

Scott Bollens on Urban Planning and Conflict Mitigation: Jerusalem, Johannesburg, and Belfast

UC-Irvine urban planner Scott Bollens has conducted extensive research on how policy can positively affect social relations in even the most conflict environments.

- Promote rules of inter-ethnic agreement, rather than winner-take-all politics.
- Local policy can moderate, exacerbate, or passively reflect the broader historical conflict.
- “Equity” policy-making may involve redistributing resources to often materially disadvantaged out-groups.
- Neutrality is not necessarily fair: seemingly uniform requirements dealing with land ownership or development can have disparate effects across cultures.
- Recognize psychological needs of communities, including viability, security, identity, and symbolism.
- Co-existence, rather than integration per se, is a more realistic goal in deeply divided communities.

For further information, see Bollens, *On Narrow Ground* (1999) and *Urban Peace-building* (2000).

3.4 Processes for Governance: Elections and Participation

Local elections are an essential step in post-war democratisation as a strategy for peacebuilding, but elections too can generate powerful incentives for conflict, particularly in instances in which ethnic, racial or religious entrepreneurs fan the flames of inter-communal violence in their pursuit of office or to retain power. It is for this reason, especially, that many consider the process of democratization and the pursuit of peace to be contradictory. Electoral conflicts may include disputes over citizenship and enfranchisement, over political supremacy in central governments, over appointed/administrative and elected authorities, campaign intimidation and coercion, and the fairness of balloting and winner-certification processes.

Key Questions for Electoral and Direct Participation

- Have local government authorities been elected? If so, were the elections perceived to be free and fair? What electoral system was used, and to what effect? Did the electoral process – administration, campaigns, outcome – contribute to or exacerbate tensions at the local level? If elections were held, was there significant election-related violence? What policies or programs have contributed to the use of elections as a conflict-mitigating process (e.g., independent electoral administration, monitoring, adoption of an appropriate electoral system)?
- How does the public perceive the system of local authorities? What are the effects of popular participation?
- What is the role of political parties at the local level? Does their nature and functioning generally contribute to the management of tensions, or does party-political activity contribute to community-level tensions? What can be done to improve the transition of political parties from agents of potentially violent conflict to the healthy competition that is a hallmark of a functioning democracy?
- To what extent is the organization of civil society (membership, issue articulation, locational aspects) at the local level reflective of lines of conflict, or does civil society transcend the divisions within the society that led to or developed as a consequence of the war?
- How effectively have outside actors in the international community worked with or contributed to the development of a vibrant, cross-cutting civil society? Which approaches, policies or programs have proven most effective?
- Have there been innovative or especially effective approaches to promoting trust in local settings through localized processes of conciliation, such as local reconciliation measures, problem solving workshops, “track two” diplomacy, or similar approaches to peacemaking?
- Does the news media, as an element of civil/open society, generally report on issues in a balanced way, or does media coverage of events often inflame or exacerbate social tensions?
- What options and recommendations have been advanced for improving the role of civil society as agents for managing conflict across lines of contention?

Fair, legitimate, and transparent electoral processes are essential to establishing strong local governments that can create the conditions for local-level peace. Local elections have proven to be pivotal in establishing governments capable of meeting service delivery needs and handling disruptive conflicts from below. But such elections can also be violence-inducing when electoral institutions and processes are ill-chosen or ill-managed. Strategies of conflict management around election time should focus on the electoral system, the rules for local political party formation (especially rules regarding ethnic parties), financing, electoral dispute resolution mechanisms, monitoring, observation, and parallel vote counting.

It is also vital that elections do not take place as an isolated event, but rather as part of a broader democratization process that involves an inclusive consensus-building dialogue, adequate institutional reforms and reconciliation mechanisms. If all democratic expectations, hopes and fears are focused exclusively on and around elections, chances are high that the outcome will give birth to a “winner-take-all” political option exasperating existing social divisions and increasing the level of conflict.

Cambodia’s communal elections of February 2002 are a case in point. In the run up to the polling, threatened incumbent elites throughout the country’s 1,621 communes – which were appointed by the regime of Cambodia People’s Party (CPP) – engaged in a sustained campaign of killing opposition candidates, arbitrary arrest of opposition candidates, property seizures, control of the media, voter intimidation, and manipulation of the electoral machinery in bids to retain their grip on local governments.⁹ The volatile and violence-ridden local elections empowered CPP local authorities to engage in similar intimidation in the country’s troubled 2003 national elections. Local-level control over power by dubiously elected local officials clinging to power continues to be a primary source of political conflict in the country, undermining efforts to consolidate peace and to promote the conditions necessary for local-level development.

At the same time, there is a need for continuing measures to ensure that local authorities are accountable to the public. Thus, community participation remains a constant theme in local democracy and in local conflict management. A wide array of options exists for specific initiatives to improve community relations, including those that employ or rely upon traditional or culturally specific methods of conflict management. Peace commissions, committees, conciliation centers, and councils at the regional and local levels have been used successfully in a wide variety of contexts at different moments of conflict escalation and abatement to develop processes for pursuing local-level peace. From Eastern Europe to Nicaragua and South Africa to Sudan, peace committees have served to foster local-level peace during times of turbulent transition when the authority of local governments is perceived to be illegitimate or the structures of local democracy are in flux.

⁹ See the Human Rights Watch Backgrounder, “Cambodia’s Commune Council Elections,” January 18, 2002, at www.hrw.org/backgrounder/asia/cambodia_elections.htm.

Part II

Contexts

The international community in general and the United Nations in particular has found itself faced with the complicated tasks of local-level peacebuilding in recent missions in which outsiders act in a direct managerial role – termed “transitional administrations. In this section, two case studies are presented that develop the four themes highlighted in Part I in a detailed context. Kosovo is the first context; it is a logical place to start precisely because the challenge of local-level peace- and state-building has occurred in the context of an unsettled situation of sovereignty. A fragile peace has existed since 1999, but there is no agreement as of yet on how the territorial dispute will eventually be resolved. As the Kosovo case shows, local democracy has emerged as a key, first-set feature of the overall negotiations on a settlement to this long-standing conflict.

Timor-Leste, the world’s newest sovereign state, illustrates the themes in an altogether different context into which the United Nations was thrust. In this context, a country was being formed virtually from scratch following the referendum process that led to independence on May 20, 2002. The UN has helped the country launch a national-level administration, and there after has turned as a second step to building an infrastructure of local-level democracy.

Two other vignettes follow: Sierra Leone is another UN-guided case in which local-level governance has been created after a devastating civil war that itself was highly localized. The country’s local elections in May 2004 illustrate many of the themes, and highlight the ongoing challenges of conflict transformation. Finally, to return to the Balkans, Macedonia’s implementation of the Ohrid Agreement, which arrested the country’s slide into civil war in August 2001, illustrates the local peacebuilding themes in a context in which the UN has placed a secondary, supportive role.

4.0 Kosovo

In March 2004, a local disturbance resulting from the drowning of two Albanian children in a village on the banks of the Ibar river, a dividing line between ethnic Serb and Albanian communities in Kosovo, lead to protests, rioting and inter-ethnic violence by mobs of mostly Albanian youths and extremists over successive nights in towns and communities across the Serbian province, resulting in 19 deaths, the massive displacement of many residents of Serbian enclave communities and the burning and destruction of many Serbian-owned houses and properties in those enclaves.

The March 2004 violence – nearly five years after the establishment of a United Nations Transitional Administration for Kosovo and despite the presence of thousands of international peacekeepers, and international police monitors and civilian administrators – underscores the continued and unresolved tension between ethnic communities within the internationally-administered area. After five years of gradual improvement of security and freedom of movement for both ethnic Serbs and ethnic Albanians in the divided province, virtually all progress was lost and the very symbols of a multi-ethnic future – community centers, Serbian Orthodox Churches, international organisation offices – were among the targets of the ethnic Albanian rioting youth. The violence also indicated the essentially local nature of the conflict, where in most areas, heavily armed international peacekeepers were powerless in the face of mob violence, local police units were most successful in stemming violence, and where in some communities, local political leadership was able to prevent or mitigate violence by mobs made up of persons and youths from their communities.

