

Research Study on
PEACEBUILDING

Executive Summary
of
the Main Text
and
the JICA Peacebuilding Guidelines (Proposal)

Institute for International Cooperation
Japan International Cooperation Agency

This report is based on the discussion and findings of the study group on Peacebuilding organized by the Japan International Cooperation Agency (JICA). The views expressed in the report are those of the members of the Study Committee and do not necessarily reflect those of JICA.

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Table of Contents

Part 1 Executive Summary of the Main Text

Foreword

Introduction	1
Chapter 1 The Concept of Peacebuilding and Legal Frameworks	6
1-1 The concept of peacebuilding and the role of development assistance	6
1-2 Legal frameworks for peacebuilding	8
1-3 The issue of security management	9
Chapter 2 Basic Issues Related to Peacebuilding	10
2-1 Issues concerning humanitarian emergency relief	10
2-1-1 Emergency relief activities and issues	11
2-1-2 The issue of gaps	13
2-1-3 Examining approaches to humanitarian emergency relief	13
2-2 Conflict sensitive approach in development assistance	15
2-2-1 Conflict sensitive approach	15
2-2-2 Designing country programs that contribute to peacebuilding	16
2-2-3 Peacebuilding and community development	17
2-2-4 Assessment and evaluation	18
2-2-5 Emphasis on gender	18
2-3 Enhancing the implementation mechanism	19
2-3-1 Training and securing personnel	19
2-3-2 Aid coordination, cooperation with NGOs	20
Chapter 3 Proposals for Future Support of Peacebuilding	20
3-1 Basic perspective on aid for peacebuilding	21
3-2 Furthering the understanding of peacebuilding efforts and inculcating consideration of peace	21
3-3 Bolstering direct assistance for peacebuilding	22
3-4 Training and securing personnel	26
3-5 Improving aid cooperation	27
3-6 Improving security countermeasures and establishing a compensation system	29
List of Figures and Tables	
Figure 1 Framework of Peacebuilding	7
Figure 2 Peacebuilding and the Conflict	8
Figure 3 Individual approaches within the scope of the PKO Law, the JDR Law, and the JICA Law	16
Table 1 Comparison of International Humanitarian Relief and JDR Activities	12
Table 2 Problems of legal frameworks	14

Foreword

Although reduced to ashes at the end of World War II, Japan was able to make a steady and peaceful recovery despite being caught in the middle of the Cold War between the East and West. However, there are numerous countries worldwide today that have not achieved economic independence because of ongoing civil wars and ethnic strife, and the vast majority of these countries are impoverished.

The international community has endeavored to avoid war through diplomatic and military means, but in the wake of the Cold War, intra-state conflicts have frequently broken out, even as the number of inter-state conflicts have fallen. Close attention has thus been focused in recent years on the importance of assistance, and especially "development assistance," directed at realizing peace as a new means of supplementing efforts that are based on diplomatic and military approaches.

Against this background, JICA began a research study entitled "Peacebuilding: Towards Ensuring Human Security" in October 1999 to examine the role of development assistance in achieving peace and the directions such support should take.

In the course of researching these topics, the vast potential of development assistance was uncovered. Much of this assistance involves long-term support for conflict prevention, emergency relief, and post-conflict reconstruction/development. Development assistance is an effective means of pursuing peacebuilding through cooperation with international and domestic assistance resources and through multi-level approaches, and it plays a major role in preventing the recurrence of conflicts. Development assistance can also eliminate the causes of conflict and contribute to promoting peace by making peace an integral point of consideration in traditional forms of assistance.

At the same time, however, many limitations faced by development assistance have been noted. Reconciliation between rival ethnic groups and the permeation of peace education among both adults and children takes many years. To ensure the security of aid personnel, it is essential that support systems be methodically reinforced and that more experience be gained in this area. One issue that remains for the future is how to assess the impact of assistance activities on the causes of conflict when providing traditional assistance.

That we have been able to publish this report is in great part thanks to the advisers who provided us with their tireless guidance despite a research period that spanned a year and a half, and to the kindness of numerous persons who shared their knowledge with us. Although we cannot mention the names of all who have helped us in our endeavor here, we would nonetheless like to offer them our heartfelt gratitude.

Peacebuilding assistance is by no means an easy field to tackle. However, at the open seminars held at various stages in our research, we were able to gain an understanding of the expectations and passion felt by many NGOs and young students towards peacebuilding. This interest may at the

moment be no more than a small trickle, but it will undoubtedly grow into a major current in the future. As it does, nothing could be more satisfying for us than to learn that this report provided the intellectual basis for a deeper discussion in Japan on peacebuilding assistance.

March 2001

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Introduction

Importance of Development Assistance in Peacebuilding

In parallel with more vigorous efforts by the United Nations and the international community, the role of development assistance as a means of dealing with conflicts has taken on greater importance in recent years. This is due to a growing awareness that a) the conflicts that have occurred frequently since the end of the Cold War have destroyed in a short time the fruits of long-term development; b) recovery and further development require a great deal of time, labor, and capital; c) conflicts squander financial resources and energy that should be directed towards improving national living standards and pursuing economic development; and d) conflicts have thus been a major impediment to development. As a result, development assistance has done more than play a huge role in delivering humanitarian emergency relief to refugees and internally displaced persons as well as in helping war-ravaged societies recover. It is also now being seen as an effective means for eliminating the causes of conflict and preventing its recurrence through investments to eradicate poverty and promote social development, and through long-term economic development and institution-building. In recent years, however, the negative impacts of development assistance in conflict-stricken areas have also been noted, and it is important to consider possible negative consequences so that traditional assistance does not aggravate the factors that underlie conflict.

Canada and many other donors such as the World Bank, UNDP, EU, USAID, and DFID are already actively involved in development assistance in the field of peacebuilding. Believing that ODA has a certain role to play in this area, DAC approved the "Guidelines on Conflict, Peace, and Development Cooperation" in 1997, and it has since then continued to examine how best to implement development assistance that addresses conflict and development.

Issues in Japan's Peacebuilding Support

"Conflict and development" has been taken up as a priority issue in Japan's Medium-Term Policy on ODA, which stresses the need for Japan to continue playing a vigorous role in conflict prevention and post-conflict reconstruction. And in response to the "G8 Miyazaki Initiative," the Japanese government in July 2000 announced its "Action from Japan on Conflict and Development" program, through which it is enhancing its assistance in all stages of conflict prevention and pursuing cooperation with NGOs. In view of the role of development assistance in peacebuilding and the policies of its own government, Japan needs to become actively involved in providing support for peacebuilding.

Effectively tackling peacebuilding entails providing sustained assistance that ranges from humanitarian emergency relief when a conflict breaks out to assistance for post-conflict reconstruction and development. It also requires investigation into the fundamental causes of conflict to prevent its outbreak or recurrence. At the same time, post-conflict reconstruction and development necessitate a comprehensive approach towards cooperation through a diverse combination of activities. Faced with

Introduction

the limitations and personnel shortages of the current assistance scheme, the absence of adequate security measures, the lack of information on conflicts and of skills needed to analyze such information, and a poor awareness of peacebuilding, Japan's current cooperation system is, on the whole, still not entirely satisfactory.

The intertwining of a variety of complex factors in peacebuilding and the possibility that regular development assistance might have a negative impact on conflicts mean that JICA must work quickly to formulate a basic policy on peacebuilding and engage in cooperation aimed at systematic and strategic peacebuilding. Japan should also re-examine its overall approach towards peacebuilding assistance and establish a more flexible and comprehensive framework for peacebuilding cooperation that involves NGOs.

Objectives of this Study Group

It was against this background that this Study Group was established in October 1999 to focus particular attention on examining approaches toward development assistance for Japan and JICA in the area of peacebuilding. More concretely, the Study Group defined the concept of peacebuilding and classified factors that limited peacebuilding assistance efforts, and then analyzed a variety of peacebuilding issues and conducted case studies of peacebuilding assistance approaches taken thus far in selected countries (Cambodia, Bosnia-Herzegovina, and Kenya). Based on these studies, we then proceeded to consider specific proposals for future peacebuilding assistance as well as proposed guidelines to serve as practical courses of action for JICA. The Study Group's principal objective was to determine how best JICA might engage in peacebuilding. However, given the unfeasibility of JICA tackling such efforts alone and the need to coordinate assistance with PKO (especially when providing emergency relief), the group also devoted attention to the PKO issue in outlining fundamental issues and proposals on peacebuilding.

Using the advice of an advisory group consisting primarily of learned persons from outside our organization, the Study Group essentially conducted its research through a task force made up of staff members and associate experts of JICA, and the results of its efforts presented herein are solely the responsibility of the Study Group. All proposals given in this report are the views of the Study Group alone and, in keeping with the nature of the Study Group, this report simply presents options with regard to policies deemed necessary in the future and does not address the question of what options are feasible or desirable at the present time. Furthermore, the proposed guidelines in Part 2 summarize those aspects of peacebuilding that can be implemented within the existing JICA framework and that should be achieved in the short- to intermediate-term. We believe that further examination within JICA itself is required in order to transform these proposals into official JICA guidelines.

In the context of the frequent local conflicts that characterize today's world, the Study Group believes that JICA has a major role to play in conflict prevention and post-conflict reconstruction, and that peace must be given careful consideration when implementing traditional assistance as well.

It is not our contention that all of the peacebuilding measures mentioned here should be implemented by JICA itself. Instead, it is our hope that, on the basis of the conclusions drawn up by this Study Group, these measures will be further and adequately discussed within JICA as part of its effort to map out a concrete strategy for tackling them.

Introduction

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Chapter 1

Chapter 1 The Concept of Peacebuilding and Legal Frameworks

1-1 The concept of peacebuilding and the role of development assistance

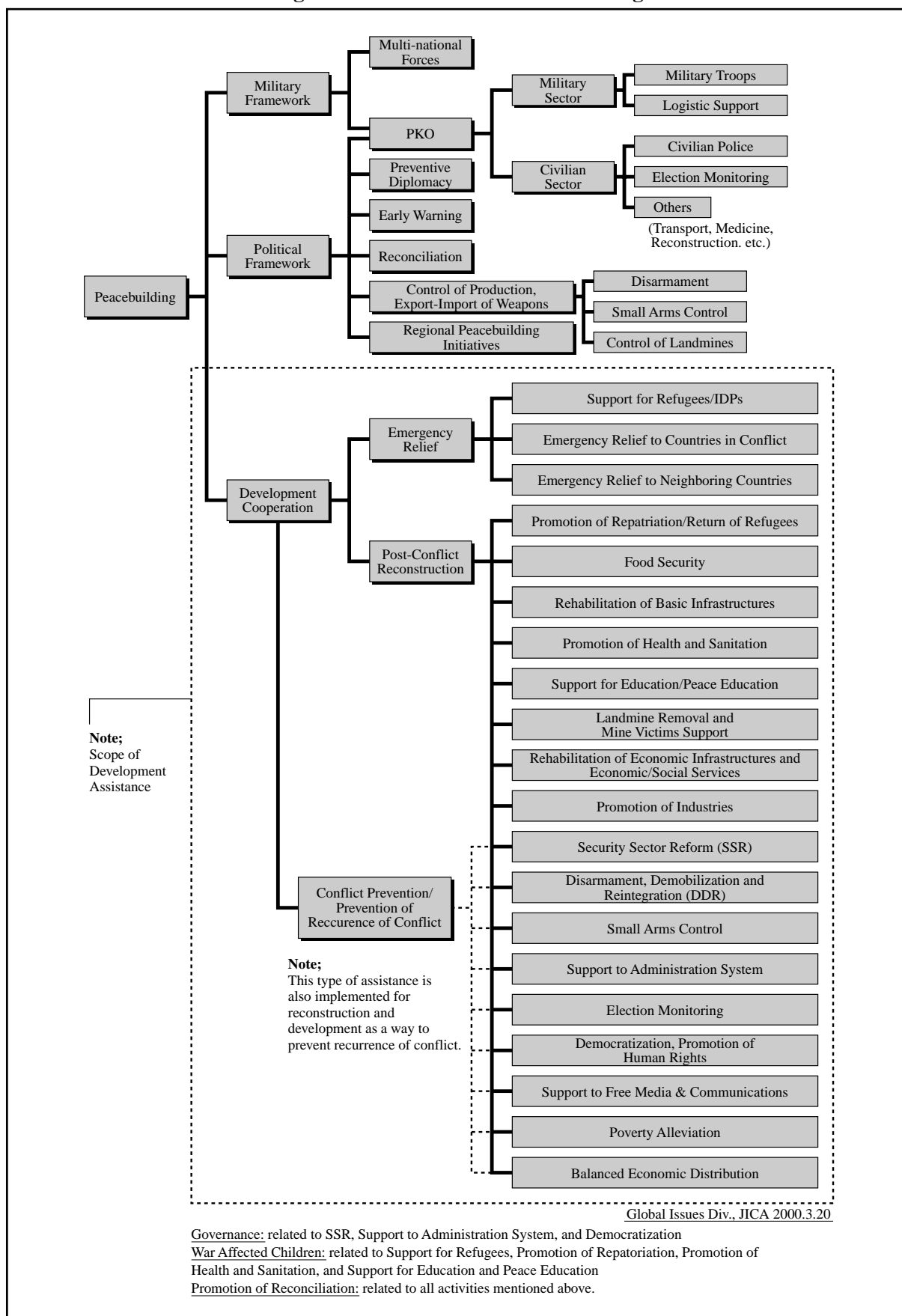
The concept of peacebuilding and peacebuilding frameworks

Peacebuilding is a general approach extending from conflict prevention to reconciliation and post-conflict reconstruction, in which peace is pursued through across-the-board endeavors that include development assistance in addition to traditional efforts within military and political frameworks. The concept of peacebuilding was interpreted by the Study Group as being a process of minimizing the possibility that conflicts might occur, preventing the spread of those conflicts that do break out, reconstructing war-ravaged areas, and bringing about the sustainable development of such areas, the ultimate objective being to ensure lasting and independent development by providing developing countries with the skills they need.

Figure 1 depicts the general structure of peacebuilding assistance, with the military framework including multinational forces and PKF (UN peacekeeping forces) and the political framework featuring PKO (UN peacekeeping operations), preventive diplomacy, disarmament, and mediation. Conflicts have conventionally been handled within these two frameworks, but recent years have seen a new emphasis placed on the role of development assistance. Within the framework of development assistance, then, peacebuilding assistance will be provided via the following three approaches.

