

## FRAGILE STATES GROUP (FSG)

## ROOM DOCUMENT 9

## WORKSTREAM ON SERVICE DELIVERY

## PHASE 3

SYNTHESIS PAPER ON GOOD PRACTICE:  
THE CHALLENGE FOR DONORS*Draft, September 29, 2006*

*This document represents Phase 3 of the work of the Working Group on Service Delivery in Fragile States. It builds upon the background papers for the four workstreams of the Working Group initiative, as well as a range of background studies and other documents. The four specific studies were Rose and Greeley (education); Newbrander (health); McLean and Scheye (security and justice service delivery); Wang, Ibrekk, Hague and Stoveland (water). This study is presented to the 7<sup>th</sup> meeting of the FSG for COMMENT.*

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## EXECUTIVE SUMMARY

***Fragility has a major impact on service delivery. At the same time, programs to improve service delivery systems and outcomes have the potential to help reduce state fragility.***

1. The World Development Report 2004 observes that services in general are failing poor people, in terms of access, quality and outcomes.<sup>1</sup> The failure of services is particularly notable in fragile states; indeed, part of the DAC definition of fragile states is the *inability or unwillingness of a state to deliver services to its people, or to ensure their delivery.*<sup>2</sup> Improving service delivery is at the core of reducing fragility; and, conversely, long-term improvements in service delivery will only occur with changes in the political economy of services.

2. *Donors have recognized that fragility has a major, negative impact on service delivery, reflecting several factors.*<sup>3</sup> These factors include: loss of financing for services; increased social insecurity due to violence; exclusion of disempowered groups; endemic corruption; and the failure or misuse of security and justice systems. In particular, skewed budget allocations that favor particular ethnic or religious groups—along with systematic exclusion of women, minorities, and disabled individuals—undermine the foundations of public service delivery systems.

3. Thus, service delivery systems can be seen as representing fragility at the local level, reflecting political as well as technical inputs and constraints. The broad social patterns of fragility are accordingly “mapped” in the delivery of particular services. Moreover, and importantly, the technical aspects of service delivery provide an entry point for donors to find ways to address political and governance issues as well.

4. There is extensive evidence that programs designed to improve service delivery can also generate significant improvements in governance and, ultimately, some reduction in fragility.<sup>4</sup> Such programs need to be carefully adapted to the specific context, as well as designed with a long-term horizon:

- i) Service delivery support programs must be based on sound political and economic analysis of contexts – including conflict analysis<sup>5</sup> – addressing the broad political context and the overall public sector as well as the specific service sector. In general,

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<sup>1</sup> World Bank (2003a).

<sup>2</sup> OECD (2005).

<sup>3</sup> EFA/FTI (2006); High Level Forum (2005).

<sup>4</sup> Carlson et. al. (2005); Manor (2005).

<sup>5</sup> Social Development Department (2006); Africa Peace Forum et. al. (2004); Richards et. al. (2005).

donors should avoid the imposition of vertical programs that tend to set external goals without adequate regard to context.<sup>6</sup>

- ii) Programs must be reviewed in terms of tradeoffs, priorities and sequencing, in particular balancing short-term objectives with longer-term opportunities and risks. *The long-term perspective must rest, again, on an analysis of the economic, social, political, and service delivery dynamics in the particular fragile context.*<sup>7</sup>
- iii) Programs and policies will, accordingly, require a *longer time frame*. Flexible long-term planning (*not* a long-term plan) should include ways to link further improvements in services with demonstrated improvements in governance.

5. The linkages between fragility and services (notably around relationships of accountability) create the opportunity for *donors to address both service delivery and governance through integrated or linked approaches*.

***The various fragile states frameworks<sup>8</sup> that have been developed over the past few years share a common emphasis on the central importance of context.***

6. *Fragile state contexts are dynamic, not static; donors need to continually monitor and adapt their policies and approaches.* Fragile states can be categorized as improving or deteriorating, or at a transition point, and it may be difficult on the ground to analyze the rate or direction of change.

7. This paper focuses broadly on three distinct types of fragility situations:

- *Improving contexts* may reflect governance reforms or post-conflict opportunities.
- *Deteriorating contexts* may reflect bad governance, increased conflict, or government indifference.
- *Violent conflict* may require particular attention from donors and non-state actors.