4.1 A Fragile Peace

Kosovo was an autonomous province of Serbia within the former Yugoslavia (SFRY). When the Milosevic regime in 1989 abolished the autonomy of the province and imposed a Serbian minority rule, the Albanian majority population of Kosovo suffered a decade of oppression and ethnic discrimination. In the spring of 1999 the increasing conflict between Serb forces and the local Kosovo insurgency (lead by the Kosovo Liberation Army - KLA) produced an ethnic cleansing campaign and the exodus of thousands of ethnic Albanians. Following a breakdown of internationally sponsored negotiations at Rambouillet, NATO intervened with airstrikes. Serbian military and police forces reacted with widespread and systematic attacks on Albanian civilian targets across Kosovo, burning and looting thousands of homes, massacring groups of unarmed men, and causing nearly 1 million mostly ethnic Albanians to flee Kosovo for relative safety in neighbouring Macedonia and Albania.

Under sustained pressure by the NATO attacks from the air across Serbia and attacks by the KLA on the ground in Kosovo, a political agreement was reached 10 June 1999 by international negotiators with Slobodan Milosevic, then leader of the Federal Republic of Yugoslavia, resulting in the withdrawal of Serb military forces from Kosovo and the peaceful deployment of a NATO-lead multinational peacekeeping force (KFOR) there. The 10 June Agreement and the subsequent UN Security Council Resolution 1244 became the basis for a negotiated peace settlement with Yugoslavia, allowing for the early and rapid return of the mostly Albanian refugees to destroyed and heavily damaged homes and villages in Kosovo, and the establishment of UNMIK, the UN-lead transitional administration.

With the withdrawal of Serb military forces in June 1999 and increasing harassment from returning ethnic Albanians, now it was the turn of thousands of ethnic Serb civilians and those of other small ethnic communities to flee to the northern part of Kosovo, and to Serbia proper, despite the presence of KFOR and the UN. While precise figures are hard to determine, it is estimated that half the pre-1999 population of ethnic Serbs left Kosovo immediately in 1999. While as many as 150,000 ethnic Serbs remain, in the northern part of Kosovo, in the urban area of Mitrovice/a, and in enclaves and small communities across Kosovo, they are the targets of persistent harassment and threats in a society now dominated by the majority ethnic Albanian population.

Terms of the 1999 Kosovo Agreement

Both the 10 June Agreement and SCR 1244 deferred decision on determination of “final status” for Kosovo, a status that has been interpreted by ethnic Albanians to mean formal independence for Kosovo from Serbia-Montenegro, the successor state to the former Federal Republic of Yugoslavia, and by ethnic Serbs to mean eventual return to and re-incorporation with Serbia-Montenegro. The 10 June Agreement envisioned that final status would be resolved within three years of 1999, though it does not stipulate by what means or with what parties negotiations for a future status for Kosovo would go forward. This issue dominates the Kosovo political agenda today, with ethnic Albanians seeking increasing political power and authority from the UN Administration to prepare for an independent majority Albanian state, and ethnic Serbs seeking closer political links with Serbia-Montenegro through the consolidation of an unofficial Serb “mini-state” in the part of Kosovo extending north from the Ibar river.

UN Security Council resolution 1244 gives UNMIK sweeping powers of administration with loosely defined goals of creating a stable and secure modern state (“to ensure conditions for a peaceful and normal life for all inhabitants in Kosovo”), whose future status would be established once stabilisation was assured. Yet the same Resolution provides little guidance regarding the place of UNMIK to negotiate the future status of Kosovo; such authority is presumed to rest with members of the Contact Group, senior diplomats from six critical UN member states (France, Germany, Italy, Russia, UK and US).

Within Kosovo, UNMIK has presided over an uneasy peace over the past five years, offering the ethnic Albanian political leadership a “Standards before Status” policy designed, in part, to delay the inevitable rush toward independence, and offering leaders of the ethnic Serb community support for a policy of encouraging the complete return and reintegration within Kosovo of ethnic Serb and other minority refugees who fled in 1999. The preservation of minority communities and further return of displaced persons -- ethnic Serbs, and members of smaller minorities – Bosniacs, Turks, Gorani, and Roma – are principal goals of UNMIK efforts during the transitional administration to transform Kosovo into a stabilised, secure and multi-ethnic state.

4.2 The UN in Kosovo: 1999-2004

Following the completion of the humanitarian mission of resettlement and reconstruction of housing units for the returning ethnic Albanian refugees lead by the United Nations High Commissioner for Refugees (UNHCR) in 2000, UNMIK today has four “pillars”: I. Police and Justice, and II. Civil Administration, both under the direct leadership of the UN; III: Democratization and Institution Building, led by the OSCE; and IV: Reconstruction and Economic Development, led by the European Union (EU). The pillar system, which was adopted following a similar structure in use in Bosnia, was considered at the time a model management system for a peace-building operation, and was similarly copied for the 2000 East Timor intervention.

Peacekeeping and security for Kosovo is maintained by KFOR. Under the UN mandate, UN civilian police (CIVPOL) units have law enforcement authority, an authority that has gradually devolved to the Kosovo Police Service (KPS), a newly established professional police force comprised of ethnic Albanian and increasingly, minority personnel, including ethnic Serbs. The creation and training of a local Kosovo Protection Corps (KPC) with a general public safety mandate began immediately at the start of the mission as part of the overall demobilisation and demilitarisation of the ethnic Albanian KLA.

Creating a secure environment and freedom of movement for members of minority communities has remained the principal challenge for international peacekeepers; despite gradual improvement since 1999, much progress in this field was lost with the March 2004 violence. Following the riots, KFOR claimed that national rules of engagement prevented many units from interceding or acting to prevent destruction of property or to confront unarmed rioters; such restrictive rules of engagement have since been changed to allow more flexible responses and to increase the number of KFOR units that can carry out riot control.

While the protection of Serbs and other minorities within enclave communities remains a necessary priority for UNMIK, the international presence also cannot guarantee freedom of movement for ethnic Albanians travelling in Mitrovica/a and elsewhere within the informal Serb partition of northern Kosovo. The failure of deploying NATO-lead forces in June 1999 to quickly and completely establish control and freedom of movement allowed Serb extremists in north Mitrovica to establish informal security forces (the “Bridge Watchers”) that prevent freedom of movement for Albanians there; conditions that continue today.

The UN Mandate for Local Governance in Kosovo: UNSC Resolution 1244

From the onset of the UN mission, the establishment of democratic local governance has been seen as a centerpiece of the international effort. UN Resolution 1244 specifically mandated UNMIK with “organising and overseeing the development of provisional institutions for democratic and autonomous self government.” The international administration would establish democratic local administration in each of 30 newly-created municipalities and act to promote reconciliation among ethnic communities emerging from violent conflict, protect human rights and build capacity of local institutions to ensure public safety, health, education and civil services. In transition from a Kosovo-wide economy dominated by the now ruined and mostly worthless state-owned industries of the formerly socialist state of Yugoslavia, important decisions would have to be made at a local level regarding the disposal of state-owned properties, the use of public lands and the allocation of public resources.

Finally, with Kosovo’s final status uncertain, with UNMIK administrators making all “national”-level decisions, and with the international community deliberately seeking to delay discussion of a transference of power at a Kosovo-wide level, the local or municipal level of governance was viewed as the acceptable and appropriate level of sovereign democracy on which the transitional authority would focus development, training and resources.

Accordingly, and unique in terms of sequencing of local and national elections within the short history of UN-supervised international elections, Kosovo’s first elections held under international administration were the 27 October 2000 municipal elections. Under a proportional party list electoral system, newly-created Kosovo-wide political parties fielded candidates at the local level, voter turnout was high (79 percent) and vigorous campaigning among ethnic Albanians resulted in three predominant political parties, the Democratic League of Kosovo (LDK), the Democratic Political Party of Kosovo (PDK) and the Alliance for the Future of Kosovo (AAK). Each of the three parties won in at least one assembly, with the LDK in control in a majority of municipalities. Serbs did not participate in the 2000 local elections, and in successive local elections (2002 and 2004), have only voted in those municipalities such as Mitrovica/a where they constitute a majority.

In preparation for the 2000 elections, the UNMIK Civil Administration pillar established a structure of 30 local municipalities, ranging from the capital city of Pristina/e with its population of more than 100,000 to smaller communities of several thousand residents. The municipalities include five northern and eastern ones with Serb majorities, while Albanian majorities municipalities include numerous ethnic Serb enclaves and mixed-areas. In municipalities without significant Serb participation, international authorities have persuaded elected Albanian assembly presidents to appoint ethnic Serbs as deputy presidents or to assembly seats.