- (1) Humanitarian emergency relief (humanitarian assistance during the emergency phase in the middle of and after the conflicts)
Aid to refugees and internally displaced persons (IDPs), emergency relief for the countries in conflict and their neighbors
- (2) Post-conflict reconstruction (reconstruction and development assistance after a conflict)
Promotion of repatriation/reintegration of refugees and IDPs, securing of food supplies, rehabilitation of basic infrastructure (e.g., housing, health care facilities, and lifelines such as electricity and water supply), improved education and health care, clearance of anti-personnel landmines and assistance for landmine victims, establishment of economic and social services infrastructure (roads, bridges, communication facilities, etc.), promotion of industry
- (3) Preventing conflicts and recurrence (assistance designed to prevent or avoid conflict)
(This type of assistance is also implemented for reconstruction and development as a way to prevent recurrence of conflict.)
Security sector reform (e.g., establishment of military/police/judicial systems), disarmament, demobilization, and reintegration of soldiers (DDR), small arms control, peace education, establishment of a system of public administration, support for elections and for democratization, protection of human rights, support for the media, poverty reduction, and assistance for the equitable distribution of economic resources

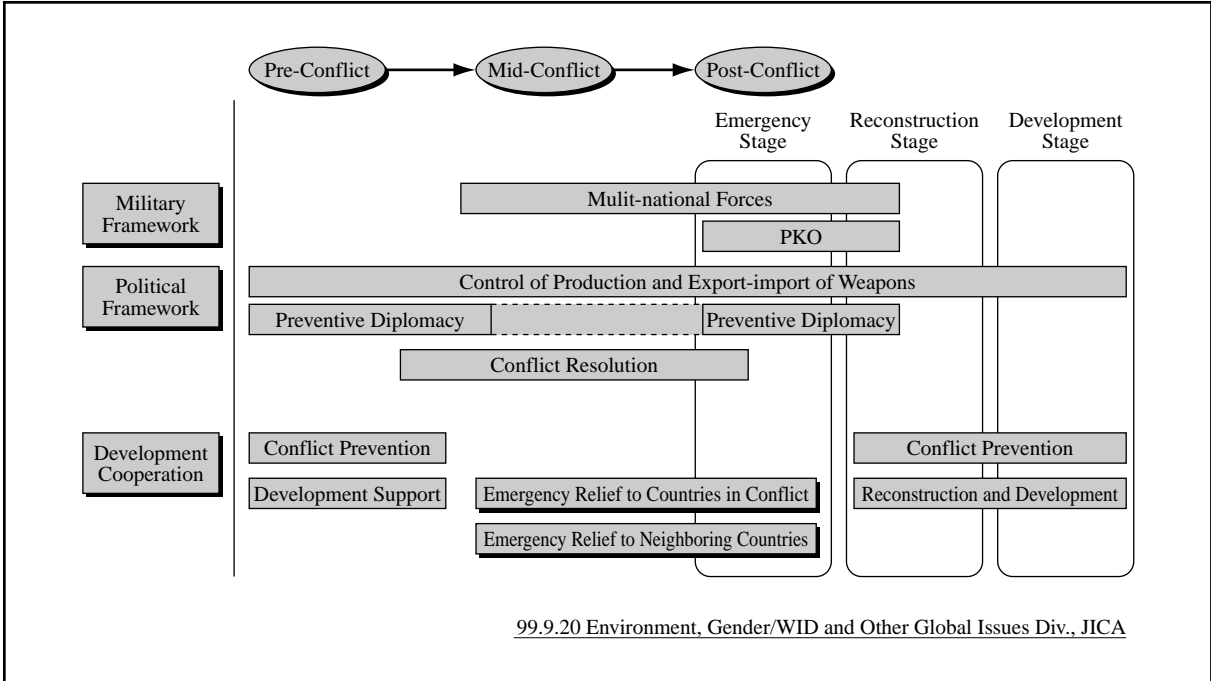
Figure 1 Framework of Peacebuilding



Chapter 1

The timeline for the above three approaches is shown in Figure 2. Steps that can be taken prior to the outbreak of conflict include restricting the manufacture and import/export of arms and engaging in preventive diplomacy within the political framework, as well as providing support for conflict prevention and ordinary development assistance within the context of development assistance. Once a conflict has erupted, however, development assistance is limited to humanitarian emergency relief; other efforts will be made within the military framework (the dispatch of multinational forces or PKO to maintain public order) and the political framework (mediation and negotiations). Immediately upon the conclusion of hostilities, continued refugee assistance as well as humanitarian emergency relief for the repatriation/reintegration of refugees is provided, followed by reconstruction and development assistance; the aim of preventing a recurrence of the conflict must be borne in mind when offering such assistance.

Figure 2 Peacebuilding and the Conflict



1-2 Legal frameworks for peacebuilding

In this section, we will provide an outline of the legal nature of the Law Concerning Cooperation with United Nations Peacekeeping Operations (Bill 79 of 19 June 1992; hereinafter, "PKO Law"), the Law Concerning the Dispatch of Japan Disaster Relief Teams (Bill 93 of 16 September 1987; hereinafter, "JDR Law"), and the Japan International Cooperation Agency Law (Bill 62 of 31 May 1974; hereinafter, "JICA Law").

Aid prior to emergencies and development assistance during post-conflict reconstruction are provided within the "ODA Policy and Legal Framework"¹. This framework consists, in terms of

¹ Strictly speaking, international emergency relief is counted as ODA, but the JDR Law here has for the sake of convenience not been placed within the ODA legal framework.

policy, of the ODA Charter and the Medium-Term Policy on ODA and, in terms of law, of the Ministry of Foreign Affairs Establishment Law, JICA Law, the Japan Bank for International Cooperation Law, and the set of laws authorizing the individual institutions overseeing ODA. Measures to be taken during the emergency phase immediately following a disaster, however, are covered - depending on the nature of the disaster - by (1) the framework of PKO Law for conflict-related disasters, (2) the framework of JDR Law for natural disasters and manmade disasters not caused by conflicts, or (3) the "ODA Policy and Legal Framework" for disasters due to other causes (e.g., an economic crisis).

Type of disaster		Japan' s response
Natural disasters		International disaster relief teams (JDR Law)
Manmade disasters	Manmade disasters not caused by conflict	International disaster relief teams (JDR Law)
	Conflict-related disasters	Humanitarian international relief activities (PKO Law)

There are no stipulations in law² clearly setting out this demarcation and, in fact, JDR Law notes only that its provisions apply to "large-scale disasters" (Article 1). When providing assistance in emergencies indirectly related to conflicts prior to the passage of the PKO Law (1992), careful consideration was given to make certain that such aid would not favor any particular party to the conflict, that it would not be directly connected with the use of military force either in terms of time or space, and that the safety of dispatched personnel could be ensured; the JDR Law has been applied whenever the disaster under consideration was determined to constitute a new emergency. The assistance provided to Kurdish refugees during the Gulf War is one example of this.

1-3 The issue of security management

The present security management system

(1) JICA's security management system

JICA has established a five-tiered classification of the circumstances in particular countries and regions in line with the "risk level" standards set forth in its "Security Measures," and has adopted a formula to make a final decision on the dispatch of experts and survey teams; many risks to ordinary operations have thus been eliminated beforehand. Accordingly, activities cannot generally be conducted in countries and regions not designated as safe by the "risk level" standards³. Even should some legal and regulatory framework be created for future peacebuilding activities and the dispatch requirements relaxed, application of the aforementioned "risk level" standards will generally stand as a precondition.

² The reply of the Upper House Special Committee on International Peace Cooperation to the 122nd Extraordinary Session of the Diet in December 1991 stated that humanitarian relief activities under the PKO Law were for conflict-related disasters, while emergency relief under the JDR Law only covered natural disasters as well as manmade disasters such as gas explosions and other accidents.

³ While there are no clear standards on the application of security management standards for international disaster relief teams, these teams may not be dispatched to conflict-related disasters.

Chapter 2

(2) Japan's security management

As mentioned above, JICA's security measures in principle determine the necessity/urgency of dispatching or withdrawing personnel in accordance with the "risk level" standards. The International Peace Cooperation Headquarters, which administers PKO from within the Cabinet Office, does not have its own "risk level" standards and instead makes an overall assessment of the specific circumstances on the ground in deciding whether or not to dispatch/withdraw PKO.

Execution of security consideration obligations

- (1) Should an organization involved in peacebuilding assistance not foresee the possibility of danger and fail to take the necessary and adequate measures to avoid this danger, it may very well be seen as having defaulted on its obligation to give due consideration to the security of its personnel. This obligation is not simply limited to employment contracts, but is also acknowledged in terms of precedent in other contractual relations.
- (2) The legal principle of the obligation to give due consideration to personnel security maintains that if a lack of due consideration for security can be demonstrated, that liability for such negligence lies with the other party in question, and that there is a causal relationship between that negligence and the damage/injury suffered by the victim, this negligence will be deemed an unlawful act under civil law; the other party will be seen as having defaulted on an obligation in failing to give due consideration to personnel security, and precedents have been established on the liability of the negligent party for compensation to the injured party. Hence governmental ministries/agencies and aid organizations considering involvement in peacebuilding activities should take into consideration the trend set by these precedents and fulfill their obligation to give due consideration to the security of staff engaged in these activities.

Chapter 2 Basic Issues Related to Peacebuilding

2-1 Issues concerning humanitarian emergency relief

One basic issue that Japan must address in promoting peacebuilding assistance is the approach to be taken in providing humanitarian emergency relief, and the reasons for this are as follows:

- With recent changes in the general notion of PKO activities and the rising tendency to see traditional peacekeeping activities and post-conflict peacebuilding activities as an integrated and inseparable pair, a growing need is foreseen for the provision of humanitarian emergency relief in the initial stage of peacebuilding activities.
- Engaging in concrete and "visible" assistance activities as part of humanitarian emergency relief would be important diplomatically for Japan, the top ODA donor, and the Japanese public

fundamentally supports such activities.

- At the same time, Japan is lacking the experiences in this field due to various restrictions and other factors, and this may imply its efforts lag behind those of other donor countries and NGOs.

2-1-1 Emergency relief activities and issues

Emergency relief activities at present

Despite the Japanese government's record of large financial contributions to international organizations, Japan's emergency relief activities on the ground, including the dispatch of personnel and the provision of supplies, have proven inadequate, partly due to Japan's short history of involvement in such activities.

Gaps in emergency relief

The PKO Law covers cooperative activities in three areas: United Nations peacekeeping operations (PKO), international humanitarian assistance, and international election monitoring. Cooperation in the area of international humanitarian assistance has been conspicuously scarce and, while there have been a few instances of such assistance - the dispatch of the Self-Defense Force personnel (medical officers) to the Rwandan civil war in 1994 and the dispatch of an air transport unit from the Self-Defense Forces for internal refugee relief in East Timor in 1999 being the most notable - there has not been a single example of Japan having dispatched civilian doctors and rescue unit personnel as envisioned in the HUREX⁴ system. As a result, although JDR teams have been praised by observers both at home and abroad for their efforts following the major earthquakes in Turkey and Taiwan, they were unable to provide sufficient humanitarian relief in Kosovo and East Timor.

As is evident, certain gaps have been formed between the PKO Law and the JDR Law that Japan has been unable to overcome, despite the fact that Japan's assistance in humanitarian emergencies is indeed needed:

- (1) Cases of unsuitable assistance as a consequence of too much time being required to apply the PKO Law
- (2) Cases that do not satisfy the 5 PKO Participation Principles
- (3) Emergencies stemming from simple domestic conflicts, terrorism, etc. (emergencies that do not pose a threat to international peace)

⁴ HUREX: Humanitarian Relief Experts - a registration system for experts wishing to participate in "international humanitarian relief efforts"

Chapter 2

The limitations of "international humanitarian relief activities"

The gaps described above can be attributed in great part to the restrictions placed within the PKO Law on the presumption that international humanitarian relief activities would entail the dispatch of the Self-Defense Forces, but other limitations are rooted in budgetary and implementation issues. Table 1 offers a summary of the restrictions on international humanitarian relief activities in comparison to JDR activities.

Table 1 Comparison of International Humanitarian Relief and JDR Activities

	International humanitarian relief activities	JDR
Decision-maker	Cabinet decision	Minister for Foreign Affairs
Request	Resolution by the UN General Assembly, the Security Council, or the Economic and Social Council, or request from an international organization such as UNHCR (must also satisfy 5 principles of participation)	Request from the disaster-stricken country or an international organization
Budget	Contingency fund	Grant from the Ministry of Foreign Affairs
Implementing organization	PKO Secretariat in the Cabinet office	JDR Secretariat in JICA
Registration system	Start of registration system (HUREX)	<ul style="list-style-type: none"> • Approximately 1500 representatives from the National Police Agency, the Fire Defense Agency, and the Maritime Safety Agency are registered (to perform their primary duties). • About 500 persons are registered for the medical teams (voluntary registration).
Training	Implemented as required (HUREX implemented only once in the past)	<ul style="list-style-type: none"> • Relief team registrants: 2 sessions • Medical team <ul style="list-style-type: none"> Introductory training (for new registrants): 2 sessions Intermediate training: 3 sessions Advanced training: 1-2 sessions <p>Approximately 100 people undergo introductory training annually, but only a very small percentage of registrants can actually be dispatched.</p>
Types of emergencies	Conflict-related emergencies	Natural disasters, manmade disasters not caused by conflict
Nature of activities	Medical care (communicable diseases control), support for search/rescue/ repatriation of disaster victims, provision of daily essentials, construction of facilities to accommodate disaster victims, rebuilding of damaged institutions and facilities, restoration of natural environment, etc. (Article 3)	Relief, medical, emergency response, and disaster recovery activities
Timing of dispatch	Within about 1-2 months from the outbreak of the crisis	Within 48 hours of authorization for the dispatch
Length of dispatch	No particular stipulations	About two weeks
Arms carried by participating JSDF	Weapons designated in the implementation plan can be carried (for use in protecting the lives and physical security of oneself and personnel in the same location)	JDR teams (unarmed) will not be dispatched if the use of weapons is deemed necessary. A supplementary resolution by both Houses of the Diet obliges JDR to give due consideration to security of its personnel, and dispatch to dangerous areas is thus not permitted.

2-1-2 The issue of gaps

What are "gaps"?

(1) Temporal gap

The failure to make a smooth transition from emergency humanitarian relief immediately after a conflict to subsequent post-conflict reconstruction and development assistance once the conflict is over and refugees have been repatriated greatly hinders sustained development thereafter. The problem here is that of determining how to fill the "gap" or "seam" between humanitarian assistance and development assistance and how to provide continuous cooperation.

(2) Other gaps

Gaps between local residents and refugees: such gaps occur when the standard of living of refugees receiving assistance from the international community surpasses that of local residents who have been living in a particular area since before the influx of refugees, causing discord not only in the areas to which the refugees have fled but also between countries at both ends of the refugee flow.