8. *Deteriorating contexts* entail especially difficult challenges, when the failure or perhaps the hostility of the state works against basic services. In some cases, human rights sanctions may create an isolated or ‘pariah’ state. Donors can seek to reverse deteriorating conditions, but in some cases their only option may be to provide short-term humanitarian assistance. In contexts where it is not feasible to work with government agencies, donors may make use of multi-sectoral funds, distributed through local community mechanisms. *In deteriorating contexts, it is particularly important for donors to coordinate humanitarian, development, and security planning.*

- Contracts with front-line service providers will need to address capacity and sustainability issues from a development perspective.
- Donors may need to provide consistent (longer-term) financing to develop sustainable systems.

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<sup>6</sup> Carlson et. al. (2004); Caines and Buse (2004); Caines (2005).

<sup>7</sup> Cliffe and Luckham (2000; Ghani, Lockhart and Carnahan (2005); Hyden (2000).

<sup>8</sup> OECD (2005); DFID (2005); USAID (2005).

- Donors need to be wary of putting in place short-term service delivery systems that cannot be maintained over the longer term.

9. In *violent contexts*, donors need to work with humanitarian operations to establish potential links to transition points, as well as to address issues of social cohesion. Donors will need to negotiate the possible tensions between humanitarian and human rights goals, or between humanitarian service delivery and long-term development assistance, with a careful view to identifying opportunities and priorities for post-crisis transition. Donors can build greater engagement with organizations that have brought together conflict, humanitarian and development experiences in their work.<sup>9</sup>

10. In *improving contexts*, donors can invest in transition planning, in ways that build from existing service delivery arrangements to wider and deeper reforms in both services and governance. This requires careful attention to sequencing: in a specific set of circumstances, what order of programs and what priorities are appropriate? Decisions on sequencing programs must take into account the benefits and costs of alternative service delivery mechanisms. Decisions on tradeoffs may require reviewing short-term objectives (i.e., MDGs or stability?); accordingly, donors may need to develop revised approaches to measuring results.

11. In a *transition context*, donors need to consider how to plan a shift between primary aid systems or sets of aid modalities—for example, from humanitarian systems to development modalities—with awareness of the implications for aid mechanisms and for relations with the national government.<sup>10</sup> They may need to design specialized *transition mechanisms*, to avoid rushed or forced outcomes. In particular, the donor community needs to give serious consideration to the impact of humanitarian standards (as enunciated in the Sphere Charter) on the transition to development assistance and state provision of services.

12. In general, there are no quick fixes or “short cuts to progress.” Donors need to be shielded from internal political demands to achieve a fast turnaround.

***More research is needed regarding the opportunities and pitfalls entailed in service delivery programming in fragile states.***

13. Some of the lessons to be drawn from the fragile states “workstream” on service delivery<sup>11</sup> point to a range of opportunities for helping to improve governance, strengthen public sector institutions, and reduce conflict.

- In particular, work in security and justice service delivery has been shown as both possible and necessary, even in exceptionally difficult circumstances.<sup>12</sup>
- As some fragile state governments lack legitimacy or workable accountability (“long route”) mechanisms, donors can support various community level approaches linked to civic capacity building.

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<sup>9</sup> Examples include: UN Peacebuilding Commission; International Crisis Group; Centre for Humanitarian Dialogue; International Alert.

<sup>10</sup> Pavignani and Colombo (2001); Rose and Greeley (2006); Laurence and Poole (2005).

<sup>11</sup> Phase 2, Fragile States Working Group workstream on service delivery

<sup>12</sup> Scheye and McLean (2006); Maguire (2005)

14. *A central question in any given case is whether the government can function as a partner* – with donors, with Non-State Providers<sup>13</sup> (NSPs) and with their own civic organizations.

- If government entities can serve as a partner, donors should focus on *alignment*, i.e., designing aid systems and processes in ways that parallel, and can be linked with, existing or emergent government systems.
- If the government cannot be a partner, donors should create an external service delivery “*cabinet*” to provide a co-ordination mechanism, both by sector and for overall service arrangements, meanwhile encouraging continuing contextual assessment for institution-building.

15. *Donors need to address issues of political and service exclusion*, within the contexts and constraints of each setting. The current fragile states literature is weak on the spatial dimension of services and politics—urban, peri-urban, small city, or rural—as well as on the broad gender implications of fragility. Further work needs to be done on how donors can address urban/peri-urban/rural service dynamics, as well as such complex factors as gender, ethnicity, and religion, and their relations to both services and political processes.

16. *There is significant, but still preliminary, evidence of the social cohesion and peacebuilding potential* of such service-delivery programs as community water initiatives and the re-establishment of schools.<sup>14</sup> In contexts of violence, as well as in countries emerging from conflict, donors might give priority to service arrangements that promote conflict reduction and establish essential security and justice mechanisms. The potential for improved cohesion and stabilizing impacts will not be equal across sectors or within sectors; with limited resources, donors may choose to promote approaches that emphasize cohesion outcomes in preference to impacting human development or MDG indicators.