International administration of local municipalities continued after successive elections in 2000 and 2002, with financial authority and veto power wielded by UNMIK municipal administrators and senior international administrators in Pristina over elected

municipal assemblies. The executive authority of the elected presidents of Municipal Assemblies can be, and is, over-ruled by international officials, often without explanation. For many observers, the March 2004 violence underscored the need for a continued international presence and administration at the local level in Kosovo. Nonetheless, with the future status of the state uncertain, and with no end-date for the UN Security Council approved UNMIK mandate and mission, the length of this “transitional” administration and the resultant delay in a real transfer of power to local ownership is unparalleled in recent UN and international experiences in transitional administrations, i.e., in Bosnia, East Timor, or even contemporary experiences in Afghanistan and Iraq.

The 18 November 2001 Kosovo-wide elections for an elected Kosovo Assembly brought about an elected “provisional government”, with a Presidency, a Prime Minister and cabinet appointed based on a proportional party system, and a power-sharing formula determined by UNMIK to ensure inclusion by the major political parties within the Kosovo Assembly. The LDK, with 46 percent of the vote, leads the government, with further participation by the PDK and AAK parties.

In November 2004, the OSCE again ran provincial elections in Kosovo with fairly good success. Although the overall turnout was not outstanding – 53% -- and many Serbs again boycotted the polls, moderate political leaders favouring a negotiated solution to the disputed territory’s status won the support of the electorate over hardliners advocated a more militant solution to the conflict. The 120-seat Kosovo Assembly will begin taking over some of the functions of the UN-mandated transitional administration leading to a gradual, further restoration of self-rule.

4.3 Evaluating Kosovo

Theme I: Human Security and Human Rights

Threats to human security and to the rights of ethnic minorities remain, especially with regard to the safety and freedom of movement of ethnic Serbs and for those displaced Serbs and other minorities who may wish to return, as evidenced by the March 2004 riots. Albanians too, have suffered abuse of human rights in the post 1999 period, especially regarding the fate of Albanian political prisoners, who were taken by Serbian police forces when they withdrew from Kosovo in June 1999. The final release of most of these prisoners came only after protracted UNMIK negotiations with Belgrade over two years, during which their absence would come to impede a relatively smooth transition to democratic local governance.

Legitimate Local-Level Policing

The greatest progress in terms of local level security has been the establishment of the Kosovo Police Service, a fully professional police force with minority representation, virtually complete freedom of movement and the ability to protect all communities and individuals using multi-ethnic patrols and the willingness to speak non-native languages when necessary. During the March riots, when basically all public safety aspects of UNMIK and KFOR units failed, the KPS alone provided the best response in terms of human protection and in attempting to prevent further violence.

Organised crime, smuggling and human trafficking, particularly of women, constitute serious threats to human security within Kosovo, with criminals and mafia organisations suspected of having infiltrated most aspects of Kosovo social and public culture, contributing to the corruption of political officeholders and to public perceptions that trans-national

criminals hold sway in Kosovo. Persistent reports of continuing patronage of organised crime-owned nightclubs and brothels by UN and KFOR personnel demonstrate the ugly side of an international intervention, where the higher salaries of the internationals directly fund activities threatening the security and rights of Kosovo residents.

A next step will be to establish closer links between the Kosovo-wide KPS and elected municipal governments through the implementation of community policing, a law enforcement policy that gives citizens a substantial role in defining the performance of policing. Democratic local governance is greatly improved when police officers are integrated into local communities to identify and reduce crime patterns specific or most threatening to the community, seek community inputs into resource and patrol allocations and act to improve community relations.

Theme II: Service Delivery

In June 1999, as Yugoslav military forces were withdrawing, virtually all officials and employees and supporters of the old regime fled as well, taking with them cadastre records, judicial records and other documents of local administration. Immediately, groups associated with the KLA and a self-declared 'Provisional Government' under Hashim Thaqi (now leader of the PDK) immediately began organizing local administrations throughout Kosovo. Others in Kosovo, notably associated with the LDK, rejected these efforts to usurp legitimate authority under SCR 1244 and remained outside of this assertive political compact. The UN, KFOR and a host of international NGOs began addressing immediate humanitarian and administrative needs of people remaining in and returning to Kosovo.

The UN experienced delays in becoming operational at the local level, where the need for assistance and aid was greatest. It was more than six months before the UN's Pillar II had deployed sufficient staff for municipal administrations throughout Kosovo. International efforts to establish local administration were encumbered by the Pillar II officials' frequent absence of experience in local governance; by disagreements between regional leaderships of Pillar II Administration, Pillar III Institution Building and KFOR in the early phases of operation; and by difficulties in cooperating with emerging local administrations.

UNMIK's work at the municipal level began with six months of open competition for control of municipal government between the UN administration that claimed legitimacy under SCR 1244 and the provisional government that was busy establishing local administration throughout Kosovo according to provisions of the never-adopted Rambouillet Accords. This period ended with the 15 December 1999 agreement establishing the Kosovo-UNMIK Joint Interim Administrative Structure and Interim Administrative Council that was signed by three Albanian leaders and witnessed by the UN SRSG. In consultation with local authorities, international Municipal Administrators began to establish interim local governments throughout Kosovo and retained full executive authority pending local elections.

While most humanitarian aid was distributed through the UNHCR-directed mission that operated parallel to the UNMIK civil administration deployment, all community aid and project level decisions were made through local administrations and great coordination was required between the UN, KFOR, UNHCR and numerous aid organisations operating at the community level where Albanians were returning and Serbs and other minority groups were being threatened and harassed. UN civil administrators were often required to make decisions on issues of housing and infrastructure repair and development where no real authority existed, decision-making processes made easier where administrators had access to even informal local leaders and experienced community representatives. The progress made by UNMIK in creating the conditions of local governance at the municipal level in the early months following the June 1999 agreement was essential to the success of the humanitarian mission.

Theme III: Frameworks of Governance

Local government operates under UNMIK Regulation 2000/45, a basic institutional framework for local governance which initially listed set aside or “reserve” powers of UNMIK municipal administrators and offered a process by which authority can be wholly transferred to local officials. Charged with establishing democratic local administrations in 30 municipalities, UN international officials since 1999 have operated broadly within the tasks of building capacity of local institutions, promoting reconciliation among groups emerging from violent conflict, and to provide a context in which these communities’ governments would be democratic for the first time in their history.

The UNMIK pillar system, despite its comprehensive approach, has received criticism, especially for its impact at the local level. With four separate entities operating in the same communities, use of the pillar system results in the “stove-piping” of critical information and decision-making processes – OSCE democratisation officers and UN civil administrators don’t talk to each other in the same municipality, for example – and in unequal progress by different pillars toward the stated stabilisation goals and benchmarks in each locality. At many points, particularly near elections, international officers will contradict decisions made by a different pillar, or UNMIK will veto a particular piece of legislation it had earlier supported.

The designation of a governance structure of 30 municipalities itself was a decision made by UNMIK, in consultation with Scandinavian governance experts, and with limited discussion and inputs from central, consultative bodies of Kosovars. While the municipality level structure, a change from the past Yugoslavia legacy of district (Okrug) level of government, has generally met with acceptance, the dramatic difference in population levels between municipalities does indicate a need for further adjustments.

In the past twelve months, most municipalities have been “emancipated” of most UNMIK controls and are beginning to develop independent and autonomous decision-making abilities, but legislation emerging from municipalities and decisions made by municipal executives can still be vetoed or overruled by UNMIK. Presently, there is general acceptance that a decentralising reorganisation of local governance structures to transfer power and decision-making away from Pristina and toward a level of authority closer to the people will take place; the Council of Europe in the past year addressed these issues with a nine month study that offered a well-intended but complex plan for decentralisation of local administration. Further discussions on decentralisation have been offered from UNMIK and appear to be the positive basis for further talks between Serb and Albanian communities in the wake of the March riots.

Theme IV: Practising Participation

Municipal Assemblies in Kosovo operate under a proportional list electoral system in which voters choose among closed party lists, generally supporting the political party that they most closely identify with. With political power vested in the national parties, this system weakens the ability of individual voters to discern preferences that might only be important at the local level. Use of the proportional list system, while it offers guarantees of stability and participation by all qualifying parties – important in states following conflict -- has been criticised for exacerbating shortcomings in local governance and executive power of local government, in eliminating constitutional accountability in local government, and in lessening the rewards to well-performing elected individuals. Despite the guarantees of participation, PPL can promote stalemates in the formation of government, boycotts by parties out of power and the overall politicisation of local administration – leading to often

correct perceptions of corruption and cronyism in the application of local services and resources.