Gaps between regions and between individual conflicts: aid efforts tend to concentrate in areas of conflict frequently covered in the media and in which donors have high interest (e.g., Kosovo and East Timor), while regions subject to frequent conflicts such as Africa do not readily attract assistance.

2-1-3 Examining approaches to humanitarian emergency relief

Classifying problems

In order to consider the best approaches to humanitarian emergency relief, we have classified the problems faced into the two categories shown in the table below: (1) problems shared by all legal frameworks that might provide the grounds for humanitarian emergency relief (common problems), and (2) problems of individual legal frameworks (individual problems).

Chapter 2

Table 2 Problems of legal frameworks

	Problems shared in common by all legal frameworks	Problems of individual legal frameworks
Cooperation based on PKO Law	1) Problems concerning implementation (a) Shortage of functions, facilities, and other basic elements that act as the foundation for implementation (b) Difficulties in recruiting assistance personnel	A. Restrictions arising from the imposition of strict legal dispatch requirements established with taking the dispatch of Self-Defense Forces and the five PKO principles into consideration B. Restrictions on implementation arising from the need for procedures that take time, such as cabinet decisions on implementation plans, the enactment of government ordinances, and the employment of national civil service personnel as team members C. Restrictions on implementation arising from the need for discussions with fiscal authorities, as assistance activities must be financed from contingency fund
Cooperation based on JDR Law	2) Problems concerning security management (a) Difficulties of forecasting dangers and implementing security measures in fulfilling the obligation to give due consideration to security (b) Lack of a system for compensating personnel who meet with misfortune in the line of duty (except for cooperation based on the PKO Law)	A. Restrictions arising from the fact that the government's interpretation of the law places conflict-related disasters outside the permissible scope for dispatch B. Restrictions on the expansion of the scope of activities arising from limitations given in laws and ordinances on the nature of authorized activities (relief, medical, emergency response, and disaster recovery activities are clearly stipulated, but the law provides no basis for, say, the dispatch of legal experts)
Cooperation based on JICA Law		A. Restrictions arising from the requirement of a "treaty or other international pledge" for implementation B. Lack of a system for compensating personnel commensurate with their responsibilities due to the absence of legal stipulations covering "special responsibilities," as is the case with JDR and PKO.
Cooperation through NGOs		—

Framework for problem resolution

Similar to the pattern above, the problems can be classified into common problems and individual problems.

(1) Common problems

These are problems faced in common by all the legal frameworks and all implementation organizations in Japan, and only by resolving these problems will the preconditions be met for strengthening humanitarian emergency relief. The approaches given below for resolving these problems of building a common foundation will be called "buttressing approaches."

(2) Individual problems

The problems of laws often come to light with the passage of a certain amount of time, and a "comprehensive approach" of reviewing and thoroughly restructuring the legal framework of relevant laws and ordinances⁵ can be thought of as one option in reaffirming the aim of actively promoting peacebuilding activities.

⁵ The PKO Law, the JDR Law, the JICA Law, etc.

On the other hand, presuming that no major changes will be made to the existing legal framework itself, an "individual approach" that examines the directions in which specific improvements might be made to individual laws would be a practical option.

In pursuing this "individual approach," the following four directions could be considered as means of resolving the problems.

- 1) Relaxing the prerequisites for application of the PKO Law and encouraging the dispatch of personnel for "international humanitarian relief activities"
- 2) Reviewing the application of the JDR Law and opening the way to dispatching JDR teams to cope with conflict-related disasters under certain conditions
- 3) Easing the conditions for technical cooperation based on the JICA Law and designing a scheme for smoothly providing humanitarian emergency relief and other forms of direct assistance
- 4) Offering greater support for NGOs

These individual approaches are depicted in Figure 3 (the shaded portion is for conflict-related emergencies).

2-2 Conflict sensitive approach in development assistance

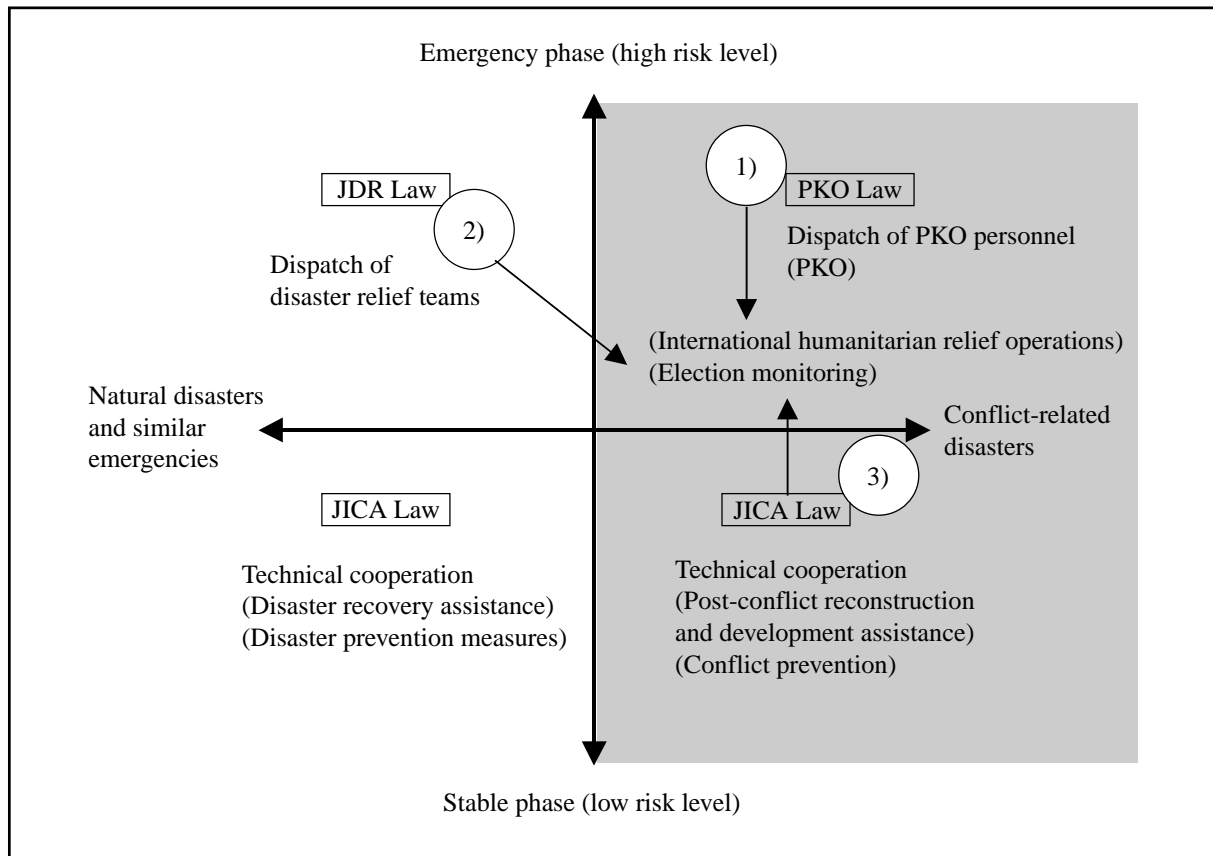
2-2-1 Conflict sensitive approach

Conflict sensitive approach in development

There are two approaches to incorporating peacebuilding perspectives into development assistance.

The first is that of ensuring that development assistance does not become a cause for, or an aggravating factor in local conflicts. It is especially important in countries/regions that have experienced many conflicts as well as in the poorest countries that have fragile social structures to assess beforehand from a broad perspective whether or not development assistance could potentially have a negative impact on the local situation.

Figure 3 Individual approaches within the scope of the PKO Law, the JDR Law, and the JICA Law



The second approach is that of pursuing a more effective form of regular development assistance from the standpoint of actively eliminating factors that cause or aggravate conflicts and promoting peacebuilding. This would also include placing a priority on assistance toward those in regions and social classes that directly suffered the ravages of violent conflict in order to prevent a recurrence.

2-2-2 Designing country programs that contribute to peacebuilding

Importance of designing country programs that contribute to peacebuilding

The significance of designing country programs that contribute to peacebuilding is two-fold:

- (1) The importance of dealing with countries in conflict, countries having experienced conflicts, and countries in which tensions are rising by taking into account the causes of the individual conflicts in each country/region and the circumstances of the conflict
- (2) The importance of gaining an overall understanding of the problems hindering development and peace in the country and of tackling these problems strategically

Future issues

The fundamental issues that will likely need to be addressed in designing country programs for peacebuilding are as follows:

- (1) Enhancing overall country program design functions and increasing peacebuilding assistance within these programs
Integrating into country programs and incorporating as part of the programs those items that directly contribute to peacebuilding
- (2) Systematically incorporating conflict sensitive approach into the process of drafting country programs
Creating a system that stresses consideration of peace in the process of program design, especially in programs for countries that have experienced conflict sensitive approach conflict or countries in which there is a high risk of conflict
- (3) Improving region-oriented approaches
Drafting guidelines and specific measures for approaches to be adopted for entire regions to effectively address peacebuilding assistance issues that transcend national borders
- (4) Ensuring compatibility and complementarity with the country programs of other countries
Designing effective policies and plans for Japan that take into consideration policies and programs already designed by other countries and aid organizations, and endeavoring to ensure that Japan's policies and programs are compatible with, and complement them

2-2-3 Peacebuilding and community development

Conflicts and community development

There are three elements underlying the capability to deal with conflicts in communities: resource management skills (the ability to utilize resources on a sustainable basis), standards (equitable distribution of resources), and discussion making mechanisms (dialogues for sharing values, ability to coordinate interests). These three elements should be sufficiently integrated into regular development assistance. If, however, these three elements are ignored and efforts are made instead to pursue community development on the basis of input accepted in an unstructured fashion from outside, not only will the existing order be destroyed, but the seeds for a new conflict will also be sown. Consequently, at the very minimum, community development efforts must not aggravate the conflict, and to that end, regard must be given to consideration of peace when deciding on the distribution of aid.

Chapter 2

2-2-4 Assessment and evaluation

The need for assessment and evaluation

When providing post-conflict reconstruction/development assistance to countries where the elements for conflict are in place, it is essential to examine what matters merit special attention in eliminating or reducing the elements that cause or aggravate conflicts and in promoting peacebuilding, and what considerations are needed to keep development assistance from becoming an obstacle to peacebuilding.

Assessments and evaluations in connection with peacebuilding

Assessments and evaluations in the area of peacebuilding are not limited to simply determining the positive and negative impacts of individual projects on peacebuilding, and should be part of every stage of the aid cycle; all of the following must be included.

- (1) Determining assistance needs on the basis of a multifaceted analysis of the country in question, an assessment of the causes of the conflict, and an analysis of the actors involved in the conflict; drafting strategic assistance programs at the country level
- (2) Investigating beforehand the positive and negative impacts that individual projects could have on peacebuilding, studying the impact that the state of conflict in that country could have on the project under consideration (risk assessment), and then formulating individual projects
- (3) Monitoring and managing risk during project implementation, and amending programs when necessary
- (4) Conducting a post-project evaluation of the validity of the project input and programs, of the degree to which the objectives were achieved, and of the project's positive and negative impacts on peacebuilding
- (5) Providing feedback on the know-how acquired through the project

2-2-5 Emphasis on gender

Necessity of emphasizing gender in peacebuilding

Because there are many issues faced by women during and after conflicts that differ from those faced by men, as discussed below, it becomes necessary to recognize the dissimilar circumstances and roles of men and women in peacebuilding, and to focus on different concerns and types of aid for men and women.

- (1) Social issues

These are issues stemming from the different social roles and circumstances of men and women,

and include: poverty and increased workload women face when their husbands go off to fight as soldiers, the excess number of pregnancies and childbirths that results from attempts to increase the population of ethnic groups after the end of a conflict and the impact of these on women's health, and violations of the sexual and reproductive rights of women.

(2) Psychological issues

These are problems of a psychological nature that afflict women and men caught up in conflict, and include: the mental anguish and subsequent trauma suffered by women and girls who are victims of sexual violence, the combat-related trauma of returning soldiers (including women), and the suffering of people who have lost family members in the conflict.

(3) Institutional issues

These are problems involving institutional bias against the participation of women in legal and decision-making processes, and include: limitations on the right of women to participate in politics, to vote and to run for political office in elections, to play a part in peace negotiations; systems and laws that do not adequately prevent sexual violence against women and/or do not allow them to file charges against assailants; and refusal to recognize the property rights of women to land and other assets after the conflict.

2-3 Enhancing the implementation mechanism

2-3-1 Training and securing personnel

Training personnel

The personnel needed for peacebuilding are cooperative personalities with professional skills who can readily adapt to local circumstances. In peacebuilding activities involving multiple actors, excellent communication skills, foreign language ability, and the ability to express oneself are also needed.

Securing personnel

(1) JDR medical teams

One issue facing emergency relief medical teams is the difficulty of securing adequate staff. Even with a large number of registrants, it may be far from easy to secure the necessary number of people in a limited timeframe when actually dispatching teams. Hospitals may also find it quite challenging to put in place a contingency staffing plan when some of their personnel are dispatched as members of JDR medical teams.

(2) NGOs

Given that Japan's NGOs have shorter histories and are not as well-funded as major overseas NGOs, they also have a less diversified personnel pool than NGOs overseas.

Chapter 3

2-3-2 Aid coordination, cooperation with NGOs

Significance of aid coordination in peacebuilding assistance

Aid coordination in peacebuilding should go beyond the effective utilization of resources and the practical use of comparative advantages, and should be built into "peacebuilding assistance" activities themselves for the purpose of realizing a sustainable peace. As it is difficult to obtain accurate information about local conditions in the midst of chaos during and immediately following a conflict, coordination between/among actors is more necessary than ever to determine local needs and to avoid redundancy in assistance. With actors compelled to address an increasing diversity of assistance issues, much attention is being focused now on the roles of NGOs unburdened by political restrictions and in close contact with local communities.

Specific approaches by Japan in aid coordination

Several efforts are underway to create a framework for coordination in peacebuilding assistance.

(1) Greater support for NGOs

Together with support for the Japan Platform as well as direct support for NGO activities, the "NGO Overseas Training Support System" has been set up as one means of subsidizing NGO projects.

(2) Cooperation with the Canadian government

In September 1999, Japan-Canada symposium on "Development and Peacebuilding" (organized jointly by the Canadian International Development Agency [CIDA], the Japanese Ministry of Foreign Affairs, and JICA) was held in Tokyo, and an agreement was reached on the follow-up activities such as (1) joint Japan-Canada reviews of peacebuilding support activities, (2) workshops in third countries, and (3) promotion of a personnel exchange between Japanese and Canadian NGOs.