17. *Donors need to give more attention to the challenges of working with diverse providers*. A central fact of fragile states is that the majority of services are delivered by various types of Non-State Provider; donors therefore need a more substantial base of information on overall NSP contracting and, especially, how NSPs can fit in to longer-term state-building approaches, avoiding a sharp and often false dichotomy between state roles (regulating, policy making, financing, as well as provision) and non-state roles.

18. *The choice of service delivery mechanisms, and of providers, is a key decision point for donors*. Particularly in rebuilding service delivery, investing in long-term technical capacity may compete with various political imperatives. The use of NSPs needs to be carefully considered, assisted by tools for mapping service arrangements well as indicators designed for rapid assessment of services.<sup>15</sup>

19. *More consistent attention needs to be focused on evaluation, lessons learned, and sharing of information*. As donors innovate funding mechanisms, they need to be able to track how their contracts are performing and how sectoral initiatives are spreading. Multi-agency

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<sup>13</sup> Non-State Providers includes large and small private organizations, individual private providers, international Non-Governmental Organizations, smaller national or local NGOs, Faith Based Organizations, and community associations. See IDD/U. Birmingham (2005) and Batley (2006)

<sup>14</sup> Wang, et. al. (2006); FTI (2006); Wartorn Societies Project (1993).

<sup>15</sup> DFID (2006); Harvey (1998); Cliffe and Luckham (2000).

information-sharing programs are needed to share lessons from fragile states with donors, governments, and providers.

20. *Donors must recognize the centrality of the security and justice sector to normalcy and reduction of fragility.* A special challenge, in this context, is to find ways to engage with multiple providers, which may include ‘traditional’ groups and particular sources of law (Koran, Bible, local belief systems). Another challenge is addressing the complex roles of violent opposition movements, which may provide public services as a route to establishing their own political legitimacy, and which may be part of a peace settlement. Finally, in conflict or post-conflict situations, a focus on second-chance opportunities for young people<sup>16</sup> may influence the design and sequencing of programs.

21. Further work needs to be done on enhancing the accountability of both donors and service providers to citizens in fragile states. Where feasible, new forums may be an avenue for citizen groups to promote transparency and information exchange as a step toward accountability.

22. A key lesson to be drawn from the work accomplished so far is that, even in exceptionally difficult circumstances, there are potential opportunities and levers for change.

***In order to improve aid effectiveness, donors need to deepen their commitment to mutual coordination and policy coherence.***

23. In fragile states, donors need to be more coherent in several areas: in the ways they fund service delivery, on potential connections between provision and state building, in the decisions on how to partner with government entities and when and how to contract with NSPs<sup>17</sup>. Donor agencies need to be more coherent specifically about the ways in which they fund both non-state actors and governments, based on country strategies, and about requiring non-state programs to demonstrate their contribution to state-building. Donors also need to develop and coordinate country-specific transition strategies, including contracting services and integrating service delivery into broader national poverty reduction and service strategies.

24. *Improving donor harmonization has been identified consistently as a priority*, in both general aid assessments and reviews of fragile states experiences. Fragile states provide an opportunity for deepening joint analysis and approaches with regard to context assessments, coordination of humanitarian actions, and the development of “light but firm” indicators. At a larger scale than for individual countries, donors need to commit themselves over the long-term to an **ongoing work and research program on services in fragile states**. Such a work program would:

- Develop guidelines on good practice, building upon previous sectoral research.
- Organize meetings to bring together fragile state governments (where appropriate) with international Non-State Providers, local civic organizations, and peacebuilding organizations, and humanitarian agencies.
- Address issues of capacity–building.
- Provide new forum for exchange of experiences.

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<sup>16</sup> World Bank (2006).

<sup>17</sup> Leader and Colenso (2005)

- Link with *Turn around lessons*<sup>18</sup> documenting how donors and providers have gained traction for improved governance and services. Even in exceptionally difficult circumstances, there are potential opportunities and levers for change.