These difficulties are exacerbated by the overwhelmingly “national” discourse among the Albanian political parties, all focused on the political issue of promoting a free and independent Kosovo, often at the expense of other compelling Kosovo-wide issues. This leaves little room for effective debate between the political parties at the local level, with even municipal election campaigns revolving around the independence slogan and which party has the greater legacy from the events of 1999.

Serb political leaders, including those within elected government, for their part focus on fostering re-integration with Serbia and supporting parallel structures of local governance by which Serb residents continue to receive salaries, health and social insurance, pensions, child support, ID cards, driver’s licenses, passports, license plates and other documents. While there is some political debate between Serb political leaders about the degree of participation with Kosovo government structures, the March 2004 riots have only emphasized the continued need for tangible links to Serbia and have lead UNMIK to accept their continued presence in the absence of real progress on the security and freedom of movement issues for Serb residents.

UNMIK and Developing a Tolerant Society

The most effective attempts at fostering real integration between ethnic groups in Kosovo have taken place at the local level: in Mitrovice/a where, until the March 2004 violence, UNMIK had modest success in opening a city-wide dialogue and holding local problem-solving exercises with significant Albanian and Serb participation; in municipalities such as Gjilane where the assembly leadership includes ethnic Serbs and other minority representation in a power-sharing arrangement resulting in shared access by all ethnic communities to municipal decision-making and international resources. At the municipal level, where political trust between ethnic groups can be established, and where there are real and recognisable gains to be made for residents of all ethnic groups (the improved delivery of shared services, improvements to common utilities or resources), the greater return of minority communities can be encouraged and real reintegration at political, social and economic levels can be effected.

Another additionally effective mechanism of minority inclusion into public life appears to be the international and Kosovar (mainly Serb, Bosniac and Gorani) Local Community Officers who intercede with local administration on behalf of minorities. This international institution has proven a relatively effective mechanism of conflict mediation among non-Serb groups and in Serb areas that are not contiguous to the northern Serb-majority municipalities. Much of the work by these community officers was negated by the March riots and must be revived by UNMIK.

The rapid establishment of a vigorous and open news media since 1999 certainly is a benchmark of democracy’s progress in Kosovo, but its effect on the complex and patience-requiring political deliberations within Kosovo is often counter-productive. In a divided language society, a separated news media further reflects the concerns and biases of the different populations, with Albanian Kosovars following progress toward independence and other “big picture” stories in Albanian language dailies and broadcast programs, while Serbs read and watch news programs that mostly relay information stemming from Belgrade and Serbia proper. Investigative stories within the Albanian press that focus on public corruption can enhance accountability in governance, especially with regards to the issuing of tenders and contracts by both UNMIK and the PISG. Unfortunately, reporting by the same news media of “leaks” and speculation over the respective negotiating positions of Serb authorities

and the international community can and does have a chilling effect on progress in dialogue with Belgrade over the final status issue for Kosovo.

Civil society can play a critical and constructive role in managing conflict and promoting real reconciliation across ethnic lines in Kosovo and again, most civil society activity takes place at very local levels. Investments by international donors have resulted in the creation of a Kosovo-wide forum of non governmental organisations (KNAP); civil society groups that have worked together in the joint distribution of services and goods for the disadvantaged, for the disabled and for youth groups and in promoting shared needs of citizens from all ethnic groups. These NGO activities which operate outside of the UNMIK pillars, constitute the most substantial links between the Albanian and Serb communities in Kosovo today and offer hope for a common future.

5.0 Timor-Leste

East Timor, formerly governed by the United Nations Transitional Administration of East Timor (UNTAET) following the departure of Indonesian civil and military forces in 1999 until independence in May 2002, is presently home to the United Nations Mission in Support of East Timor (UNMISSET). While under UN administration, national democratic institutions including a parliament, a judiciary and a national government were established, and national elections for a President and for a Constitutional Assembly were held prior to independence and the establishment of the Democratic Republic of Timor-Leste.

The process by which Timor-Leste gained independence was a long road riddled with conflict. From the initial forcible annexation of the disputed region by Indonesia in 1975 following decolonisation of the territory by Portugal. For twenty-four years, the province was ruled by Jakarta with ongoing armed conflict between resistance/independence fighters, the Indonesia military, and pro-Indonesian factions within Timor. Following extensive negotiations at the UN, a popular referendum in 1999 set the stage for the country's independence even as transitional violence erupted in widespread turmoil, the displacement of thousands of refugees, and widespread destruction in the capital city Dili. Militia violence and widespread insecurity prompted the intervention of the international community to stabilize the situation and allow the deployment of UNTAET to put the country on the road to independence and post-war recovery.

5.1 Creating Democracy Anew

Under the guidance of UNTAET, the Timorese deliberated on a new constitution – adopted in 2002 – and held widely acclaimed democratic elections in which champions of independence were elected with broad support. On May 20, 2002, the country was declared independent... the world's most newly minted state received its birth certificate. At the same time, Timor-Leste faces myriad challenges of reconstruction, development and poverty eradication, and reconciliation following decades of social tensions and violence.

The development and establishment of local governance and democracy has been recognised as critical to the overall success of democratisation efforts by the international community in Timor-Leste. Democratization at the local level is an important aspect of the UN's continuing work in Timor-Leste. The Government supports a decentralised system of government as stipulated in the Constitution of Timor-Leste. Presently, UNDP is assisting the Government in preparing for elections at the Suco-level, the 442 villages that make up the closest level of governance in Timor-Leste. These elections, for Suco Chiefs and Councils, will take place on a rolling basis between December 2004 and May 2005. Most critically, UNDP is in consultation with the Ministry for State Administration for the development of

mid-level, democratically-elected representative governance, either at a District or sub-District level.

Decisions regarding local governance are made for the Government by a Political Committee made up of the Prime Minister and Government Ministers. There is an Inter-Ministerial Technical Working Group for Local Governance which meets on a regular basis and is the chief liaison for the UNDP Local Governance Working Group. There have been serious concerns regarding the success of implementation of local democratic institutions where few if any presently exist. In this regard, East Timor, the UN's largest effort at state-building to date, demonstrates the dilemmas of the export of democracy.

A basic limitation to the transitional UNTAET mission was to have simultaneous responsibilities for both the administration and governance of a nation coming out of conflict and the creation of new institutions for a newly democratic and independent East Timor. One of the greatest challenges of nation-building as faced by UNTAET was to create institutions of democracy with little information and knowledge of what the public wants, and to ensure that the people of East Timor and the international community share the same concepts of democracy. Local observers and former senior UNTAET officials interviewed noted that little was accomplished in establishing democratic structures or institutions below the national level in East Timor by the UN during the transitional period.

5.2 Challenges for Local Democracy

With UNMISSET, the follow-on mission to the UN transitional administration, the role of UN agencies such as UNDP were increased as administrative roles and capacities of UNTAET were handed over to the Government. As such, the Timor-Leste Ministry for State Administration leads the process and determines the timetable for development of local governance, relying on UNDP for consultation in an advisory relationship. The Ministry faces the same challenges in considering local democracy as did UNTAET, and must weigh the presumed benefits of the creation of local democratic institutions and structures against the financial constraints of the new government of a developing nation.

Local Service Delivery in Timor-Leste

For the majority of Timorese, who live in villages and rural hamlets with weak transport and communication links, such a centralised and often autocratic system can result in poor service delivery especially to populations located in remote and hard to reach areas of Timor-Leste. Notwithstanding the gains made in establishing national institutions of democracy and governance for the newly independent East Timor since 1999, traditional chiefs and *Suco* leaders continue to embody governance at the local level, with varying degrees of political legitimacy and underscoring the critical need for added and increased representative governance and political innovation.

Nonetheless, there is a general acceptance by all parties that a system of local democratic governance is critical to the efficient, effective and accountable delivery of services necessary for development for Timor-Leste. It is well recognised that the present highly centralised system of District Administrators does not offer opportunities for democratic expression or for legitimate inputs from the citizenry; hearings held in 2003 for the Presidential Dialogue on Local Power identified many of the shortcomings of the present system. Presently, Timor-Leste's District and sub-District Administrators are appointed by the central Ministry for State Administration and implement decisions made at the Ministry level, with little accountability to and few inputs from local constituents. This "de-concentrated" system of governance stems from the traditions of East Timor's past history, closest in structure to

the appointed Bupatis of the Indonesian Occupation and the District Chefes of the Portuguese colonialist period.