(3) Joint projects with UNHCR

JICA and UNHCR have been collaborating to address the gap between emergency humanitarian assistance and post-conflict reconstruction/development assistance, and the two agreed to implement from December 2000 a joint project in Tanzania, the largest host of refugees in Africa.

Chapter 3 Proposals for Future Support of Peacebuilding

(Note) All recommendations given in this chapter are the views of the Peacebuilding Study Group alone and, in keeping with the nature of the Study Group, this chapter simply presents options with regard to policies deemed necessary at some future point and does not address the questions of what options are feasible or desirable at the present time. The matter of which options should actually be exercised towards implementation will be examined at some point after the Study Group has completed its work.

3-1 Basic perspective on aid for peacebuilding

Aid for peacebuilding must be vigorously undertaken in accordance with the ODA Charter, the Medium-Term Policy on Official Development Assistance, and the "Action from Japan" Plan announced in July 2000. Such aid, however, is presently provided under a variety of restrictions, including legal restrictions, the inherent limitations of the aid schemes themselves, a shortage of peacebuilding personnel and the absence of a proper policy for ensuring their security, a dearth of information on conflicts and insufficient capabilities for analyzing the information obtained, and inadequate understanding of peacebuilding efforts. In light of these problems, the Study Group has examined a variety of recommendations in order to improve this situation and offer more flexible and active peacebuilding assistance.

3-2 Furthering the understanding of peacebuilding efforts and inculcating consideration of peace

In addition to seeking to strengthen the policy framework, the government should fully convince personnel involved in aid projects of the need for peacebuilding and ensure that they comprehend the underlying concepts so that peacebuilding assistance can be provided in a systematic fashion; consideration of peace must be taken into consideration even when providing regular aid so that aid activities do not have an adverse impact on potential causes of conflict.

- (1) Reinforcing the comprehensive policy framework and furthering understanding of peacebuilding
 - 1) Strengthening the policy framework
Giving consideration to reviewing the existing ODA Charter and to drafting a comprehensive policy outline on contributing to peace via non-military means, in order to clearly spell out the best approaches to contributing to peace through developmental assistance
 - 2) Sharing policy frameworks (furthering understanding)
Incorporating more in-depth explanations of peacebuilding and reports on ODA accomplishments into the ODA White Paper to improve understanding of ODA activities among the general public
 - 3) Creating an environment for furthering understanding (support for peace/human rights education, use of the media, use of IT)
- (2) Inculcating consideration of peace
 - 1) Comprehensive approaches
Ensuring consistent peacebuilding efforts before, during, and after conflicts, and enabling measures to be selected from among a broad range of political, economic, and social policy options

Chapter 3

- 2) Establishing more specific guidelines for action and setting the foundation for implementation
Drafting guidelines for individual aid organizations and ODA projects, drafting country-/region-specific guidelines and programs, and organizing/improving personnel and systems to put these guidelines to practical use in project implementation
 - 3) Discussing ways to address the causes of conflicts, encouraging private sector participation in planning, etc.
Going beyond inter-governmental talks with countries in which a particular regard for peace is required to actively engaging in discussions from a diversity of perspectives with academics, personnel directly involved in aid operations, and NGOs
 - 4) Developing and implementing methodologies that ensure consideration of peace
Promoting the development of methods for systematizing a regard for peace and applying these methods to projects so as to expand and improve the management of ODA project cycles from program design to assessment
- (3) Intensifying research on development and peace
- 1) Promoting practical research and improving the research system
Pursuing case studies, research on aid methods based on accumulated knowledge, and assessment and research on assessment methods from the perspective of peacebuilding, to put consideration of peace into more concrete form to the regard for peace
 - 2) Disseminating and utilizing research results
Disseminating research results as broadly as possible both in Japan and abroad

3-3 Bolstering direct assistance for peacebuilding

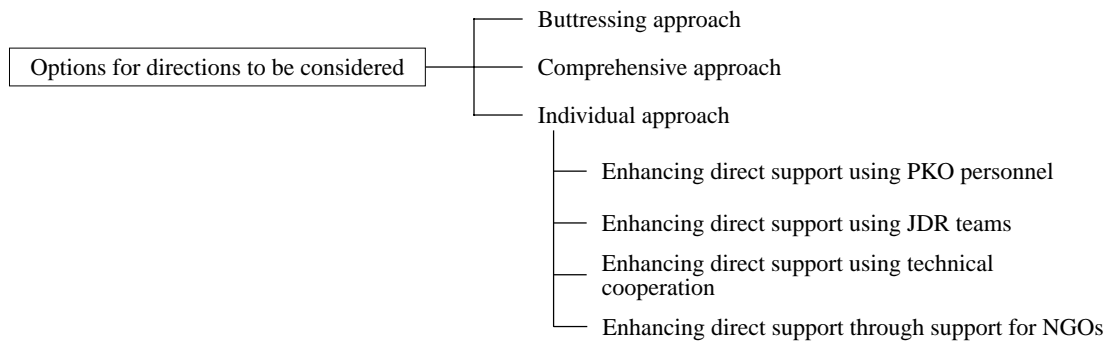
Rapidly providing emergency relief, filling in the gap between emergency relief and post-conflict reconstruction/development assistance, and providing comprehensive support of peacebuilding efforts all require that direct support for peacebuilding⁶ be bolstered by more effectively utilizing the Japan Disaster Relief (JDR) teams and by reviewing the framework for technical cooperation.

In this report we have divided options for directions to be considered into "items that can be examined within the context of existing laws and ordinances" and "items requiring revision of laws and ordinances."

- (1) Issues to be examined in the buttressing approach

The buttressing approach is an approach for resolution of issues such as implementation and

⁶ For the purposes of this report, "direct support for peacebuilding" (hereinafter simply "direct support") will be broadly defined as direct support provided on-site for humanitarian emergency relief during and immediately after conflicts, post-conflict reconstruction/development assistance, or conflict prevention.



safety management that relate to the establishment of a common foundation for all legal frameworks and implementation organizations.

Items that can be examined within the context of existing laws and ordinances

- (a) Creating "forums" for sharing and jointly examining issues with relevant organizations
Examining the idea of organizing informal discussions and study groups to share implementation and security management issues with relevant organizations and jointly consider ways of resolving these issues
- (b) Establishing locations to serve as focal points in providing direct support
Examining the idea of setting up locations (including a national center for international humanitarian relief) that are needed for a single "All Japan" team to provide direct support
- (c) Developing a system to improve the personnel recruiting environment
Analyzing the factors hindering present recruitment and studying measures to surmount these hindering factors

Items requiring revision of laws and ordinances

- (a) Legal measures for establishing locations for direct support
Examining the legal authority that might be needed to pursue the aforementioned establishment of locations
 - (b) Legal measures for putting into place systems to improve the personnel recruiting environment
Examining the legal authority needed to surmount the factors hindering recruitment
- (2) Issues to be examined in the comprehensive approach

The comprehensive approach is an approach entailing a review and restructuring of the overall legal framework itself upon reaffirming the aim of actively promoting peacebuilding activities, and is an option that essentially presumes a revision of laws and ordinances. Starting with specific concepts

Chapter 3

such as the "National Center for International Humanitarian Relief," steady progress through discussions and the formulation of concrete options can also be considered.

(3) Issues to be examined in the individual approach

The individual approach is an approach that presumes no major changes will be made to existing legal frameworks themselves, and that examines individual laws for specific directions in which improvements might be made.

1) Enhancing direct support by PKO personnel

Items that can be examined within the context of existing laws and ordinances

- (a) Developing mechanisms that make possible rapid budget reimbursement
Examining mechanisms that make it possible rapid budget reimbursement through previously arranged funding measures, replacing the present method that requires requests for contingency fund be submitted to the fiscal authorities to cover each and every dispatch
- (b) Streamlining the procedures for employing national civil servants
Examining measures to streamline the procedures for employing experts from the private sector to be dispatched in accordance with the personnel registration system

Items requiring revision of laws and ordinances

- (a) Exceptions to the application of the 5 PKO Principles to "international humanitarian relief activities"
- (b) Exceptions to the application of cabinet decisions on implementing programs for "international humanitarian relief activities"

Points to be taken into consideration

Even if an exception to the application of the 5 PKO Principles is sought as mentioned above, proper security management will nevertheless remain a prerequisite.

2) Enhancing direct support using JDR

Items that can be examined within the context of existing laws and ordinances

- (a) Applying JDR in the event of emergencies for which the government has given no clear interpretation (reply) on the demarcation between PKO and JDR (examples given below)⁷

Emergencies arising from multiple causes where natural disasters and conflict-related disasters are occurring simultaneously

⁷ Some observers believe that this has already been made clear at the present point.

Instances in which the lives of large numbers of refugees within a country are endangered by droughts or other such threats even after a certain period of time has passed since the end of the internal disturbance or conflict and the re-establishment of government authority

- (b) Applying the JDR Law to conflict-related disasters through an interpretation (reply) by the government on "emergency evacuation" operations

Examining the possibility of applying the JDR Law to cases that do not correspond to 1) above by authorizing "emergency evacuation" operations through a high-level administrative decision

- (c) Reviewing government interpretations (replies)

Examining the possibility of revising interpretations within the framework of existing laws and ordinances, given that revisions of laws may not be necessary⁸ because "disaster" has not been clearly defined in the JDR Law

Items requiring revision of laws and ordinances

- (a) Expanding the scope of JDR activities

Examining the possibility of adding other activities (e.g., the dispatch of experts to investigate the needs of disaster victims)⁹ to those limited activities spelled out in the present JDR Law (relief, medical, emergency response, and disaster recovery activities)

- (b) Clearly stipulating in laws/ordinances an expanded scope of the emergencies covered under the JDR Law

Examining the possibility of clearly stipulating in other laws and ordinances an expanded definition of the "emergencies" covered under the JDR Law so that it can be applied to certain conflict-related disasters

Points to be taken into consideration

Even if the choice is made to clear the way for the application of the JDR Law to conflict-related disasters as mentioned above, proper security management will nevertheless remain a prerequisite.

⁸ It is held by some analysts that simply changing the government's interpretation will not resolve this matter, and that a revision of the law is needed.

⁹ Some do not consider this a wise policy, because expanding the scope of activities might conversely lead to a loss of flexibility.

Chapter 3

3) Enhancing direct support using technical cooperation

Items that can be examined within the context of existing laws and ordinances

- (a) Offering direct support within a relatively narrow scope as part of technical cooperation
Examining measures not requiring an international pledge so that technical cooperation can be offered in a prompt and timely fashion
- (b) Expanding cooperation by teaming up with international organizations
Examining the expansion of support for technical cooperation being implemented by international organizations

Items requiring revision of laws and ordinances

- (a) Fully implementing direct support as a part of technical cooperation
Examining the passage of framework laws that thoroughly cover the full-scale implementation of peacebuilding activities and examining an associated revision of the JICA Law. As the JICA Law contains no clear stipulations permitting support for refugees and IDPs and post-conflict reconstruction/development assistance to be part of the operations authorized under that law, and as carrying out such activities as part of technical cooperation requires an international pledge of some form, this law does not necessarily offer adequate grounds for providing direct support.
 - (b) Establishing a compensation system for personnel engaged in direct support as part of technical cooperation
Examining the establishment of a system conforming to the PKO Law and the JDR Law that covers personnel engaged in direct support
- (4) Enhancing direct support through support for NGOs

The "Japan Platform Concept" and other efforts have been started, but consideration might also be given to providing future support for NGOs through the use of technical cooperation schemes and support from JICA.

3-4 Training and securing personnel

The range of personnel involved in peacebuilding should be expanded by endeavoring to train and secure aid personnel in Japan as well as by constructing a human resources network.

The training envisioned for personnel in the field of peacebuilding will entail training, or the dispatch for training, in subjects from general development to peacebuilding that will cover areas common to both peacebuilding and PKO.

(1) Peacebuilding training

Peacebuilding personnel not only from Japan but also from a broad range of developing countries (mainly from the Asia-Pacific region initially) must be trained primarily in suitable and effective

methods for providing humanitarian assistance, including negotiations and coordination among actors at various levels. This training should be conducted flexibly as needed while taking into account the demarcation of responsibilities and cooperation with the e-Centre. The training and practice sessions might cover (1) preparing and implementing joint plans, (2) developing design skills, (3) improving conflict resolution communication skills, and (4) implementing measures to ensure and to predict and avoid risk.

As a supplementary program once training has been completed, assistance will be provided to those organizations or NGOs that participated in the training in their actual implementation of peacebuilding activities. This program could include the provision of information, supplies, and fund for refugee assistance and local residents in areas neighboring refugee camps, and the continuation of assistance after the withdrawal of UNHCR.

(2) Securing personnel

To deal with humanitarian crises in a prompt and suitable manner, personnel for possible dispatches should be registered and a network formed with NGOs and other organizations having experience in particular regions. More specifically, persons who have completed the Post-Graduate Program in Preventive Diplomacy run by the Japan Center for Preventive Diplomacy as well as persons who have been dispatched for short-term training programs should be registered for future dispatch when needed. The registration of personnel already actively involved in the area of peacebuilding and the utilization of former participants in the Japan Overseas Cooperation Volunteer program might also be considered.

3-5 Improving aid coordination

In light of the involvement of numerous actors in peacebuilding assistance, coordination with these actors should be pursued in working to accomplish comprehensive peacebuilding objectives.

Gathering information and formulating common objectives

Consistent peacebuilding assistance requires close exchanges of information among donors and assistance to prevent the outbreak/recurrence of conflicts in line with the common objectives of the international community. To that end, it is necessary to collect information on peacebuilding support methods, exchange information with NGOs, and establish a rapid information exchange system.

Establishing a system of coordination with donors

To become earnestly involved in peacebuilding assistance, Japan would undoubtedly find it useful to give consideration to the special characteristics and advantages of cooperation partners, to further its cooperation with regional international organizations such as the Organization for Security and Cooperation in Europe (OSCE), to promote even broader cooperation with other donors, and to formulate a framework of its own cooperative techniques. In addition, incorporating NGOs into this cooperation framework and adopting a combined approach will be helpful in magnifying the benefits

Chapter 3

of cooperation.

Reinforcing cooperation and dialogue with Japanese NGOs

(1) Capacity building

1) Training personnel

Together with increasing the degree of specialization of personnel in Japanese NGOs, the Foreign Ministry's NGO Overseas Training Support System should be expanded, as should the opportunities for Japanese NGOs themselves to learn from the experiences of Europe and the USA, advanced nations in the world of NGOs.

2) Securing personnel

As Japanese NGOs often face difficulties in sending needed personnel overseas for emergency humanitarian assistance and post-conflict reconstruction/development projects due primarily to problems of funding, a method of support that creates new funding to allow NGOs to secure at any time the personnel they need to dispatch in emergencies should be considered.