***Donors should invest further in candid assessments, seeking both internal and external critiques of donor policies, aid modalities, and service delivery roles.***

25. Several themes emerge consistently in the context of fragile states experience:

- Fragile states are not static: the flexibility to adapt to changing circumstances needs to be built into program design—a consistent weak point of donor agencies.
- Donor practices emphasize the internal design of programs and projects, tending to over-engineer the endogenous factors while paying too little attention to external factors which may be decisive.
- There is an organizational overemphasis, within donor agencies, on uniform standards of good technical design, and a reluctance on the part of staff and leadership to address political factors.
- Without a clear focus on the importance of political context, the lessons from recent experience and the insights from the fragile states workstreams will not become adequately integrated into donor practice.

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<sup>18</sup>

Manor, et. al. (2005)

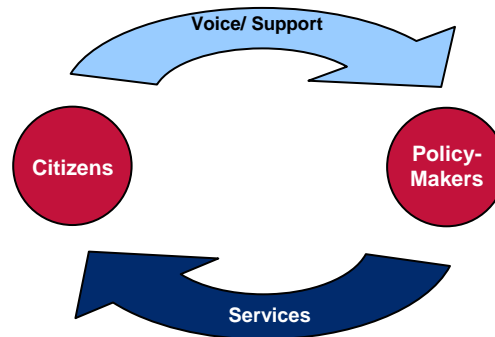
**FRAGILE STATES GROUP**  
**WORKSTREAM ON SERVICE DELIVERY**

*Phase 3*  
**Synthesis Paper on Good Practice:  
The Challenge for Donors**

**1. Introduction**

1. In every society, the delivery of services stands at the heart of the social contract: political leaders provide services as a means of generating and maintaining support from citizens, while citizens condition their support of the political leadership based on their satisfaction with the services provided to them—including, notably, security and justice, water and sanitation, education, and health care. When services are provided effectively it is because there is both engagement and accountability between citizens and their leaders. Citizens have a way of voicing their desires about the types of services provides and their quality; political leaders have an incentive to listen to those demands as well as the ability to ensure that services are provided in line with their policies. Figure 1 gives a schematic representation of this basic accountability relationship.

**Figure 1. Basic Accountability Relationship**



Source: Adapted from World Bank. *World Development Report 2004: Making Services Work for Poor People* (see Figure 2 below).

**1.1. Accountability in fragile states**

2. In fragile states, the basic accountability relationships are weak, if not broken. Prevailing political arrangements or social patterns may prevent some—or all—citizens from being able to express their desires about which services they most need (“voice,” in Figure 1). For example, policies of exclusion, pervasive corruption, or other preoccupations may deafen political leaders to citizen voices and strengthen the incentives to provide services only as political rewards, if at all. Similarly, a lack of administrative capacity or financial resources may undermine the ability of policymakers to make sure quality services are indeed delivered (“compact”). Some or all of these factors may prevail. The net result is that vital services are provided poorly, unevenly, or not at all—which, in turn, further frays the social contract, possibly to the point that violence erupts.

3. Fragility affects services both directly, by disrupting service delivery systems, and indirectly, by undermining the effectiveness of both public and non-state agencies. Conversely, when service delivery improves, there may be an important dividend in enhanced public confidence. Well-designed sectoral assistance programs may in some cases reduce patterns of fragility, by strengthening the legitimacy and effectiveness of government institutions.

### ***1.2. The Fragile States workstreams***

4. This paper builds upon the work of two previous Phases undertaken by the Service Delivery workstream in the Fragile States process, which included both four sectoral papers and a large number of background resources as well. The four areas—security and justice, education, health, and water and sanitation—were selected as illustrative of a wider set of issues, and are not the only areas of concern in the service delivery sector. The Annex gives a detailed account of sectoral experience in service delivery in fragile states, and their implications for reducing fragility.

5. Over the past few years, donors have sought to develop clearer and more coherent policies for working in fragile states. This work has led to the development of principles<sup>19</sup> for donor engagement and to several workstreams<sup>20</sup> that have sought to provide guidance for donor decision-making and practices. The workstream on service delivery has sought to develop guidance for how donors can best improve services, in different types of fragile states.

6. The issues raised in this paper reflect the efforts of a number of donors, who have engaged across departments and sectors to bring together both previous experiences and new ideas on service delivery in fragile states. The workstream on services in fragile states has been supported through commissioned research and through internal assessments by donor agencies. The sectoral workstreams have benefited from the leadership and ownership of donor agencies, as well as both background research and consultation with partner agencies.