It is of critical importance to increase participation by segments of the population of Timor-Leste who have historically been underrepresented at the local level and to implement special provisions to ensure representation of specific and unique communities within Timor-Leste. Strategies should be considered to increase the political participation of young persons, who make up more than half the population, and women, who have traditionally been left out of decision-making, particularly at the Suco level, by offering reserved seats or specific quotas, in proposed electoral structures for Suco-level and District level governance. Some geographical regions, including Oecussi and Atauro, should be offered considerable autonomy in decision-making to ensure service delivery for their residents and the full benefits of decentralisation.

5.3 Evaluating Timor-Leste

The UN and its agencies can support the development of a culture of democracy at the local level of Timor-Leste that is open, transparent and inclusive. The establishment of democratic institutions and the anchoring of democratic principles at the local level including respect for human rights directly benefit the strengthening of democracy for all Timor-Leste. Concurrent with assistance for the promotion of democracy within local government, UN agencies can also ensure that its other nation-building and support activities also promote a culture of democracy for Timor-Leste. Support for the rule of law, capacity building for an independent judiciary and media, security sector training and reform all can include democratic components and can operate at the local level of Timorese government and society.

A structure of local democratic governance, rooted in the distinct variations of Timorese communities, in time, will promote and establish public municipal forums and community structures for citizens and civil society and for the strengthening of a professional and responsive civil service within government administrations.

Theme I: Human Security and Human Rights

The establishment of local democratic structures can greatly assist ongoing processes of reconciliation and repatriation following East Timor's long period of conflict and occupation. The present work of the Commission for Reception, Truth and Reconciliation (CRTR), which has perhaps been most successful in developing a village by village approach toward sustained reconciliation especially between parties to the violence of 1999, demonstrates the importance of local and community approaches for reconciliation and dispute resolution and recognition of the importance of incorporating traditional mechanisms in these processes.

At the same time, democratic safeguards can prevent or reduce impacts of traditional governance that may ignore segments of the population or actually promote further human rights violations, especially in regard to the treatment of women by male-dominated traditional Suco-level power structures. Incorporating critical democratic principles of transparency, accountability and respect for human rights into traditional governance mechanisms will begin the process of deepening a culture of democracy in Timor-Leste; adding a new level of representative government at the District or sub-District level will help consolidate that democracy.

Despite the likely end of the mandate for the Commission for Reception, Truth and Reconciliation in 2005, efforts must be made to engender a national spirit of reconciliation and to allow the process of reconciliation to continue, especially at a local level and through local institutions of governance and with traditional authority participation.

Theme II: Service Delivery

The Government and the Ministry for State Administration can focus on immediate goals of promoting wider participation within and through existing local structures such as Suco-level traditional government and through the responsibilities of present District Administrators. Increasing visiting hours, formalising community outreach and holding regular public meetings and hearings for specific constituencies can immediately increase the transparency and accountability of existing methods of governance.

Civil society groups and local and internationally-supported development organisations are often at the forefront of ensuring the delivery of critical services for citizens, especially those living in remote or sparsely populated areas. Advocacy by such organisations and their community members is often a critical and positive input for government and community-level decision-making. As local government structures are considered, by both the Government task force and by the international community, promotion of non-governmental democratic institutions and principles such as transparency, due process and a free and fair media must also be accepted and incorporated into overall strategies.

Theme III: Frameworks of Governance

In promoting the broader conditions that would facilitate local democracy, UNMISSET and UNDP and other organizations should advance a consistent message in support of transparent and inclusive local and municipal institutions that can act autonomously but that remain integrated into a broader structure of Timor-wide institutions. A consistent message is critical to ensuring that support for decentralisation and democratic governance remains a priority for the Government of Timor-Leste.

Proposals for democratic governance, while formulated by the Ministry for State Administration and by the UNDP and others, should be considered through popular consultation chaired by elected representatives of the citizenry of Timor-Leste. Similar to the recent work of the Presidential Dialogue on Local Power and the Commission for Reception, Truth and Reconciliation, hearings could be held inviting the participation of local and District level audiences across Timor-Leste before proposals for local government are ratified by Parliament.

Introduced levels of elected governance must represent all aspects of the population of Timor-Leste, and reflect the particular or unique needs of specified areas, such as Oecussi as well as the needs of specific populations. The greater political participation of youth is critical to national efforts to lesson social conflict and to consolidate the broad gains of independence and democracy for Timor-Leste. Proposals for elected District governments should include the authority for elected officials to make decisions in all areas of defined responsibility without interference from other bodies of public administration. UNDP should support a process of electoral reform that would increase the accountability of local officials to constituencies in their communities. UNDP can offer assistance in considering proposals for local governance that might include single district representation, especially for municipal or built up areas of population.

Theme IV: Practicing Participation

The international community should provide financial and technical assistance to NGOs for monitoring the performance of local government, in developing information campaigns about how local government functions, and how citizens can effectively participate in local government. Assistance should focus on existing civil society and community development organizations which have demonstrated organizational capacity, assisting them in developing

public programs of civic awareness and projects to inform citizens of Timor-Leste of the possibilities of advocating for the development of democratic local government institutions.

Support should continue for the promotion of women as elected members of the District-level government and to assure the success of the election of women candidates in the upcoming Suco level elections. The use of quotas or set aside seats can and should be considered at all levels of elected representation. The UN and its agencies can support community-based training efforts for women candidates and for candidates and organisations representing other disadvantaged populations (youth, war veterans, returning displaced persons) to make permanent the place in politics for all citizens.

The development of a new structure for local government for Timor-Leste should be informed by public opinion, through a process of consultation at the local level and prior to parliamentary debate and decisions over a final accepted approach. Choices over the responsibilities of different levels of government, the types of services to be offered at those levels, the roles of elected representatives and the forms of elections and democratic representative mechanisms to be utilised should be informed with inputs from local residents, from civil society representatives and by all citizens of Timor-Leste.

6.0 Other Cases

6.1 Macedonia

In Macedonia, local democracy building through decentralization of power has been embraced as a principal approach in peacebuilding in agreements among the disputing factions there brokered by the international community. The peace plan, known as the Ohrid Framework Agreement (signed August 13, 2001), devolves authority from the central government in Skopje to ease tensions between the restive Albanian minority and the ethnic (Slavic) Macedonians that have been dominant in the country since its independence in 1990 following the dissolution of the former Yugoslav federation. Key elements of the agreement include revising the territorial demarcations within the country and reform of the municipalities to increase their autonomy from central government.

The pact was reached following extensive European Union, OSCE, and US mediation in mid-2001 with implementation of the security provisions falling to NATO. For six months prior, Macedonia had teetered on the brink of full-scale civil war; some 200 people had died in clashes between Macedonia's security forces and Albanian rebels and some 100,000 were exiled or internally displaced. Tensions between the Albania minority and the ethnic Macdeonian majority population boiled up into violent confrontation fuelled by persistent high unemployment among the Albanians, perceptions of Slavic domination of the political process in central government, and spillovers of instability from neighboring Kosovo.

Earlier in the 1990s, a United Nations preventive deployment force (UNPREDEP) had helped keep the peace in the volatile frontier region bordering Kosovo; in 2001, the international community also acted in a conflict prevention mindset to keep the tensions from escalating into a broader war in the country over Albanian claims for greater independence and possibly secession from the multiethnic Macedonian state.

The Ohrid agreement is illustrative for the ways in which local democracy building was seen as the key to peace. The agreement's terms reveal a strategy of peacemaking to preserve the territorial integrity of the country through decentralization and autonomy, to ensure equal treatment of minorities in political life, and to balance minority aspirations with majority prerogatives (which has proven the most difficult part of the pact to implement). The pact called for constitutional reform, changes in legislation affecting municipal governance, and a timetable for implementation. The agreement stipulates, among other provisions, that:

**2001 Macedonia “Ohrid” Accord:
Key Provisions on Local Democracy and Peacebuilding**

- The country’s multiethnic status was confirmed in constitutional language that guarantees the rights of all constituent peoples (including other minorities, such as the Roma, Turks, and Vlach) rights to cultural autonomy, full citizenship, and dignity together with “equitable representation.”
- Ethnic Albanian Macedonians, about 25% of the country’s two million people, are given greater control of local authorities in municipalities in which they are a majority, principally in the Western part of the country. The country’s former 123 municipalities were redesigned with new boundaries based on the results of a new census to determine the makeup of society around the country.
- Laws that affect the power and functioning of local authorities, and local elections, are subject to power-sharing decision rules in the national parliament, such that a majority of both communities must reach agreement before fundamental changes can be made in local-level autonomy.
- Local officials will have considerable authority to appoint and oversee local chiefs of police, although the overall functioning of the police continues to come under the Ministry of the Interior.
- Albanian will be a second official language in municipalities in which there are more than 20% ethnic Albanians, which includes the capital city; for example, street signs and public documents will appear in both languages. (In communities with other languages as at least a 20% share of the population, those languages will also have official status).