(2) Cooperation in specific activities

Japan has several schemes for implementing ODA projects through NGOs, but some of these schemes do not have all of the elements necessary for peacebuilding assistance as their implementation procedures lack speed or face certain restrictions concerning the projects that can be targeted. If one considers the special characteristics of peacebuilding assistance, it would seem prudent to make a series of improvements so that these existing schemes can be operated more flexibly.

(3) Cooperation at the policy level

NGOs should not simply be considered parties to whom government projects are consigned, but cooperation should be sought with them as equal partners at the policy level.

Cooperating with overseas NGOs and gathering information

It is very important to promote cooperation with NGOs from other developed countries, and with NGOs from aid recipient countries that have the greatest understanding of local circumstances.

Cooperating with private companies

Utilizing the technical, financial, and information capabilities of private companies makes it possible to further enhance the benefits of peacebuilding assistance. For example, the technical capabilities of private companies in developing demining equipment, in establishing economic infrastructure and in conducting vocational training are quite valuable, and private companies can play a significant role by providing support in setting the foundations for NGOs.

Other

Also vital is establishing frameworks for cooperation with the National Police Agency and the Self-Defense Forces to secure personnel for the maintenance of public order, cooperating with media organizations to promote public understanding of peacebuilding assistance, and teaming up with universities and research institutions to set out methodology for peacebuilding assistance.

3-6 Improving security countermeasures and establishing a compensation system

Information collection/analysis functions to examine means of forecasting and avoiding risk should be enhanced, and suitable risk avoidance measures as well as an adequate compensation system for personnel engaged in peacebuilding should be put in place.

Improving the collection/analysis of security-related information

(1) Local level

Assigning "security officers" to collect information, disseminate security-related information, and plan and coordinate security policies

(2) National/regional level

Assigning investigators specialized in public order and security issues to serve in or to tour developing countries and countries/regions of conflict for the purpose of gathering and analyzing information on local political and social circumstances

(3) Tokyo side

Establishing a "Security Information Analysis Center" synthesize the security-related information possessed by the Japanese government, JICA and other implementation organizations, and the private sector, and to compile timely summaries of this information and conduct detailed analyses of the same

(4) Sharing information through the use of information technology (IT)

Constructing a "security information network" so that all personnel concerned with peacebuilding support can access in real time the information being collected, compiled, and analyzed at all levels

Improving risk avoidance measures

The following tentative proposals are offered with regard to measures that all personnel should take on-site in implementing suitable risk avoidance measures and preventing the occurrence of incidents/accidents:

(1) Taking direct measures such as implementing security measures at the project site and in

Chapter 3

residential areas (crime prevention equipment, security guards, etc.) and providing bodyguard protection through institutions charged with maintaining public order (police, military, PKO units, etc.)

- (2) Conducting needed training and practice sessions (simulations of danger forecasts and risk avoidance measures, etc.) to ensure personnel safety, and training for core/leading personnel
- (3) Accumulating know-how and preparing needed manuals to ensure safety
- (4) Installing or standardizing equipment (communications equipment, vehicles, etc.) needed to avoid or withdraw from danger
- (5) Creating local networks among organizations, cooperating with other donors

Establishing a compensation system

- (1) Increasing subsidies for overseas travel insurance

Improving the present "International Volunteer Compensation Support System" by, for example, fully subsidizing any increase in insurance premiums stemming from a special policy clause on wars, by raising the ceiling on death benefits paid, and by introducing survivors' pension insurance

- (2) Subsidizing mutual aid organizations

Establishing mutual aid organizations funded voluntarily by NGOs and other private sector entities. The national government will, when necessary, provide financial and technical subsidies and lateral support for the operation of this mutual aid system.

- (3) Expanding the application of workmen's compensation insurance

Classifying those items that have become bottlenecks in applying a special system for acquiring workmen's compensation insurance coverage, and expanding the actual application through flexible operation by administrative organizations

- (4) Hiring as national civil service personnel

Hiring persons connected with peacebuilding activities as national civil service personnel for the period of those activities in order to utilize the existing compensation system for national civil service personnel

- (5) Enacting new legislation (Peacebuilding Support Disaster Compensation Act [tentative name])

Passing a new disaster compensation law that covers "peacebuilding support"

Table of Contents

Part 2 Executive Summary of the JICA Peacebuilding Guidelines (Proposal)

Chapter 1 JICA's Basic Guidelines	1
Chapter 2 Conflict Sensitive Approach	2
2-1 Conflict sensitive approach	2
2-2 Designing country programs that contribute to peacebuilding	3
2-3 Assessment and evaluation	4
Chapter 3 Conflict Prevention	4
3-1 Points to take into consideration when preventing conflicts and their recurrences	4
3-2 Individual problems	5
3-2-1 Governance, support for democratization, human rights protection	5
3-2-2 Election monitoring	6
3-2-3 Peace education	6
Chapter 4 Humanitarian Emergency Relief	7
4-1 Points to take into consideration on emergency relief	7
4-2 Approaches for emergency relief	8
Chapter 5 Post-Conflict Reconstruction/Development Assistance	8
5-1 General points to take into consideration on post-conflict reconstruction and development	8
5-2 The gap issue	9
5-3 Individual problems	10
5-3-1 Peacebuilding and community rehabilitation	10
5-3-2 Security sector reform	11
5-3-3 Disarmament, demobilization, and reintegration (DDR)	12
5-3-4 Child Soldiers	12
5-3-5 Small arms control	13
5-3-6 Anti-personnel landmines	14
Chapter 6 Common Problems	15
6-1 Assistance cooperation, cooperation with NGOs	15
6-2 Security management and compensation: problems and measures	15
6-3 Emphasis on gender	16
6-4 Conflict, environment, and poverty	17
List of Figures and Tables	
Figure 1 Reference examples of types of country-programs	18
Figure 2 Framework for Post-conflict Reconstruction	21
Table 1 Concrete approaches to governance	19
Table 2 Concrete measures to support elections	20
Table 3 Measures to support security sector reform	22
Table 4 Comprehensive approaches for DDR	23
Table 5 Measures for resolving the issue of child soldiers	24
Table 6 Four major approaches for small arms reduction	24
Table 7 Proposed cooperation on anti-personnel landmines	25

JICA Peacebuilding Guidelines (Proposal)

(Note) These proposed guidelines offer a summary of what we believe can be done in terms of peacebuilding within the existing JICA framework and what measures should be implemented in the short- to intermediate-terms; these guidelines are the views of the Peacebuilding Study Group alone, however, we believe that these proposals need to be discussed further within JICA itself in order to transform them into JICA guideline. The fundamental concept of peacebuilding, legal framework, and various issues related to peacebuilding, as well as policies that should be tackled over the long term, were compiled as recommendations in Part I of the Main Text. Readers may note some overlaps with the contents of Part I; this was done so that those examining only these proposed Guidelines will better understand the contents.

Chapter 1 JICA's Basic Guidelines

With an increasing number of civilians falling victim to the regional conflicts that have broken out frequently since the end of the Cold War and the limitations to the success of traditional military or political (including PKO) resolutions, there is now greater need to support peacebuilding efforts through development assistance.

The Medium-Term Policy on ODA and the G8 Summit addressed the need for conflict prevention and post-conflict reconstruction assistance. JICA also needs to expand and improve its cooperation toward peacebuilding in the areas of conflict prevention, emergency assistance during and immediately after conflicts, and post-conflict reconstruction and development assistance, and to give adequate consideration for peace to ensure that ordinary development assistance does not aggravate the causes of conflicts.

Although JICA faces a variety of legal regulations and restrictions on the security management of aid personnel in providing peacebuilding assistance, we believe that JICA should consider reinforcing its approaches to peacebuilding, taking into consideration the following points:

- Examine measures for actively engaging in peacebuilding: conflict prevention, emergency relief, and post-conflict reconstruction/development assistance
- Take peace into consideration so as not to aggravate the causes of conflicts when providing regular cooperation
- Ensure that staff have a thorough understanding of, and give proper consideration for, peacebuilding and incorporating the concept of peacebuilding in country programs and the project cycle as well
- Provide emergency relief as actively as possible from JICA to address the issue of refugees generated by conflicts, including assistance to neighboring countries affected by the influx of refugees

Chapter 2

- See to it that post-conflict reconstruction assistance is started at an early stage, in order to fill the gap between emergency relief and post-conflict reconstruction assistance
- Take into consideration, when providing post-conflict reconstruction/development assistance, factors that would spark a renewal of hostilities, work to prevent a recurrence of conflict, and pay attention to the reconciliation of opposing forces and ethnic groups
- Emphasize cooperation with other aid agencies, including NGOs and donors, when providing peacebuilding assistance
- Give due consideration to poverty, gender, environmental, and other global issues when providing peacebuilding assistance
- Endeavor to secure and train JICA staff and other personnel needed to engage in peacebuilding, and pay sufficient attention to security management for these assistance personnel
- Study on a continuing basis measures for expanding and improving assistance in new areas of peacebuilding (security sector reform, small arms control, child soldier measures, peace education, etc.) that have thus far been almost entirely disregarded

Chapter 2 Conflict Sensitive Approach

2-1 Conflict sensitive approach

Basic viewpoints

To ensure that JICA's development assistance projects do not aggravate the causes of conflicts and to contribute to conflict prevention while appropriately responding to the state of war and peace in developing countries, attention should be paid to the following basic points:

- Design programs that take into account the impact of development assistance on peace and conflicts
- Emphasize a comprehensive perspective on the relationship between "development and peace"
- Demonstrate a willingness to learn from others and taking up the challenge of expanding into new areas

Developing specific approaches

For reference purposes, examples of measures that incorporate "Conflict Sensitive Approach" within the existing framework of development assistance projects have been provided below.

Expected results	Specific measures (examples)
Promote peace by exerting a direct influence on the actions of actors involved with conflict and peace, and reinforce the capacity of actors to promote peace	<ul style="list-style-type: none"> • Include demobilized soldiers among the primary beneficiaries of rural community village development and promote their social reintegration • Work to promote the repatriation and social reintegration of refugees by establishing social and economic infrastructure at the repatriation points of refugees and internally displaced persons
Promote reconciliation among opposing actors (ethnic groups, civil society, etc.)	<ul style="list-style-type: none"> • Promote participation by all opposing actors when implementing development projects, and enhancing mutual understanding and reconciliation through the process of implementing projects that will benefit all sides • Arrange venues for reconciliation and opportunities for cooperation among communities in the course of implementing the aforementioned projects
Promote peace by exerting an influence on the social and economic environment	<ul style="list-style-type: none"> • Clear landmines and other unexploded ordnance (as part of economic and social development) • Rebuild basic economic and social infrastructure • Work to improve transparency and accountability of administrative systems connected with economic and social development, when implementing development projects

2-2 Designing country programs that contribute to peacebuilding

Basic viewpoints

The basic points that should be considered in designing country programs that contribute to peacebuilding and in ensuring that JICA can actively participate and effectively contribute are as follows:

- (1) Enhancing the functions for designing country programs that contribute to peacebuilding
- (2) Adopting region-specific approaches

Developing specific approaches

Concrete examples of approaches to designing country programs that contribute to peacebuilding are as follows:

Enhancing the functions for designing country programs that contribute to peacebuilding

- (1) Fully integrate conflict sensitive approach into country programs: carrying out additional study from the perspective of peacebuilding in accordance with the degree of risk of conflict in the country in question for all project programs and projects incorporated into each plan
- (2) Classify targeted countries and regions: classify targeted countries into, for example, the following categories: (1) countries in conflict, (2) neighboring countries to the conflict, (3) countries in post-conflict (countries having experienced conflict), (4) neighboring countries to post-conflict areas, (5) conflict-prone countries, and (6) countries with minor potential for conflict; examining suitable approaches for each (see Reference Figure 1 at the end).

Chapter 3

Adopting region-specific approaches

- (1) Designing and expanding/improving regional cooperation guidelines and programs
- (2) Utilizing project formats for regional cooperation

2-3 Assessment and evaluation

Basic viewpoints

There are two objectives in conducting assessments and evaluations. One is the assessment and evaluation of the degree to which objectives have been met and of the achievements and positive impacts of a given peacebuilding assistance project. The other is the assessment and evaluation of the negative impacts of peacebuilding assistance projects or of regular development assistance not directly aimed at peacebuilding assistance, and a determination of whether these have unintentionally aggravated a conflict and/or the causes of conflict. When providing post-conflict reconstruction/development assistance or assistance in a country with an ever-present danger of conflict, it is important at each stage of assistance (before, during, and after the conflict) to assess the positive and negative impacts that the assistance could have - regardless of whether peacebuilding is its direct objective - and to eliminate or reduce beforehand the causes of conflict or factors that might exacerbate a conflict. Consequently, peacebuilding should be seen as a cross-sector issue, and the perspective of peace considerations shall be applied to all projects.

Specific approaches

- (1) Integrating a peacebuilding perspective into all projects and project cycles
- (2) Systematizing assessments and evaluations from a peacebuilding perspective
- (3) Sharing know-how with relevant organizations
- (4) Coordinating assessment and evaluation methods with other aid agencies

Chapter 3 Conflict Prevention

3-1 Points to take into consideration when preventing conflicts and their recurrences

Basic viewpoints

Development assistance and humanitarian relief can strengthen a fragile peace process by supporting social reintegration, political development, and physical recovery. Development assistance organizations, therefore, should recognize and accept the diversity of society, and provide assistance to a broad range of social groups so that they can participate in the peace process, reduce the root

causes of conflict, and support organizations capable of resolving conflicts by peaceful means.

Measures for preventing conflicts and their recurrences

Efforts are needed in two broad areas to prevent conflicts.

- (1) Reduce the causes for disputes between individuals and social groups
Eliminate poverty and support peace education, human rights protection, DDR (disarmament, demobilization, reintegration), etc.
- (2) Build systems and mechanisms to redirect disputes into positive energy rather than into violent conflicts
Establish governance, supporting democratization, monitoring elections, and provide assistance for security sector reform, small arms control, the media, etc.

Combining efforts in the above areas should eliminate or at least reduce the causes of conflict. It is especially important to seek reconciliation between opposing ethnic and other groups after a conflict to prevent its recurrence. With poverty at the root of the causes of conflicts and with conflicts generating new poverty, poverty and conflict are two sides of the same coin, and thus poverty reduction is especially important from the perspective of conflict prevention.

3-2 Individual problems

3-2-1 Governance, support for democratization, human rights protection

Basic viewpoints on developing approaches (points to take into consideration and matters to be addressed)

In pursuing peacebuilding assistance by contributing to governance, democratization support, human rights protection, JICA should pay particular attention to the following points in the context of the ODA Charter and other policy frameworks.