7. This paper thus builds upon both the service delivery workstream and the fragile states framework for donors and provides specific recommendations based upon different contexts. The paper is intended to serve as policy guidance for improving service delivery in fragile states. It seeks to provide practical ideas for policy makers on how to approach rebuilding services in different types of fragile states.<sup>21</sup>

8. While the audience for this paper is drawn primarily from the donor community, the foundations for reducing fragility are in the fragile states themselves. It is among the citizens and civic organizations, as well as with those public officials committed to accountable and effective government, that the primary tasks for service delivery reside. The linkages between service delivery and reduction in fragility should be built around potential ways to strengthen citizen voice and public sector accountability.

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<sup>19</sup> See: “Principles for Good International Engagement in Fragile States,” OECD/DAC (2005).

<sup>20</sup> Areas include: Whole of Government; Resource Flows to Fragile States.

<sup>21</sup> The Annex presents more specific details for each sector that can provide further guidance for practical decision-making.

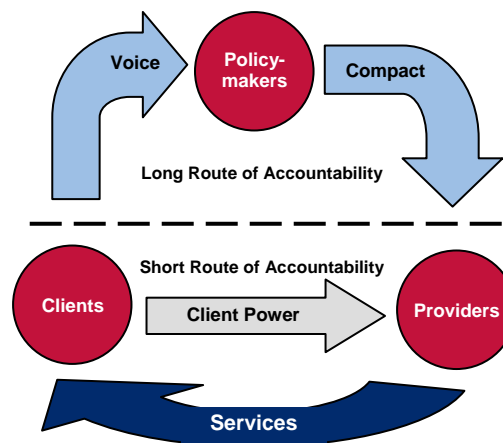
## 2. Service Delivery in Fragile Contexts

9. Service delivery—or its lack—lies at the core of what makes fragile states fragile. That is to say, the simple relationship of public accountability presented in Figure 1 has been disrupted, to a greater or lesser extent:

- Policy-makers may lack the resources or the interest, or both, to provide public services to citizens.
- External challenges may make service delivery difficult or impossible, by traditional means.

10. Of course, service delivery is a more complex picture than the simple exchange relationship diagrammed in Figure 1. In general, service delivery entails a triangular relationship involving *policy-makers*, citizens (or *clients*), and service *providers*, as shown in Figure 2. Essentially, policy-makers respond to citizen “voice” in contracting with public service providers; providers are also directly influenced by citizen—or client—feedback, termed “client power.”

**Figure 2. Accountability Triangle**



Source: World Bank. World Development Report 2004: Making Services Work for Poor People.

11. These client-power relationships function as a “short route of accountability” that complements the conventional line of accountability between citizens and government (as the coordinator of service providers), termed the “long route of accountability.” Such client-power arrangements might include, for example, PTA funding for school activities, community-managed water systems, or community-based security patrols. In a non-fragile country, such alternative accountability channels normally take a back seat to “long route” public accountability mechanisms—i.e., clients’ political influence on the contractual relationship between service providers and government.

12. In fragile contexts, however, beleaguered or disengaged policy-makers may be unable or unwilling to serve the necessary coordinating and monitoring function vis-à-vis service providers. Donors may therefore decide to provide technical assistance for services by working directly with service providers (whether government or non-government workers). The accountability triangle now becomes even more complex. Each stakeholder group—clients, providers, and policy-makers—is an unusually diverse entity:

- **Clients** may include *non-citizen* populations of displaced persons, as well as *disempowered* populations (based on ethnic, gender, or geographic divisions).
- **Providers** may include a variety of *non-state providers* (NSPs): local and international NGOs, religious organizations, community organizations.
- **Policy-makers**, from a functional perspective, may be understood to include the representatives of *donor governments and organizations*, to the extent that they are directly funding non-state service providers.

### **2.1. *Accountability: the essential tradeoff***

13. When donors choose to work directly with non-state providers of public service, they are making a policy determination that impacts not only the particular service sector but also the larger relations of governance and accountability.

14. The most important decision facing the donor community in fragile contexts is the decision regarding *whether and to what extent government can serve as a partner* in delivering urgently needed services. Any alternative approach to service delivery must be carefully designed for the specific political-economic context. A critical determination is whether the government primarily lacks the *capacity* for adequate delivery of services, or whether there is also a lack of *will* to fulfill this obligation for the entire client population.

15. Where difficult conditions have impacted the effectiveness or the legitimacy of government (a shorthand definition of the fragile state), the long route of accountability becomes inadequate for effective service delivery. This situation presents donors with a difficult tradeoff. From a technical viewpoint, there may be effective non-state providers and partners who can be contracted to deliver needed services. But donors cannot afford to move carelessly in the direction of increasing non-state provision, without full cognizance of the potential effects of this choice:

- Loss of the opportunity to strengthen government capacity.
- Displacing existing government providers.
- Lowering client expectations vis-à-vis government—that is, diminishing the demand for good governance.