After considerable political wrangling, the terms of the accord establishing local reform as the basis of peace was finally passed into law on 24 January 2002.

The Ohrid pact has generated significant opposition, particularly among Macedonian political factions opposed to the decentralization measures and to the terms of the accord that provide for an enhanced role minorities; Macedonian nationalist politicians argued that that accord threatens the national identity of the state, panders to minority extremists, and undermines the territorial integrity of the state. In sum, there was a backlash among ethnic Macedonians that the ruling politicians who had negotiated the agreement under international pressure had sold out their own community’s interest in maintaining coherence in the newly independent country. Added to these concerns are fears, informed by events in the 20th century, that Macedonia’s neighbours have ages-old territorial designs on the small state.

Resentment against the agreement has delayed, but not fully scuttled, the Ohrid accord. Continued international pressure to implement the agreement – as conditionality for membership in NATO and for enhanced trade ties and eventual European Union membership – has been an essential element in continued compliance on the part of the Macedonian government and Albanian political factions.

The pact faced a crucial test in November 2004, when rejectionist political forces in the Macedonian parliament managed to secure a public referendum on the agreement; it was widely feared that with an ethnic Macedonian majority, the country’s public would vote down – on a majority rule basis – the carefully negotiated power-sharing and decentralization agreements. But it was not to be. On November 7, 2004, Macedonians were asked to vote on a referendum that would repeal the decentralization laws that were at the heart of the peace

agreement. Remarkably, a very low turnout – 26% -- meant that the required minimum turnout necessary for the referendum to have a binding effect (50%) was not reached, and the effort failed. Both the Macedonian government and the international community had urged voters to boycott the poll leading the way toward the full implementation of the agreements.

The lessons of Macedonia's experience with local democracy and peacebuilding are informative:

- Local democracy building can serve as a vehicle for the negotiation of competing claims between ethnic minorities and majorities by providing for autonomy and self-determination for aggrieved communities within the constraints of territorial integrity.
- Power sharing formulas that protect local autonomy and that require consensus-oriented decision making on local issues are a way to foster bargaining, compromise, and balance between minority rights and majority prerogatives.
- Early intervention by the international community to foster dialogue and negotiation on local level democracy, followed by security guarantees and disarmament, can tip the balance toward peace in societies experiencing internal conflict.
- By focusing attention of peacemaking on the local-level sources of conflict (economic underdevelopment, minority grievances, and policing and security), the peacebuilding effort can help ameliorate the fundamental insecurities that gave rise to violent opposition in Macedonia. In this way, localized causes of conflict can be addressed through localized solutions in each municipality.

6.2 Sierra Leone

Sierra Leone's tragic civil war began in 1991, the same year that the country adopted a new constitution calling for multiparty elections. The rebel force that began seizing territory from the weak government of President Major-General Joseph Saidu Momoh, the Revolutionary United Front (RUF) would go down in history as one of the most brutal in the 1990s. The RUF's diamond plunder, rape and mutilation, use of child soldiers, and attacks on innocent civilians landed its late leader Foday Sankoh indicted by an international court for crimes against humanity. The slide into civil war was marked by a series of military coups, the siege of Freetown (the capital city), rigged and failed elections, international intervention by international troops (under Ecomog, the Economic Community of West African States), and the complete failure of the state to provide for human security or basic development needs.

The disconnection between democracy and conflict management has been all too apparent in war-torn Liberia. In 1996, elections in the absence of a peace accord marked a further turning point in the deteriorating slide into deeper civil war in Sierra Leone. The elections led to a brief opportunity of peace as newly elected president Ahmad Tejan Kabbah struck a deal with Sankoh's RUF for peace. But the peace did not last. After a short respite the war grew more intense until international intervention to implement the shaky Lomé agreement of July 1999. After fighting their way into the interior of Sierra Leone, British and subsequently UN intervention in 1999 finally stabilized the traumatized country. The intervention was authorized by the UN Security Council (Resolution 1270) in 1999; the Council laid out a broad set of peacebuilding mandates including humanitarian aid delivery, disarmament and demobilization of soldiers, prosecution of war crimes, and the advancement of democracy through multiparty elections.

UNAMSIL, the most recent and thus far successful UN peacekeeping force has provided peace and stability since 2000, allowing for national presidential and parliamentary elections to be held in 2002 and the local elections in May 2004. In a remarkable post-war election, the 1996 victor – Ahmad Tejan Kabbah – was returned to power in a landslide victory in the 2002 UNMISIL-managed poll. Nonetheless, the national elections of 2002 were seen by many observers to simply legitimise the victors of the conflict and to simply restore the authority of the old guard political forces, rather than to genuinely open or restore channels for dialogue and potential reconciliation as a functioning democracy might allow.

Local democracy in Sierra Leone has been advanced as a strategy of peacemaking. In March 2004 a Local Government Act was passed with the strong support of the international community with the aid of the United Nations Development Programme. The Act effectively paired a peacebuilding strategy in Sierra Leone, like in Macedonia, as a way to open new channels of representative government in the war-torn provinces and to decentralize governance and political power in Sierra Leone as an approach to conflict management.

The law led to landmark elections in the political, economic and social structure of Sierra Leone. The May 2004 elections for district council seats were held throughout Sierra Leone, with oversight and management provided by UNDP. Seats were contested by the two principle political parties, the Sierra Leone People's Party (SLPP), presently in power, and the All People's Congress (APC), in opposition, by several smaller parties and by several attempts for new independent political forces.

- *Autonomy.* District Councillors are newest level of governance in what is proposed to be a decentralized government. The responsibilities and authority of the new District Councils is still not clear. Financial authority will require training in budgeting for the newly-elected Councilors and application of the Local Government Act will require publishing and open consideration of local budgets. A key goal of political reform and governance since the end of the conflict has been the re-constitution of the municipalities to increase their autonomy from central government.
- *Re-building the State.* Local democracy building can be instrumental in rebuilding a failed or shadow state. Decentralisation can help spread the legitimacy of the state through a closer connection to the citizens and through better service delivery. Some regional or district differences can be positively encouraged to better improve overall service delivery and transparency in political power. Political reform of SL can also have the greatest impact at the local level, where traditional rules regarding land access, property rights and gender issues can be revised or reformed to ensure equal treatment for women and to increase opportunities for youth, a majority in a population of 6 million.
- *Fostering Women's participation.* One focus at the local level is on increasing political participation of women as part of the democratization and decentralization of local government. Specific obstacles to increasing the political participation of women such as the traditional and often exclusive male-dominated political culture of Sierra Leone, religious and local community barriers, and the exploitation of traditional and cultural roles of women in continuing male power in governance and politics need to be identified and overcome as local government is applied in Sierra Leone. Additionally, the dominance of male leadership of military and armed forces on the political system during the past ten years of civil conflict has raised significant barriers to equal participation by women, who traditionally have not been part of public safety units or armed forces, in governing Sierra Leone.
- *Youth civic engagement.* With nearly half the population under the age of 25, a critical challenge for Sierra Leone is to bring its youth population into national and local political

institutions and civic organizations to strengthen society and the state against possible resumptions of conflict. Sierra Leone provides a strong illustration of the nexus between development, democracy and conflict prevention in underscoring the need to find viable alternatives to conflict-related activities for at-risk youth in Freetown and across Sierra Leone. A fundamental political issue for the newly elected District Councilors is to promote local community economic development, and to support employment goals for community youth, especially in preventing youth from re-entering potentially violent or conflict-prone groups and organizations.