- Assist the capacity-building of democratic and legislative institutions and promote the rule of law, the peaceful resolution of conflicts, democratization and peace education for the public from the perspective of preventing conflicts and their recurrences
- Summarize the lessons and knowledge gained thus far from successive efforts in supporting governance from the perspective of peacebuilding, and utilize a menu to apply these to actual situations in individual regions and countries
- Avoid assistance that risks aggravating the non-democratic tendencies of a state or government

Concrete approaches

Examples of concrete approaches in contributing to peacebuilding through support for the various

Chapter 3

elements that constitute governance are shown in Table 1 (see end).

3-2-2 Election monitoring

Basic viewpoints

Democratic systems and mechanisms that can convert social and political disputes into positive energy for peaceful social and political reform rather than allow them to turn into violent conflicts are needed to prevent conflicts and recurrences. Fair elections are one specific means for nations and citizens to participate in their societies' decision-making processes, and they could well be termed a prerequisite in promoting democratization in that they help build a foundation of legitimacy for the elected-governments.

Basic viewpoints behind JICA's approach

As cooperation in this area is quite easily subject to political influence, JICA must not seek to impose its own political values nor must it allow itself to be used in the political designs of certain local persons or parties. Given that such cooperation will be provided in the midst of social disorder, sufficient attention must be paid to security management and it is essential that cooperation be appropriately timed. Although due consideration must be made when engaging in this area of assistance, it is one in which JICA's cooperation can be of great significance and one with tremendous potential for a variety of cooperative efforts.

Concrete approaches

If JICA seeks in future to strengthen its support for democratization from the standpoint of preventing conflicts or recurrences, it should make use of the lessons learned from its past experiences in such cooperation and provide intermediate-term comprehensive election support that goes a step further than spot monitoring of elections. Concrete examples of such approaches are given in Table 2.

3-2-3 Peace education

The importance of peace education

Violence may manifest itself in direct forms such as armed conflicts and assaults, or in structural forms such as social discrimination and oppression, and these can be respectively tackled through "negative peace" and "positive peace" (Galtung). Even should physical violence in a developing countries be brought to an end through , hostilities often begin anew without moving towards if structural issues remain unaddressed. Structural problems are not limited to political and economic issues, and they include problems harbored in the hearts and minds of people.¹ In light of this, attention is being focused at present on peace education for people caught up or who might easily

¹ Read, H (1949) Education for Peace, Pearn, Pollinger & Higham, Ltd.

become caught up in conflicts, advocating the importance of toleration, cooperation, solidarity, and non-violence.

JICA's approach

A variety of approaches have been taken in peace education, and Japan certainly has the potential ability to expand into NGO support and numerous other areas of cooperation. First, there is education conducted in shared living spaces to encourage rival groups to recognize and understand their differences, such as that offered in refugee camps in Kenya. Providing cultural attractions in the camps is also important. The next step is to put into practice these activities to promote understanding and exchange within neighboring communities that are antagonistic to one another. This stage requires even more delicate handling as there is a danger that such efforts could prove counterproductive, and NGOs and other organizations should gradually move into peace promotion activities at the community level after gaining sufficient experience.

Peace promotion activities at the community level might also include non-formal education to help eliminate prejudices between rival groups, to uncover common values and interests, and to teach respect for human rights and the philosophy of non-violence; efforts to broaden governance such as teaching local residents the significance of elections and rule of law and other means of linking routine development assistance to these.

Chapter 4 Humanitarian Emergency Relief

4-1 Points to take into consideration on emergency relief

Basic viewpoints

Humanitarian emergency relief provided during or immediately after a conflict generally centers on assistance to refugees, internally displaced persons, and returnees, but these efforts can be expected to offer lateral support for peacebuilding and reconciliation. When providing such relief, donors should be careful so that no one particular rival faction or group benefits to the exclusion of others. It is also important in offering humanitarian emergency relief to avoid creating dependency on assistance, which often appears among recipients.

Points to take into consideration for donor agencies

A monitoring system should be established and the social impacts of humanitarian emergency relief on different groups shall be researched to ensure that external assistance does not become counterproductive. As dissimilar ethnic, religious, and political groups will be differently affected by violent conflicts, humanitarian emergency relief and post-conflict reconstruction assistance that correspond to their respective needs should be offered to increase the impact and the cost effectiveness of assistance.

Chapter 5

A long-term plan should be introduced from the initial stages of the crisis to promote self-reliance and avoid creating dependency on continuing external assistance. As seen in the discussion of "gaps," humanitarian emergency relief efforts should be also augmented gradually with practical know-how and theory in development assistance so that humanitarian emergency relief can be seamlessly followed by post-conflict reconstruction/development assistance.

4-2 Approaches for emergency relief

Basic viewpoints behind JICA's approach

As the demarcation between the PKO Law and the JDR Law at present closes off to JICA the option of dispatching JDR teams to refugee camps, for example, JICA has very few achievements to its credit in providing humanitarian emergency relief for conflict-related disasters. Recently, however, JICA has provided emergency relief in a growing number of conflict-related disasters such as East Timor. The post-conflict reconstruction/development know-how and human resources possessed by JICA will undoubtedly merit greater international attention in future for their effectiveness in filling the gap between emergency relief and development assistance, and JICA should therefore further improve on these tools and create a system for providing rapid and effective emergency relief.

JICA's approaches to humanitarian emergency relief

- (1) Improving preliminary surveys
- (2) Intensifying full-scale emergency relief (improving package cooperation)
- (3) Increasing the flexibility of NGO support
- (4) Upgrading the implementation system
- (5) Maintaining human resources information
- (6) Accelerating goods procurement

Chapter 5 Post-Conflict Reconstruction/Development Assistance

5-1 General points to take into consideration on post-conflict reconstruction and development

Purposes of post-conflict reconstruction/development assistance

Providing post-conflict reconstruction assistance mandates a different attitude than when offering regular development assistance. One of the principal objectives of post-conflict reconstruction/development assistance is preventing a recurrence of conflict, and thus assistance must be provided

that will help directly and indirectly to prevent renewed fighting, while endeavoring to ensure that ordinary assistance does not aggravate factors that might lead to a resumption of hostilities. More specifically, exhibiting a bias in assistance by excluding the side that lost the conflict or other particular groups may itself re-ignite the conflict. Consequently, assistance must be provided in a balanced fashion and efforts made to reconcile the parties in conflict and various ethnic groups, to reintegrate returnees and demobilized soldiers into the community, and to reduce the factors that might lead to a recurrence of the conflict.

Priority areas for assistance

Promoting reconciliation between ethnic and rival groups is very important in achieving a permanent peace after a conflict, and to that end we believe it is crucial that comprehensive peacebuilding assistance covering the following six mainstay approaches (see Figure 2 at the end) be provided by combining efforts in the military and political frameworks with development assistance.

- (1) Support for refugees
- (2) Security control
- (3) Rehabilitation of social infrastructure
- (4) Institution-building of government
- (5) Promotion of democratization
- (6) Economic recovery

Matters that should be considered when providing post-conflict peacebuilding assistance

The causes of conflict and post-conflict needs differ by country and region, and one example cannot be taken and applied in exactly the same manner to all other cases. Nevertheless, we believe that addressing the new issue of peacebuilding requires that approaches be developed by drawing a series of lessons from individual cases and experiences to offer a certain degree of universality and commonality in peacebuilding assistance.

5-2 The gap issue

Basic viewpoints behind JICA's approaches

In preventing the recurrence of conflicts and ensuring the security of the international community, we believe it very important to fill the gap between humanitarian emergency relief and post-conflict reconstruction/development assistance by providing peacebuilding assistance within a comprehensive framework.

Chapter 5

Concrete approaches for JICA

The scope within which JICA can cooperate in assistance to fill in this gap is presently limited to offering assistance to neighboring countries during emergencies and providing post-emergency recovery assistance.

(1) Assistance to neighboring countries during emergencies

To expand and improve technical cooperation towards neighboring areas directly or indirectly affected by conflict-related refugee flows and to start emergency relief at the earliest possible period, we believe that JICA must improve its ability to analyze accurately the social circumstances and the state of public order in the country in conflict and in neighboring areas, as well as acquiring the know-how needed to respond in the emergency phase.

(2) Post-conflict reconstruction/development assistance

In order for JICA to begin post-conflict reconstruction assistance even earlier than it does at the moment, it must adopt a flexible response within the existing framework, as seen in the assistance provided to East Timor, involving cooperation with a provisional governing body as a recipient country government and the application of schemes via a flexible interpretation of public corporation laws and regulations. On the other hand, we also believe it is essential to contribute to the resolution of the overall gap issue as a single "All Japan" team by cooperating and sharing information/experience/knowledge with NGOs that utilize the new approaches of "development welfare support projects" and "development partnerships."

5-3 Individual problems

5-3-1 Peacebuilding and community rehabilitation

Active involvement in peacebuilding - forming a new order

Active involvement in peacebuilding entails providing development assistance that promotes the formation of a consensus among local residents, local governments, and the central government as well as the creation of a new order in societies, in which previous order was destroyed by civil war.

Guidelines for local community development²

(1) Countries and regions actively involved in peacebuilding

1) Case screening

In those countries and regions where peacebuilding is deemed necessary, the objective will be to gain an understanding of the causes of the conflict, examine the relevancy

² Local community development includes such matters as local hygiene and health, irrigation development, community forestry, and local electrification that are closely connected with, and have an impact on the livelihoods of local residents in the broad sense.

of these to the assistance requested, and determine any positive and negative impacts. When the assistance requested is not considered relevant, revisions should be made to the request for assistance or assistance should be made conditional on revisions being made to the request with the recipient when conducting preliminary surveys.

2) Views in TOR preparation

Even if the formation of a new social order is not a direct objective in a given case, the formation of a new order in collaboration with rivaling actors shall be included among the achievements of the project.

(2) Projects that take conflict sensitive approach

Pursuing local community development that gives due consideration to peace means not aggravating conflicts and eliminating the causes of conflicts (in other words, conflict prevention) in the local community development efforts ordinarily carried out.

1) Project screening

Involvement in development assistance will always have an impact on the existing order in the local community. Consequently, as a rule, care must be taken when screening projects to minimize any negative impacts and to ensure positive impacts.

2) Views in TOR preparation

The basic aim here is to incorporate (1) sustainable use of resources and an equal distribution of resources, (2) the empowerment of those in weak positions in the community due to poverty, gender, minority status, etc.

5-3-2 Security sector reform

Definition of security sector reform

The security sector comprises those organizations listed below, and includes governmental organization with an official mandate to ensure the security of the state and the citizenry from violence and coercion as well as civilian organizations charged with managing and overseeing these institutions.

- (1) Military and paramilitary units, and civilian organizations such as defense ministries that oversee military and paramilitary units
- (2) Intelligence organizations
- (3) Police (including national and local police as well as border guards) and customs agencies
- (4) Judicial and penal systems
- (5) Civilian organizations that manage or oversee the above

Chapter 5

Basic viewpoints behind JICA's approaches

Security sector reform is absolutely essential to improve public order in developing countries, to promote political stability and development, and to ensure public trust. We believe that JICA should address this issue, as capacity building in recipient countries is very important for security sector reform.

Assistance for security sector reform

Pursuing security sector reform requires a comprehensive approach, combining institutional approaches, field approaches, social approaches, and policy approaches through efforts within military and political frameworks and through development assistance (see Table 3 at the end).

5-3-3 Disarmament, demobilization, and reintegration (DDR)

Definition of DDR

One of the primary aims of post-conflict reconstruction assistance is contributing to the reconciliation/ reintegration of rivaling groups, returnees, and discharged soldiers, and reducing the causes that might spark a recurrence of the conflict. To that end, implementing a program for disarming, demobilizing, and reintegrating (DDR) soldiers into society is especially significant in improving public order and preventing a recurrence of the conflict.

Basic viewpoints behind JICA's approaches

The demobilization of soldiers and their reintegration into civilian life is key to political stability and the rebuilding of war-ravaged societies, and it is also an effective means of building confidence between groups that opposed each other during the conflict. While there are numerous restrictions on assistance for disarmament and demobilization, we believe that JICA should examine at some point the possibility of greater involvement in DDR, as JICA already plays a major role in the reintegration of discharged soldiers that is the key to success in DDR.

Comprehensive approach to DDR

DDR requires a comprehensive approach, combining institutional approaches, field approaches, social approaches, and policy approaches (see Table 4 at the end).

5-3-4 Child Soldiers³

Conflict and children

Death and injury are but two of the impacts that conflicts have on children; in the course of

³ Soldiers less than 18 years of age

hostilities, children may also be sexually abused, orphaned, forced to flee as refugees, and/or traumatized. UNICEF and other international organizations and donors have taken up the issue of "war-affected children" as a major focus in recent years, and they are working toward improvements. One major problem has been the involvement of children in conflicts not only as victims but also as combatants. Nearly all the conflicts of recent years have featured the participation of child soldiers, and the number of child soldiers in 30 countries worldwide is estimated to be around 300,000, with the majority of these soldiers 15 years of age or younger.

Basic viewpoints behind JICA's approaches

JICA can contribute little with regard to the signing, ratification, and implementation of international treaties, an important tool toward resolving the issue of child soldiers, but it should be able to include former child soldiers among the children to whom it regularly provides assistance. At the same time, JICA could also consider offering indirect assistance by pushing ahead with analysis and research on the present situation through information exchange with donors and international organizations that have know-how in this area, and by providing development/welfare assistance and assistance through development partnerships to NGOs actively working on this issue.

Measures for addressing the problem of child soldiers

Dealing with the issue of child soldiers demands a comprehensive approach, combining institutional approaches, field approaches, social approaches, and policy approaches (see Table 5 at the end).

5-3-5 Small arms control

The problem of small arms control

Recent conflicts have been dominated by the use of pistols, automatic rifles, machine guns, and other weapons that are relatively small in size and portable. There are said to be 500 to 600 million such weapons worldwide as a result of the huge flows of small arms into regions of conflict during the Cold War. These small arms have increased the intensity and duration of conflicts and, left in the hands of urban residents after the conflict, even become a destabilizing element threatening the post-conflict public order and prompting in some cases a recurrence of the conflict.

Basic viewpoints behind JICA's approaches

Small arms control is connected closely and mutually with security sector reform, child soldiers, and DDR. That being the case, while JICA may not be able to provide much direct assistance in the collection and disposal of small arms, even within the existing assistance framework it can help develop the capacity of developing countries to control small arms and can provide assistance for educational opportunities in return for the collection of weapons. We are convinced that there is considerable need for cooperation from JICA in this area.

Chapter 5

Concrete approaches for JICA

The issue of small arms requires a comprehensive approach, combining institutional approaches, field approaches, social approaches, and policy approaches (see Table 6 at the end).