16. The shift from government to NSP services thus inevitably creates conditions of “path dependence”: the shift back to government responsibilities for oversight, regulation, financing, policies or provision of services will be all the more difficult, in view of these new expectations and patterns.

### **2.2. *Mutual Impacts***

17. The intimate connection between service delivery and a well-functioning political structure means that there will be profound impacts of fragility on service delivery—and also important impacts of services on fragility.

18. For a host of reasons, fragility impedes service delivery in every sector, with critical consequences for human development. Broad populations are pushed deep into poverty, with severe impacts on health and mortality.

19. In particular, the failure of security and justice systems has profound impacts, both directly by affecting public safety, and indirectly, by obstructing the delivery of other essential services. In violent contexts, resources for services may be captured by rival elements of civil society, becoming hostage to increased violence, intimidation, and exclusion.

20. Security also has strong links to the other sectors: education through the establishment of schools as safe spaces, with water and sanitation through reducing conflict over access to water, and to health where mortality and morbidity rates are profoundly affected by violent conflict and insecurity.<sup>22</sup>

21. The close involvement of services in fragility also, however, creates opportunities. Precisely because distressed public services are diagnostic of state fragility, successful efforts to support service delivery can have far-reaching impact on fragility dynamics, beyond the particular sector. Most important, service delivery support can provide an entry point for well-designed efforts to improve accountability. Working at the local level, for example, donors can build accountability into service provision mechanisms, which should ultimately offer the potential for linking to national-level mechanisms.

22. The great danger is that donors may lose sight of the larger picture—the accountability tradeoff, described above—and approach fragile state programming as a purely technical challenge. Similarly, humanitarian objectives may be given precedence over governance concerns, understandably, even though improved governance might have the most significant impact on every human development indicator. Short-term program policies can have long-term effects, if they tend to close off desirable alternatives (the path dependence effect).

**Box 1. A Short-sighted Technical**

Agricultural extension work in Guinea was desperately needed to improve the livelihoods of the rural population. In approaching the task as simply a technical challenge, however, the donor made the choice to bring in an international team of extension workers—and so missed the opportunity to build capacity within the agricultural community.

**2.3. Analyzing context**

23. There is no single approach for designing service delivery programming to address fragility and its consequences. Analysts have suggested a variety of typologies and definitions, in the attempt to provide guidance tailored to specific contexts and patterns of fragility, but without definitive success. Program design must begin with a careful analysis of the particular context—its drivers, symptoms, and dynamics—in order to discern specific programming opportunities and risks.

24. The initial task in planning service delivery programs is thus an informed analysis of the situation on the ground, including the nature of existing stakeholders and the dynamics of each service sector, as well as the overall country situation and—most difficult, perhaps—the likely direction of change.

25. The historic factors underlying fragility provide the essential background for understanding current governance issues and deeper causal factors, and to assess current capacity

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<sup>22</sup> Waldman (2006a).

and potential entry points for donors.<sup>23</sup> A careful understanding of context can help donors to identify the likeliest areas for gaining traction, in contributing to various “drivers of change.”<sup>24</sup>

26. Accessible and usable information systems and indicators are vital for donors assessing and designing flexible programs by context. They can help donors avoid project and sectoral path dependence by identifying emerging problems and issues. Many common indicators, however, are too long-term for use in fragile states’ contexts. Similarly, information on service delivery arrangements is essential for donor planning, policy choices and results assessments. At the same time, donors should be careful to avoid the “tyranny of outcome indicators,” if these result in missing some of the key dynamics and realities in a fragile state.

### 2.3.1. *Stakeholders*

27. It is essential, in any context analysis, to disaggregate the **key stakeholders** in terms of their interests and incentives.

28. *Diverse populations of citizens* will have disparate interests due to gender, ethnic identity, poverty, and power relations, as well as the particular nature of the service involved. In addition (particularly in fragile contexts), there may be non-citizen populations, such as refugees and displaced persons, whose need for services must be addressed. For that reason, this aggregate group of stakeholders can be termed “clients.”

29. *Policymakers* will also be diverse. They include politicians as well as senior members of the civil service, and members of the legislative branch as well as the executive. They include leaders at both the local and the national level. Among the politicians, some may be drawn from opposing political groups; they may be closer to or more distant from the power center; or they may have different bases of political support. Donor policies and international opinion may also be critical elements in policy determination, finance and provision systems.