- *Institution-building.* Decentralization and rebuilding of other democratic institutions will also be of critical need as the Local Government Act is implemented. Local courts, deconcentration of the national judiciary system and developing community-level judicial alternatives and dispute resolution mechanisms will greatly assist the work of the new District Councils. So far, most programs funded by the international community to increase the capacity of local judicial structures have failed in Sierra Leone due to the enormous gap in education and training, and the incredible problem of corruption and insecurity. Support for national anti-corruption campaigns at the local level is essential as financial authority is decentralized to the District level. Issues that will partially fall within the responsibilities of the District Councils are access to healthcare, to education opportunities and marketplace regulation.
- *Role of traditional leaders.* The role of Paramount Chiefs is partially addressed in the Local Government Act and a reform process for this most local form of governance has started, alongside the District Council elections. Developing a common framework and approach for the authority and power of Paramount Chiefs is critical in Sierra Leone, where most power still rests on such traditional leadership, who are often appointed, selected along hereditary and mostly male lineage, or elected within narrowly proscribed lists of who can vote within specific villages and regions. Among issues to be considered are new more democratic approaches toward the election of Paramount Chiefs for rural areas and establishing a sub-district, municipal level of government for towns and built up areas of Sierra Leone.
- *Land reform.* In addition to democratizing Paramount Chiefs' selections, other traditional forms of power are coming under review through the Local Government Act, including the critical issue of access to land which mostly occurs through male lineage and traditional hierarchies. A more progressive approach that may be possible as local governance is applied in Sierra Leone will give more direct property rights to persons using land plots, or who in some instances have occupied land for years, or through making good use through cultivation.
- *Regional linkages and spillovers.* Regional issues strongly effect Sierra Leone's transition to peace. The continued outbreak of war in Côte d'Ivoire and social weakness in Liberia threaten to undermine Sierra Leone's fragile peace. Overall, the stabilization and strengthening of Mano River Union regional institutions is essential to furthering of peace in Sierra Leone.
- *A far-sighted international community.* International guarantees of long-term security presence and assistance by the international community is essential to stability in Sierra Leone. Critical to Sierra Leone is a continued emphasis on development and security and peace building as principal benefits of local democracy and decentralization: Local democracy building can serve as a vehicle for the negotiation of land use reform property rights, sharing of community resource, issues on which the views of women and youth need to be heard. Security and development guarantees by the international community to ensure continued focus on achieving real decentralization and the establishment of

democratic institutions at the local level through which elected district councils are able to provide safe and secure communities.

6.3. Liberia

Conflict, Democracy and the Restoration of Basic Services for Returning Refugees

Local democracy can be critical to the early restoration of services and to the rebuilding of society and economy in a country recovering from conflict; Liberia, after 14 years of conflict, demonstrates the real need for local governance and elected representation at the municipal level that can spur community empowerment necessary to manage the social transformations that rebuilding of the nation will entail.

In 2005, Liberia had recently emerged from 14 years of conflict which had left the once prosperous West African state now probably the poorest country on the earth, not even meriting a ranking on the UNDP human development scale as statistics and data do not exist for the nation of three million people. Nearly one million additional Liberians were living outside the country as refugees or within the country as internally displaced persons, all living and being fed in UN-supported camps. Liberia's roads, railroads, ports, rubber processing factories and other infrastructure were nearly completely destroyed or looted by successive armies during the conflict, a looting so extensive that even the once-impressive national electric power grid was sold for scrap metal. Logging and diamond-mining, two key employment and foreign revenue-generating sectors of the Liberian economy, were stagnant as UN Security Council sanctions remained in place, with the international community fearful that such revenues could once again assist the now ex-warlords with the purchase of weapons and re-ignite the conflict.

At the local level, life remained constrained by the devastation caused by the conflict. Monrovia, a city of nearly one million, had neither electric power nor running water, with residents relying on shallow wells dirtied by sewage for drinking water. Cholera was endemic within Monrovia. Outside of Monrovia, education and healthcare services were only slowly being restored to larger towns in the closer counties – as of April 2005, three counties still did not have functioning health care clinics, supporting several hundred thousand people. The limited health care that is available is entirely offered by international NGOs or the UN peacekeepers. The infant mortality rate is one of the highest in the world. Liberia is the most glaring world example of a “failed state” now supported by international donors and a large United Nations peacekeeping force.

Security after the signing of an Accra Peace Accord (2003) overseen by the Economic Community of West Africa (ECOWAS) was restored through the deployment of 15,000 UN peacekeepers following the departure of then President Charles Taylor, indicted by an international court and headed for exile in Nigeria. A UN overseen disarmament process was completed in November 2004 which saw 110,000 combatants and supporters surrender weapons and agree to demobilize what had been three separate warring factions. The first quarter of 2005 saw the beginnings of the return, both spontaneous and with UNHCR assistance, of thousands of displaced Liberians, some having lived in camps outside of the country for ten years or more. Many of the returning Liberians crowded into Monrovia, increasing the demand for services there, and further returns to villages and towns across Liberia were expected to place greater strains and burdens on the non-existent or just functioning social services and infrastructures available in the fourteen counties outside Monrovia.

More than 600,000 Liberians left their home communities during the years of conflict, which included fighting and violence in virtually every community. Two counties most strongly devastated by the fighting were Nimba and Lofa, to which thousands of refugees and

internally-displaced persons began returning following the final disarmament of combatants in November 2004.

With international attention and funding focused on guaranteeing successful Liberian national elections for a President and a Legislative Assembly to be held in October 2005, little attention by the United Nations and by international donors has been focused on democracy at the local level. Historically, Liberia's limited interpretation of democracy rarely included elections other than at the national level, with Liberia's 15 counties ruled by all-powerful Superintendents appointed by the central government. Even before the 14 past years of conflict, Liberia's ruling governments were represented in the counties by individuals who were considered "the eyes and ears" of the ruling President, and responsible for the allocation of what rare resources the ruling elite in Monrovia chose to share with a mostly disenfranchised rural population. At times, Liberia's history has seen attempts, mostly failed, at the popular elections of mayors of Monrovia and the larger towns.

A deepening of democracy for Liberia could entail the extension of representative elected governance to the 16 counties through the establishment of county legislative assemblies and the direct election of mayors for the municipalities and villages of Liberia. Ceding greater political responsibility to communities outside of the capital city of Monrovia through a process of political decentralisation can move development and post-conflict reconstruction initiatives forward with a greater degree of efficiency and transparency. Revenue that may in the future be derived from natural resource extraction (the mining of diamonds, gold and iron ore, logging and rubber cultivation) by multinational corporations must be allocated or shared with communities across all counties, rather than siphoned off by the Monrovia-based government elites as has traditionally been the rule in Liberia.

Services for residents of Liberian communities are presently delivered through the United Nations or international non governmental organisations: health care clinics operated by Médecins Sans Frontières, supplemental food packages by the World Food Program, public safety and security is offered by UN peacekeepers and where deployed, Liberian National Police units. Host communities will have to provide basic services, shelter, employment opportunities and security for returning persons, with populations rising dramatically and rapidly as spontaneous returns increase. The establishment of even rudimentary forms of democratic governance can improve communities' abilities to respond to the stress and increased needs of returning populations.

A critical phase of rebuilding by the international community to begin in mid 2005 will intensify efforts to rebuild community schools and clinics, and to fully fund reintegration programs designed to keep ex-combatants in school, to fund education and training programs, or to provide the ex-combatants with start-up tools, seeds and supplies for farming. Communities can best be assisted by providing direct support for vital services such as wells and infrastructure (roads, food and crop processing equipment) that will support community-level and family agricultural production. Community and village councils, with elected or endorsed representatives of all persons and groups within a particular community, can ensure that decisions on these very critical services will be made with the needs of all residents in mind.

A Governance Reform Commission that was established by the National Transitional Government of Liberia in 2004 and held regular and well attended public hearings through 2005, indicated much popular support for extending the democratic franchise to sub-national levels. Key findings of the hearings included an emphasis on decentralisation and the shared allocation of government resources and international aid through the direct election of County superintendents and mayors of towns and cities.

Meaningful development of democracy in Liberia must include a focus on the local level, ultimately including direct elections of County superintendents, the establishment of Legislative Assemblies for Counties, and elections for town and municipal mayors. Traditional leadership, through Paramount Chiefs, can also be reformed, opening such roles to women and to all tribal affiliations within specific communities, and clarifying and regularising the power and mandate of traditional authorities. Especially with regard to land use and economic development issues, community-based and consensus and consultative-driven political process at community levels can assist in the post-conflict transition and the restructuring of the society and economy that will inevitably take place as thousands of refugees return to their communities.

Beyond representative government, the development of democracy below the national level should also include attention to issues of criminal justice after years of impunity, to truth and reconciliation issues, and to reform of the judiciary, respect for the rule of law, and strengthening of an independent press and media in Liberia:

According to the United Nations mandate, law enforcement and public safety across Liberia will be provided through the newly recreated Liberian National Police Service, with recruits vetted and trained by the United Nations. Justice sector reform will require years of development, but the establishment of working courts at the county level could at least establish a minimal standard of the rule of law to counter the impunity enjoyed over past decades by the past political elites of Liberian society. Community-based approaches to truth-telling and reconciliation can at least begin to offer a modicum of relief to victims and to refugees returning to villages where ex-combatants roam free.