5-3-6 Anti-personnel landmines

Background

Anti-personnel landmines left in place after a conflict or hostile action has ended can continue to be a hazard more than 50 years thereafter, becoming an obstacle to development, hindering the production on agricultural land and impeding the return and resettlement of refugees. With these facts in mind, the March 1997 Tokyo Conference on Anti-personnel Landmines declared the problem of landmines to be "not only a humanitarian issue but also an obstacle to the maintenance of peace and stability and to recovery plans," and stressed the need for the international community to join together in clearing and abolishing landmines.

Basic viewpoints behind JICA's approaches

Cooperation on the anti-personnel landmine issue is in great demand as part of post-conflict reconstruction assistance in many countries. In certain cases the clearance of anti-personnel landmines becomes an issue in the course of providing regular development assistance, but there is almost always an immense need for assistance toward landmine victims, making such assistance extraordinarily significant. When providing assistance, grants and technical cooperation should be effectively utilized, and for cases that cannot be addressed by Japan's assistance scheme, JICA should endeavor to study the possibility of offering financing in cooperation with other donors and funding sources so that a comprehensive program can be implemented for resolving the anti-personnel landmine issue.

Concrete approaches for JICA

To tackle the anti-personnel landmine issue comprehensively, it is very important to combine systemic approaches such as the enactment of laws and ordinances to stem the illegal trade in anti-personnel landmines, field approaches such as mine clearance and assistance for victims, and social and policy approaches that include use of the media to raise awareness in the recipient country as well as discussions of the issue in policy deliberation forums. Of these, we believe cooperation is necessary in the four broad divisions of field approaches given in Table 6 (see end). In addition to such direct assistance, JICA should provide indirect assistance by clearing landmines in targeted regions when implementing projects.

Chapter 6 Common Problems

6-1 Assistance cooperation, cooperation with NGOs

Among those measures that JICA should implement in future that involve cooperation with other donors and NGOs from the perspective of peacebuilding assistance are the structural changes such as the creation of a department overseeing peacebuilding assistance that would coordinate with other donors and permit swift decision-making, and the delegation of authority to the target country or to overseas offices whose area of responsibility encompasses the target country. Tangible cooperation with other donors and NGOs is also imperative; community assistance to refugee affected areas (RAAs) and cooperation in recovery assistance to abandoned refugee camps might be pursued in conjunction with the UNHCR, while information might be exchanged and shared with NGOs, on-site cooperation with them strengthened, and assistance schemes improved with their collaboration. Also thought necessary are improvements to the information collection of not only domestic NGOs but, through overseas offices, those NGOs based in the developed Western countries as well as local NGOs, and cooperation with media, universities, and research institutes.

6-2 Security management and compensation: problems and measures

Concrete approaches

- (1) Improving functions for collecting and analyzing security-related information
 - 1) Assigning "security officers" to local areas in which JICA is engaged in peacebuilding assistance
 - 2) Increasing the number of staff overseeing security measures in countries in which JICA is engaged in peacebuilding assistance, assigning personnel to serve as liaisons on security measures (in countries with no JICA office), and making other needed arrangements
 - 3) Promoting information sharing via IT between the local area and the JICA office in Tokyo or the country in question
 - 4) Acquiring professional know-how and training personnel to improve JICA's ability to analyze security-related information
- (2) Improving risk avoidance measures
 - 1) Conducting basic research, and preparing manuals, covering measures to be implemented by personnel dispatched to areas of high risks
 - 2) Examining the degree of protection provided by organizations whose function is to maintain public order locally (police, military, PKO units, etc.) to personnel being dispatched to high-risk areas, and introducing the necessary security measures

Chapter 6

- 3) Standardizing the specifications of equipment (communication equipment, vehicles, etc.) needed to avoid danger or/and to evacuate, and earmarking the funds needed
- (3) Establishing a compensation system
 - 1) Enacting the budget measures and internal regulations needed to allow peacebuilding assistance personnel to receive the same "special compensation" and additional overseas travel accident insurance given to JDR team personnel
 - 2) Urging the authorities to take the legal steps necessary to incorporate additional measures, similar to those for JDR and PKO operations, into the National Civil Service Accident Compensation Law and the Local Civil Service Accident Compensation Law for peacebuilding assistance operations

6-3 Emphasis on gender

JICA's approach guidelines

Efforts should be made to utilize the basic measures given below for emphasizing gender in all humanitarian emergency relief, post-conflict reconstruction/development assistance, and conflict prevention operations.

- (1) Acquiring a sufficient understanding of the different status and needs of women and men, and of any conditional factors
- (2) Adopting separate approaches to development assistance whenever needs or conditional factors differ between men and women
- (3) Working to achieve not only "equality of opportunity" but also "equality of outcome" between women and men to ensure they benefit equally
- (4) Ensuring that women and men participate equally and independently in all decision-making processes
- (5) Placing an emphasis on gender in the organizations and systems of the aid provider when providing assistance

Concrete approaches for JICA

- (1) Approaches to social issues

Particularly in post-conflict reconstruction/development assistance, measures are needed in such areas as education, vocational training, sexually transmitted diseases, sexual and reproductive health and rights, acceptance in the community, and gender-based role of division.

(2) Approaches to psychological problems

A system should be put in place to offer counseling in all post-conflict reconstruction/development assistance programs. Special care should be taken in certain matters, such as the assignment of female counselors to help women and girls who have been sexually assaulted overcome their trauma.

(3) Approaches to systemic problems

- Furthering the participation of women in peace negotiations
- Providing training and disseminating information on women's rights, on the understanding of violence against women and on measures to deal with such violence, to assistance personnel involved in post-conflict reconstruction assistance
- Urging the government of the country in question to establish laws that guarantee the equal participation of both women and men in politics and elections as well as the women's rights to ownership of land and other property
- Providing assistance in a manner that incorporates all measures needed to protect women and children from sexual violence
- Protecting refugee women and children from violence and taking effective measures to guarantee both men and women an equal access to food and water and to social and health services
- Conducting research, evaluation, and analysis of the gender impact of policies related to peacebuilding prior to deciding and implementing these policies

6-4 Conflict, environment, and poverty

The relationship of conflict to environmental issues

Because environmental issues as a cause of conflicts, are interwound in a complex manner with population increases, poverty, and ethnic strife, cooperation on environmental problems as a cause of conflict should be accompanied by population and family planning, poverty reduction, and cooperation in the area of agriculture.

Cooperation on environmental issues, and even regular assistance in this area, should be improved from the perspective of conflict prevention, especially in living environments where economic development is lagging and in regions with a deteriorating natural environment. When providing refugee relief to countries near a conflict, emphasis must be placed on halting the decline of, and improving, health conditions, restoring forestry resources, and promoting agricultural production to support the conservation and restoration of the living environment of refugees and nearby residents as well as of the natural environment.

The relationship of conflict and poverty

As the entire economy is generally impoverished immediately after the conflict, priority must be placed on restoring basic economic functions, such as rehabilitating destroyed infrastructure, re-establishing financial markets and stock exchanges, and distributing agricultural products. Once these

Chapter 6

functions have been restored and the economy as a whole has become stable, it is very important to provide priority assistance to ethnic groups and residents in low-income areas that lag in development to ease tensions among ethnic groups and among local residents if economic disparities exist among ethnic groups and among regions within the country. To that end, continual dialogue between the government and aid workers, as well as among the government, rivaling ethnic groups and local residents, is necessary.

Figure 1 Reference examples of types of country-programs

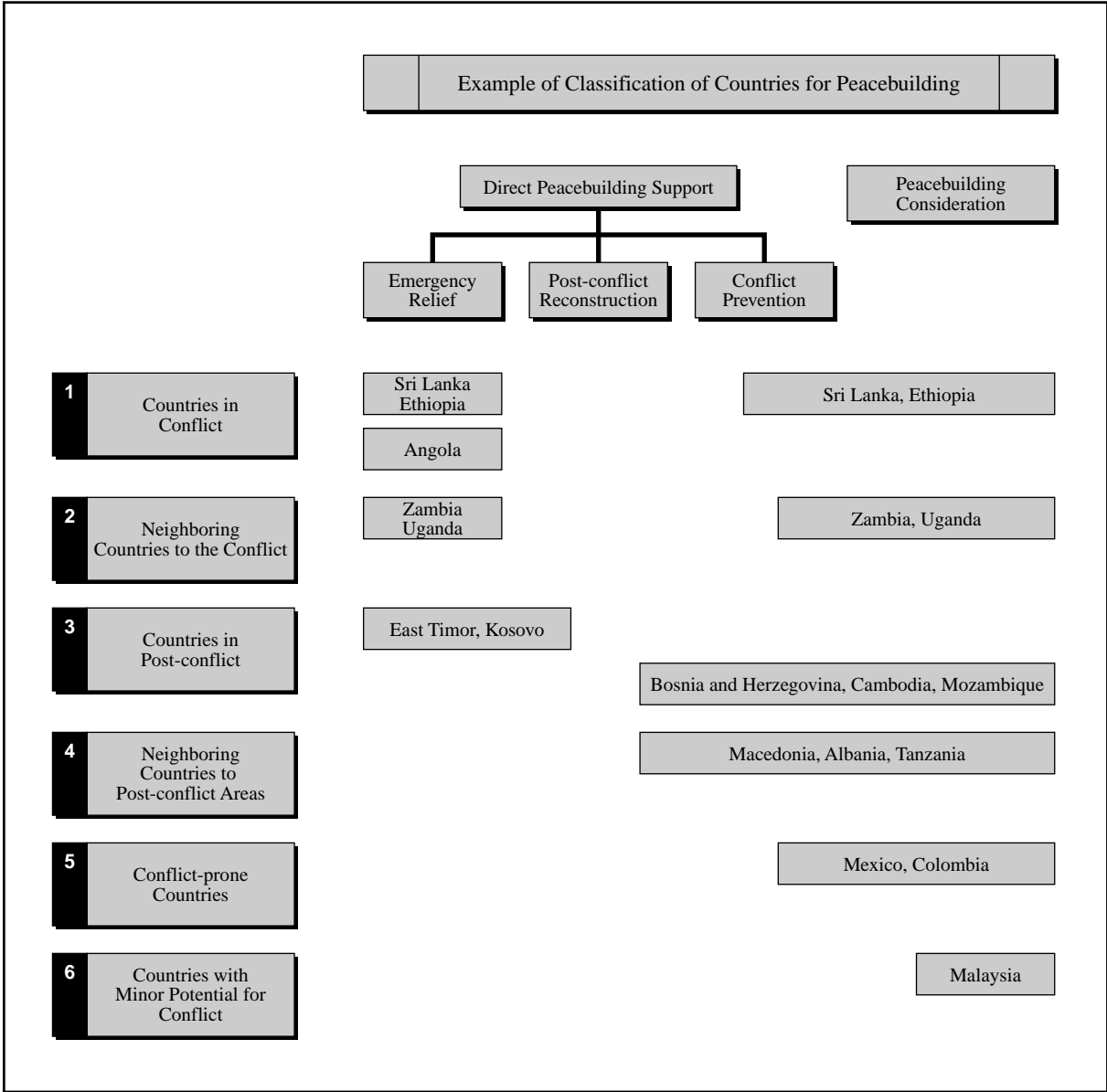


Table 1 Concrete approaches to governance

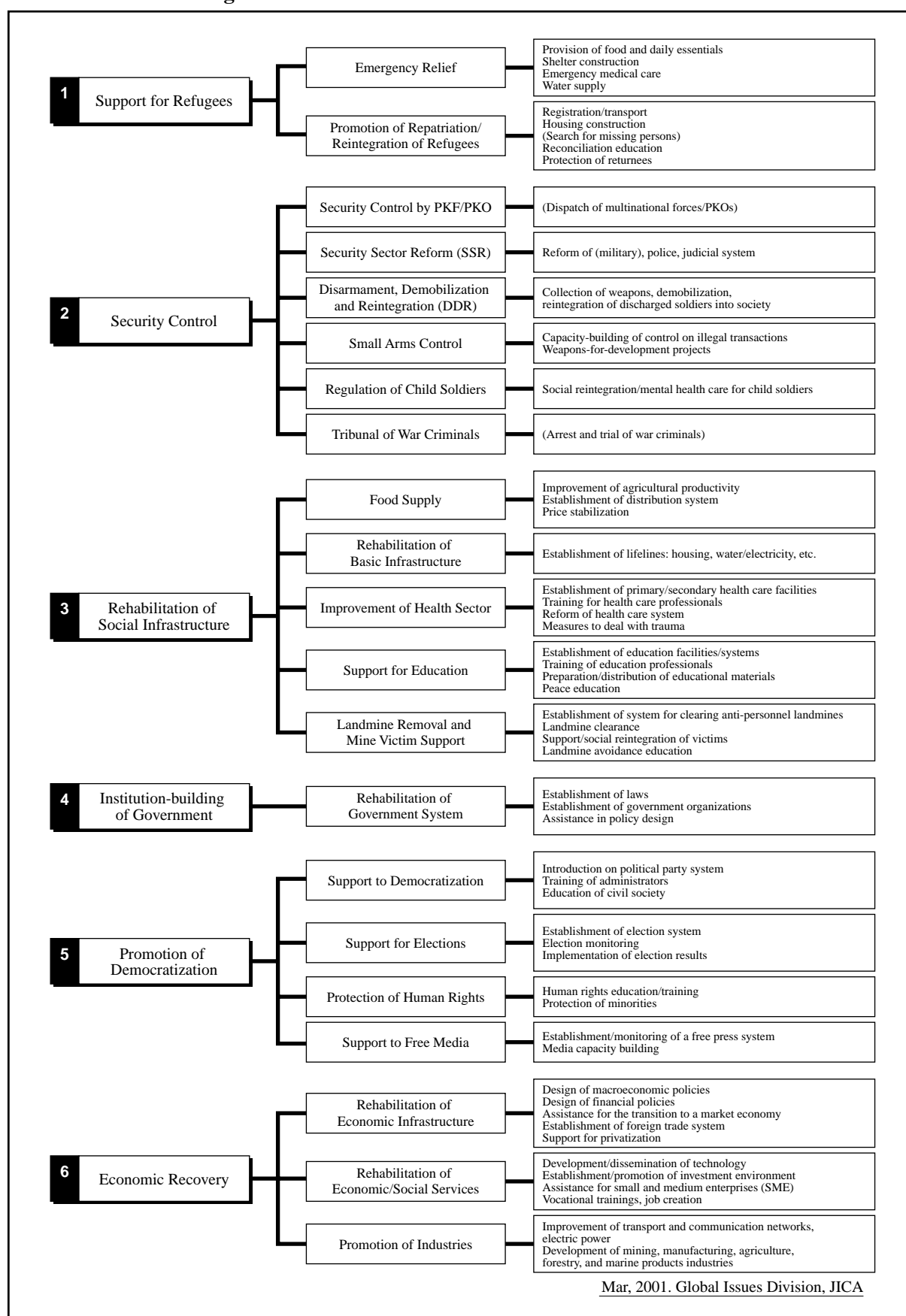
Area	Concrete approaches (examples)
<p>Providing support for the establishment of a democratic political system</p> <p>Enabling the populace to participate in the national government and laying the foundations for the legitimacy of the government</p>	<ul style="list-style-type: none"> • Supporting democratization, with a priority on post-conflict countries and countries in danger of conflict • Supporting democratic elections (providing election equipment/materials and dispatching monitoring personnel, supporting the creation of relevant models for election laws, supporting capacity-building to ensure the independence of election management commissions, etc.) • Offering education on peace and democratization • Supporting the capacity-building and activities of civil groups seeking to promote peace and democratization • Supporting research on peace and democratization • Supporting self-government by local residents at the lowest administrative units
<p>Rule of law</p> <p>Creating independent legislative/judicial systems that are objective and trustworthy</p>	<ul style="list-style-type: none"> • Supporting the establishment of a democratic legal system • Supporting the establishment of a legal system for the peaceful resolution of conflicts • Supporting legal education for the public • Conducting reviews of present laws through specialists • Supporting the development of customary law into lasting and universal laws • Restoring, reconstructing, and equipping legislative assemblies/courts
<p>Public sector administration</p> <p>Improving the accountability, transparency, and management capacities of public sector organizations that supply such basic services as education, health care, and infrastructure, and that are extremely important to the society and the national economy</p>	<ul style="list-style-type: none"> • Supporting the establishment of administrative systems (including police, administrative supervisory organizations, auditing, etc.) • Supporting the smooth promotion of local autonomy • Establishing legal systems governing economic activities • Supporting greater public disclosure of information • Improving procedures in the judiciary, the police, and prisons • Supporting anti-corruption measures (reviewing the civil service management system, supporting the construction/improvement of internal and external audit systems, providing technical assistance in securing and justifying personnel expenses, etc.)
<p>Human rights protection</p> <p>Sharing with developing countries the basic concept of respect for the human rights of all other people, regardless of sex, ethnicity, religion, tribe, or social/economic status</p>	<ul style="list-style-type: none"> • Supporting the capacity-building and activities of civil groups promoting human rights protection and their construction of networks • Supporting research on peace, democratization, and human rights • Conducting human rights education (especially for the police, the judiciary, civil servants, the military, health care professionals, etc.) • Supporting measures to foster the media • Providing assistance to minority ethnic groups • Supporting the creation and management of systems to protect the human rights of children (including child soldiers), women, and victims of conflict
<p>Approaches to other problems</p>	<ul style="list-style-type: none"> • Providing assistance for reducing military personnel • Supporting the creation and management of a system to reintegrate civilian employees of the military into society • Fostering a culture and creating systems to promote ethnic reconciliation and peaceful co-existence (promoting reconciliation programs, establishing autonomous districts, supporting investigations by truth commissions and dialogues on reconciliation, supporting the preparation of educational materials using the media, etc.)