30. *Service providers* encompass a broad range of potential actors. In cases of direct government provision, providers would include the front-line members of government services—teachers, police officers, prosecutors, nurses, and community health workers. Services may also be delivered by “non-state providers” (NSPs) that may include local communities, local or international NGOs, private businesses, religious organizations or political movements. Providers, even those that are government employees, are likely to have a different set of incentives and priorities than those in policymaking roles.

### 2.3.2. *Sector characteristics*

31. Service delivery models need to be adapted to sector dynamics, as well as to the specific context and direction of fragility. The specific sectors have distinct characteristics that shape both the nature of the service and the ways in which fragility impacts the services—characteristics which must be taken into account in shaping sectoral policies and programs. The Fragile States Group has focused on four basic service sectors: security and justice; health; education; and water and sanitation. These are discussed in some detail in the Annex, and are briefly outlined here.

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<sup>23</sup> World Bank (2002); Macrae et al. (2004).

<sup>24</sup> DFID (2003).

32. *Security and justice* are central issues for poor people everywhere: without functioning systems, they are vulnerable to various forms of predation, violence and loss of assets. The cost of failure in this sector can amount to up to 25% of GDP lost due to insecurity. While security and justice are central responsibilities of the state, in practice, there may be a diverse and extensive array of non-state actors.<sup>25</sup>

### Box 2. Who and For Whom

The provision of justice and security is based upon historical legacies, cultural value systems, political calculations and intricate balances of power. What is central in fragile states, however, is being vigilant to the twinned issues:

- 'Who' actually provides justice and security, where, when, and how.
  - 'For whom' justice and security are being provided.
- (Excerpt: Scheye and McLean 2006.)

33. The *health sector* has high transaction costs, with infrequent interface with clients; accordingly, especially in deteriorating contexts, basic health services in many cases are provided through community initiatives. It is difficult to determine which, if any, vertical programs will have impact, and outside interventions must be especially sensitive to context.<sup>26</sup>

34. *Education* has unique relevance, among the service sectors, for issues of national and cultural identity, which may be extremely contentious in situations of overt conflict. On the other hand, educational services can provide important normative bases, encouraging a sense of normalcy and social stability in fragile contexts.

35. Fragile contexts pose special challenges for education development policy.

- Educational attainment is related to long-term outcomes, rather than short-term indicators.
- Programs for out-of-school youth may take priority over conventional educational improvement goals.
- Identifying appropriate partners (e.g., community and religious organizations, or sub-national government) requires careful attention to longer-term institutional implications.<sup>27</sup>

36. *Water* is essential for survival, and will always be in high demand both as a good and a service. One starting point for donors and providers is to explore the existing water systems. Who currently delivers water? How is the water market structured? Even where utilities do not provide adequate services, poor households manage to find a water source or supplier: there may be supply mechanisms that have adapted to meet demand, often outside the public sector or publicly owned utility.

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<sup>25</sup> Scheye and McLean (2006).

<sup>26</sup> High Level Forum (2005).

<sup>27</sup> Rose and Greeley (2006).

37. Water scarcity creates community access and resource management issues. Because water resources are geographically situated, there will be linkages with land tenure and access rights that highlight the importance of public sector stewardship and oversight. The need for coherent water management policies may create a range of potential entry points in fragile contexts.<sup>28</sup>

#### **2.4. Contexts and Transitions**

38. Three diagnostic issues will be critical in the task of analyzing context.

##### **A. Can the government participate fully as a partner in service delivery efforts?**

*Yes.* If the government has even minimal capacity to serve as a development partner, well-designed service delivery programs can contribute, very importantly, toward the broader objective of improving the legitimacy of a government that the donor community is willing to support.

*No.* If the government is unwilling, or decisively unable, to work with donors to achieve humanitarian or development objectives, donors have two second-best options:

- (a) Particular agencies or regions may present partnering opportunities, allowing donors to focus on “*islands of dependability*”—with the aim of extending programs as circumstances permit.
- (b) Programs can be instituted at the local level, by establishing or strengthening *community-based organizations* as partners. Again, the ultimate aim is to link such efforts to a national-level format, with government participation.

##### **B. Identify the direction of change: is the situation *improving or deteriorating*?**

Assessing the direction of change can be difficult, especially where there may be disparate impacts of fragility on different sectors or regions. This determination is nevertheless basic to any systemic approach to service delivery assistance, as demonstrated in the recommendations of Section 3.

##### **C. What is the current level of violent conflict or instability?<sup>29</sup>**

In a situation of ongoing violence, or critical instability, donor activity must be limited to forms of humanitarian relief. Engagement with government partners and improvements in governance must remain wish-list items in such contexts.