Finally, an independent media, practically non-existent in a nation with a high rate of illiteracy (50-60 percent), several distinct languages and dialects used by different ethnic groups, and too impoverished to support a broadcast television service, is represented in Liberia beyond Monrovia by community radio stations, often the only reliable source of information in scores of towns and villages. These low-power broadcast stations, staffed by volunteers and powered by portable generators, can provide forums for honest discussions of community issues and can serve to ensure honesty and some degree of transparency among local decision-makers whether elected or appointed and to guarantee that the voices of all residents are heard.

Part III

Conclusions on Local Democracy and Peacebuilding

7.0 Conclusions

Today's headlines suggest that the international community will continue to struggle with the real-world challenges of local democracy building as a strategy for peace: with significant peace processes being implemented in Afghanistan, Burundi, Liberia, Sudan – and ongoing conflicts in situations such as Colombia, Kashmir, and Chechnya – the practical problems of promoting local democracy in post-war situations continue to raise larger questions about the relationships between peacebuilding and conflict management. Is decentralization, local institution and civil society building, and managing community-level economics a smart strategy for post-war peacebuilding? What is the balance between emphasis on national-level strategies versus those that purport to be bottom up? Under what conditions does local-level democracy contribute to peacemaking?

Several overall findings have emerged in the comparative evaluations of the cases above in terms of some findings of relevance to these difficult questions. These findings point to the need to conceive carefully strategies for local-level democratization and peacekeeping that emphasizes the prerequisite of security, core community needs, an electoral and authority-strengthening process, and community participation. From Kosovo, Timor-Leste, Macedonia, and Sierra Leone we see some important findings on when and how local democracy initiatives contribute to peacebuilding.

7.1 Providing Security in Insecure Localities

- *Capable, autonomous, legitimate local authorities.* The creation of legitimate, capable, local-level authorities is critical to the delivery of humanitarian relief, the delivery of essential services to war-weary populations such as clean water, food, shelter, sanitation and the immediate tasks of restoration of infrastructure and revival of an economy capable of providing citizens income necessary for essential survival. Most important, they play a role in providing for a community or municipal level accountability mechanism for the security forces.
- *Community-level human security.* Local-level authorities are also critical in establishing security, preventing violence among still-hostile factions within the community, and enabling the creation of capacities for policing and community conflict management. Honest, fair, effective policing is essential. The absence of basic security in key localities can endanger incipient efforts to create post-war national frameworks; local community-level violence heightens insecurities, undermines moderation, and creates threats to post-war governments and international peacekeepers alike.
- It should be kept in mind that effective and accountable local policing is one of the objectives most difficult to achieve in a post-conflict environment. Existing (if they exist at all) police forces are most often controlled by political or ethnic factions, corrupt and prone to human rights violations. Yet, a community level security remains a vital element of any environment supportive of local democracy building. Until local security forces are properly trained and deployed, the “security gap” will need to be addressed by international security assistance.

Peacebuilding and Local Democracy: Comparing Cases

	<i>Security/HR</i>	<i>Aid/Development</i>	<i>Institutions</i>	<i>Participation</i>
Kosovo	<ul style="list-style-type: none"> • Provided by international community; police forces created under OSCE guidance 	<ul style="list-style-type: none"> • Initial major refugee operation; resettlement; EU economic support 	<ul style="list-style-type: none"> • Local and provincial assemblies; two elections held 	<ul style="list-style-type: none"> • Still divided communities, political organizations, and communities
Timor-Leste	<ul style="list-style-type: none"> • Transition to sovereignty has occurred; need for local community security, human rights protections 	<ul style="list-style-type: none"> • Refugee and humanitarian relief operations were successful, along with political transition • Still, endemic poverty and economic isolation; significant development needs 	<ul style="list-style-type: none"> • Policy planning and evolution of local government structures is under way • New institutions take into account traditional structures 	<ul style="list-style-type: none"> • A good basis for local level community building through the existing structures of traditional society; ongoing reconciliation and community-building
Macedonia	<ul style="list-style-type: none"> • NATO security guarantees and ongoing European Union engagement, have significantly contributed to stability in Macedonia 	<ul style="list-style-type: none"> • Low-level conflict generated fewer humanitarian issues, but ongoing development needed to promote social parity among groups 	<ul style="list-style-type: none"> • Ohrid Accord establishes municipalities and sets standards for ensuring tolerance and participation 	<ul style="list-style-type: none"> • Voters backed peace agreement in 2004, lending a strongly positive push to the implementation of the peace agreement in the years ahead
Sierra Leone	<ul style="list-style-type: none"> • Communities remain at risk from instabilities due to root causes of conflict; ongoing international involvement in human security is essential 	<ul style="list-style-type: none"> • Aid is transitioning from humanitarian to development aid, especially at the local level; enduring economic problems remain 	<ul style="list-style-type: none"> • New local structures created in 2004 give the new institutions of municipal government a first-ever chance for Sierra Leone 	<ul style="list-style-type: none"> • Sierra Leone's society is complex and still deeply divided; careful strategies needed to promote community capacities

7.2 Delivering Humanitarian Relief and basic Services

- *Development aid and democracy promotion are mutually reinforcing.* The principles of delivering humanitarian relief to include transparency, accountability, participation by beneficiaries, relating directly to local authorities, knowing local partners and structures, and understanding the needs on the ground are precisely those that allow for the international community to directly contribute to local democracy. International humanitarian aid in immediate terms, and reconstruction and development aid in the intermediate and long term, are critical to building the capacity to deliver essential human needs. Without a close tie between the international community and local channels for service delivery, peacebuilding will be unsuccessful.

7.3 Designing Frameworks for Conflict-Managing Local Governance

- *Options for avoiding winner-take-all democracy.* Peacebuilding requires a careful democratization strategy: societies are torn, trust is low, fears are rampant. Municipal councils – as collective decision-making bodies – lend themselves to inclusion and consensus-oriented problem solving. Provided that these councils can be strengthened, resourced and managed by international community administrators – as in the case studies presented here – they offer significant possible gains for promoting democracy while also promoting peace. The principles of proportionality in representation, of community (and subcommunity rights), and consensus-oriented decision making are the key goals to pursue.
- The sequencing of national and local elections is an important issue that should be very carefully considered in each particular case taking into account the specific historical and geo-political circumstances. In some cases, the holding of local elections before national ones may be the appropriate solution leading to the establishment of legitimate authorities and to a bottom-up consensus oriented dialogue process at local level. In other cases, for example when the electorate in multi-ethnic or multi-cultural states is strongly homogenized on identitarian issues and manipulated by local “conflict entrepreneurs”, the outcome of local elections may be to “legitimize” and strengthen the authority of belligerent and mutually hostile local leaderships in different parts of the country thus becoming the recipe for civil war.
- *Balancing decentralization and fragmentation.* There is an abiding tension between the demands of providing autonomy to local communities and providing power and prerogatives to central government. There is no single recipe for peacebuilders as to the appropriate balance. In some communities, local power is essential to peace, generally tolerant, and should be fostered. However, when local power is intolerant, potentially injurious to other communities, or where exceptional autonomy or secession is likely to create new majorities (as in Kosovo), decentralization can work against the objectives of both democracy and peace.

7.4 Engaging Civil Society in Peace and Democracy Promotion

- *Community integration is a long road.* Peacebuilding is by definition a long-term enterprise. In many of the conflicts of the 1990s and 2000s, it has been seen that there is no magic moment of “consolidation” of peace agreements: most societies that experienced war are still very divided, tense, and at risk for recurrence of conflict along old, well-established lines. Peacebuilding by the international community for the long haul may help communities integrate, but reconciliation, a common civil society, and local tolerance is unlikely to develop quickly. Local-level events such as Mitrovica, Kosovo remind us that peace is often thin, and tensions are just below the surface.

- *Youth: the next generation.* Critical to long-term peace at the local level is to engage perhaps the most essential ingredient of society, the youth. International community programs for peacebuilding and for democratization may well be most successful in young men and women who look to the future, who recognize the costs of conflict, seek a brighter conflict and eschew the enmities that drove older generations to war. The underlying causes of conflict that will keep them vulnerable to war, however will persist unless both the democracy building and peacebuilding enterprises are both successful over time.