Chapter 6

Table 2 Concrete measures to support elections

Area	Concrete measures (examples)
Establishment of laws/ legal systems/frameworks	<ul style="list-style-type: none"> • Establishing election laws • Establishing a system of political parties • Establishing regulations on election activities, political funding, and illegal acts • Establishing regulations on absentee voting • Selecting and creating an election system • Establishing and training an election oversight commission for each voting district
Establishment of infrastructure for implementing elections	<ul style="list-style-type: none"> • Collecting basic data needed to set up election districts (maps, population censuses, etc.) • Establishing needed infrastructure (especially electricity, communications, and roadways) for counting ballots and promptly reporting election returns • Fostering media capable of objective reporting • Supporting the registration of qualified voters
Logistics assistance for implementing elections	<ul style="list-style-type: none"> • Selecting polling locations and constructing polling stations • Designing and distributing ballots • Providing advice on methods of transporting ballots • Providing equipment/materials needed to count and transport ballots • Producing and distributing ballot boxes • Setting up computer-based election return reporting systems and ballot counting systems • Securing and training polling station personnel • Preparing other necessary equipment/materials as well as such expendable supplies as ink to prevent double voting
Election education	<ul style="list-style-type: none"> • Providing instruction to promote understanding of peace and democratization • Educating qualified voters on the significance of elections, the election system, voting methods, etc. • Educating/training election managers and election supervisors
Election monitoring	<ul style="list-style-type: none"> • Monitoring to ensure proper elections (preventing double balloting, ensuring proper management of ballot forms, etc.) • Exit polling • Supporting the safe transport of ballots • Supporting the counting/monitoring (providing advice on preventing inadvertent revisions, on determining the validity of ballots, etc.) • Supporting prompt reports of election returns
Post-election follow-up	<ul style="list-style-type: none"> • Investigating and coping with election fraud • Monitoring the degree to which the election results are accepted • Monitoring the post-election political situation • Picking out improvements to be made in the election system • Reviewing the costs, time, and labor needed for the election • Providing feedback for the next election

Figure 2 Framework for Post-conflict Reconstruction



Note: Areas in parentheses are those considered difficult for JICA to handle.

Chapter 6

Table 3 Measures to support security sector reform

	Major classification	Intermediate classification	Overview of JICA's concrete support measures
Institutional	Establishment of international frameworks	Establishing international frameworks and systems	
		Regulating arms deals	
	Constructing local security mechanisms		
Field approaches	Promotion of capacity/system building for security institutions	Reforming the military, cutting military expenditures	<ul style="list-style-type: none"> • Constructing a police system • Introducing a koban (police box) system • Training police officers • Improving criminal investigation techniques • Supporting the recruitment of police officers taking into account ethnicity, gender, etc.
		Reforming the police	
		Reforming the judicial/penal systems	
	Strengthening of human rights/democratic governance/legal systems	Assisting in the establishment of laws	• Offering training on the establishment of laws
		Supporting democratization	• Democratization seminars
		Promoting methods of maintaining public order that respect human rights and the legal system	<ul style="list-style-type: none"> • Conducting human rights training for police, judges, and lawyers • Improving access to the legal system and the courts • Providing legal assistance and supporting the victims of human rights violations • Establishing human rights ombudsmen
	Promotion of security management and transparent budgeting	Strengthening management by the public	<ul style="list-style-type: none"> • Training the general public in security-related issues (defense budgets, plans, management; human rights protection; administration of the judiciary, etc.) • Training national legislative assembly personnel • Establishing civilian oversight commission
		Strengthening control of security expenditures	• Improving the fiscal management system
		Reviewing/monitoring security policies	<ul style="list-style-type: none"> • Conducting education for NGOs • Supporting civil society capacity-building for monitoring the security sector
	Social	Understanding of situation and sharing of information	Preparing security sector data
Shaping of international public opinion		Sharing information through the media	• Addressing issues of security sector reform in periodical publications, campaigns, etc.
Policy	Promotion of policy consistency	Mainstreaming security sector reform within development policy	<ul style="list-style-type: none"> • Integrating JICA Country Program and evaluations into security sector reform • Consulting on policy dialogue • Making assistance conditional on system reform, the establishment of laws, and respect for human rights

In addition to the above, the issues of DDR, child soldiers, and small arms control should also be addressed.

Table 4 Comprehensive approaches for DDR

	Contents	Roles of donors
Institutional approaches	Establishment of international frameworks	<ul style="list-style-type: none"> • Support for the enactment of international laws and the construction of relevant systems • Regulation of arms deals
Field approaches	Disarmament	<ul style="list-style-type: none"> • Collection and destruction of weapons (see section on "small arms" for details)
	Demobilization	<ul style="list-style-type: none"> • Registration of soldiers • Establishment/operation of demobilization centers (camps) • Provision of daily essentials to discharged soldiers • Surveys of skills/needs of discharged soldiers in demobilization camps • Return of discharged soldiers from neighboring countries, issue of ID cards • Civilian education for discharged soldiers • Transport to hometown or repatriation point for discharged soldiers
	Social reintegration	<ul style="list-style-type: none"> • Vocational training; vocational training for handicapped persons • Basic education, literacy education, peace education • Provision of basic services to discharged soldiers • Establishment of system for reintegrating discharged soldiers back into society • Job creation, promotion of economic activities, local development • Micro-credit for female-headed households • Provision of long-term medical care and counseling to discharged soldiers that are handicapped • Establishment of veterans' organizations • Education and counseling for former child soldiers • Reintegration activities through churches, women's groups, and other local community organizations
Social approaches	Understanding of situation and sharing of information	<ul style="list-style-type: none"> • Preparation of data on DDR
	Shaping of international public opinion	<ul style="list-style-type: none"> • Sharing of information through the mass media • Addressing of DDR issues in periodical publications, campaigns, etc.
Policy approaches	Promotion of policy consistency	<ul style="list-style-type: none"> • Mainstreaming of DDR in development policy • Addressing of DDR issues in policy dialogues • Provision of assistance conditional on DDR in recipient countries

Shaded portions indicate areas that might be tackled through development assistance.

Chapter 6

Table 5 Measures for resolving the issue of child soldiers

	Contents	Donor roles
Institutional approaches	Establishment of international law, systems, frameworks	<ul style="list-style-type: none"> • Signing/ratification of treaties setting up international criminal courts • Ratification/promotion of relevant international laws
Field approaches	Direct assistance to child soldiers	<ul style="list-style-type: none"> • Local capacity-building to protect children • Disarmament and demobilization of child soldiers • Vocational training and social reintegration of former child soldiers • Trauma therapy • Peace education (for both children and adults) • Primary education/literacy education • Enactment of laws on children in aid recipient countries
Social approaches	Shaping of international public opinion; understanding of situation and sharing of information	<ul style="list-style-type: none"> • Addressing of the issue of child soldiers in periodical publications, campaigns, etc. • Preparation of data on child soldiers • Sharing of information through the mass media
Policy approaches	Policy-based improvements	<ul style="list-style-type: none"> • Addressing of the issue of child soldiers in policy dialogues • Provision of assistance conditional on the signing/ratification of relevant treaties by aid recipient countries

Shaded portions indicate areas that might be tackled through development assistance.

Table 6 Four major approaches for small arms reduction

		Possible Interventions
Institutional approach	Regulation at the regional And international levels	<ul style="list-style-type: none"> • Regulation of illicit small arms transfers • Strengthening of the UN Group of Experts on Small Arms
Field approach	Improvement of the security situation	<ul style="list-style-type: none"> • Security sector reform • DDR • Peace education • Regulation of child soldiers
	Capacity building of developing countries	<ul style="list-style-type: none"> • Strengthening police, customs and border capacity to control illicit transfers • Develop civil society to control illicit transfers
	Weapons collection and disposal	<ul style="list-style-type: none"> • Promotion of "Weapons for Development" Projects • Generation of job opportunities • Collection and disposal of small arms
Social approach	Information sharing	<ul style="list-style-type: none"> • Develop data bases on illicit arms transfers • Strengthening of research on small arms regulation
	Advocacy and awareness raising	<ul style="list-style-type: none"> • Awareness raising through mass media • Promotion of anti-small arms campaigns
Policy approach	Promotion of policy coherence	<ul style="list-style-type: none"> • Promotion of policy dialogue on small arms reduction with recipient governments

Possible areas to be addressed by JICA

Table 7 Proposed cooperation on anti-personnel landmines

Major classification	Minor classification	Nature of cooperation	
		Grants	Technical cooperation
Landmine clearance	Establishment of implementation system	<ul style="list-style-type: none"> • Providing equipment/materials for operating and managing landmine centers • Providing equipment/materials for training mine clearance personnel (Providing operational funding) (Covering insurance costs of mine clearance operations) 	<ul style="list-style-type: none"> • Dispatching advisors to the mine center (Training demining personnel)
	Preparation of mine database	<ul style="list-style-type: none"> • Providing equipment/materials for information management 	<ul style="list-style-type: none"> • Transferring GIS/GPS technology
	Detection, clearance, disposal	<ul style="list-style-type: none"> • Providing equipment/materials for mine detection and clearance <ul style="list-style-type: none"> Mine detectors Protective clothing Lawnmowers • Providing vehicles for transporting landmine clearance personnel • Providing communications equipment • Providing on-site ambulances for mine clearance personnel • Providing mine clearance and shrub removal equipment • Providing mine search equipment • Preparing training facilities for mine detection dogs (Providing mine detection dogs) 	<ul style="list-style-type: none"> • Transferring search technology (Transferring clearance technology) (Transferring disposal technology) • Transferring vehicle maintenance technology (Training mine detection dogs) (Training mine detection dog handlers)
Victim assistance	Preparation of victim maps and other databases	<ul style="list-style-type: none"> • Providing equipment/materials for managing information 	<ul style="list-style-type: none"> • Transferring information management/analysis/processing technology
	Emergency medical care	<ul style="list-style-type: none"> • Providing equipment/materials for emergency medical care <ul style="list-style-type: none"> Emergency medical equipment Ambulances • Communications equipment for transfer of victims • Furnishing emergency hospitals and clinics, providing equipment/materials for medical care 	<ul style="list-style-type: none"> • Transferring emergency medical care technology • Transferring emergency nursing technology
	Surgical operations	<ul style="list-style-type: none"> • Preparing surgical operation facilities, providing equipment/materials • Providing anesthetic equipment/materials 	<ul style="list-style-type: none"> • Transferring surgical and reconstructive surgical technology • Transferring anesthetic technology
	Medical rehabilitation	<ul style="list-style-type: none"> • Preparing rehabilitation facilities • Providing equipment/materials for rehabilitation • Providing vehicles for transporting rehabilitation patients • Preparing facilities for the manufacture of artificial limbs, providing equipment/materials 	<ul style="list-style-type: none"> • Transferring physiotherapy and other rehabilitation technology • Transferring prosthetics manufacturing technology
Social reintegration/vocational training		<ul style="list-style-type: none"> • Preparing vocational training facilities, providing relevant equipment/materials 	<ul style="list-style-type: none"> • Transferring vocational training skills • Transferring skills for the welfare of physically handicapped persons (Mental health care for mentally handicapped persons)
Landmine avoidance/recognition instruction		<ul style="list-style-type: none"> • Preparing education plans on mine avoidance and recognition • Preparing public information posters and radio programs 	<ul style="list-style-type: none"> • Preparing educational materials on mine avoidance and recognition • Providing educational materials on mine avoidance and recognition
Landmine concerns		<ul style="list-style-type: none"> • Planning and implementing projects that take into account the issue of anti-personnel landmines 	

(Note) Areas in parentheses are those areas in which assistance thought to be difficult to implement at present through Japan's bilateral cooperation.