In a country that is emerging from conflict, there are opportunities for a more holistic, long-term approach to service delivery. It is essential to rethink service delivery support as conditions permit, to bring it centrally into overall assistance programming and policy for the recovering country.

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<sup>28</sup> Wang et al. (2006).

<sup>29</sup> Cliffe and Luckham (2000); Social Development Department (2006); Africa Peace Forum et al. (2004); Richards et al. (2005).

39. Donors need to consider that just as the country is undergoing profound transitions—into fragility and into recovery—the donor’s role also undergoes correspondingly dramatic transitions. In the fragile context, as noted in studies on fragile state experiences, the donor takes on a very direct policy-making role: contracting, coordinating, and monitoring service providers, and structuring client-power accountability mechanisms. Where the provision of emergency and humanitarian relief is concerned, the donor community might even be thought of as a “shadow government” vis-à-vis the client population, which raises important issues for further consideration regarding the accountability of donors to the client population in fragile states.

40. An overarching challenge to donors, then, is to manage the transitions in their own role, so that (for example) they plan an “exit strategy” to relinquish the direct policy-making role, substituting long-term support for government actors and agencies as they reclaim—and grow into—their rightful policy-making functions.

### **3. Improving Practice: Addressing Policy Dilemmas**

41. Fragile states pose a number of policy dilemmas that force donors to make significant tradeoffs. There are no single, consistent, “right” answers to these tradeoffs. What can be offered as guidance is an assessment of the nature of different tradeoffs facing donors. In addition to the points below, the sectoral syntheses set out in the Annex (as well as the rich collection of sectoral papers referenced there) provide further guidance in more detail for country-focused decisions.

42. Policy tradeoffs involve choosing between different options that cannot be accomplished at the same time (or not with equal emphasis). Tradeoffs may arise at the level of the country, the district, or even the household. Tradeoffs may have a specific time frame: they may emerge in the short term but evolve over the longer term. The overarching judgment to be made relates to the key tradeoff discussed in section 2: the opportunity to develop government capacity<sup>30</sup> and accountability, even at the cost of some sacrifice in efficient service delivery. In this section, the tradeoff dilemma is discussed in greater detail.

#### **3.1. Technical capacity and political imperatives**

43. As donors assist in rebuilding service delivery, they are faced with a tradeoff between investing in (long-term) technical capacity and addressing (equally long-term) political imperatives.

44. Given the vast gap between basic needs, or MDG goals, and the existing levels of services, donors face understandable pressures to quickly allocate resources for delivery programs, as opposed to building capacity (whether through local NSPs or the public sector). And, given their commitment to financial accountability, donors may have difficulty aligning with government agencies as partners—however desirable such coordination might be, both for long-term capacity-building and to impact fragility itself.

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<sup>30</sup> OECD (2006).

### Box 3. Competing priorities in education assistance

With limited time and resources, donors must choose between focusing on the MDG goals in education and addressing the needs of *out-of-school youth*. Similar tradeoffs exist between promoting learning focused on MDG education outcomes, and encouraging processes in education systems that focus on *normalcy and social cohesion*. (FTI 2006.)

Assistance priorities and opportunities will depend on the current context and phase of fragility. A particular second-order objective may be emphasized, depending on context and working within different institutional frameworks:

- Education as *prevention* might be an appropriate focus where a country is in danger of deteriorating, or is in arrested development.
- Education as *protection* might be necessary during times of conflict/deterioration.
- Education for *peace-building*, and to provide psychological support, will be particularly important in early recovery/post-conflict phases

#### 3.1.1. Monitoring and Evaluation

45. Quality work in M&E can have a significant demonstration effect on both service providers and civic organizations. Information sharing is essential for accountability, as well as for guiding both donors and providers in their activities. M&E work is not a technical matter only: assessors noted that, in Afghanistan, while benchmarking was useful in identifying strengths and weaknesses, it could not dig deeper to discover the organizational and political factors that prevented better service delivery. In applying M&E approaches, donors and governments must be willing to expose problems in a timely and candid manner.

46. A related challenge is to design mechanisms for promoting change based on M&E information, where there is a weak government or a government uninterested in improving services. These are delicate matters: information that points to corruption or political failures can undermine new political leadership, and give encouragement to vested interests that are threatened by improved governance and services.

47. Donors and civic organizations can seek to promote new norms in service provision by utilizing the results of M&E in structured accountability processes that involve service providers, public agencies, and donors. This involves work with various media and communication systems.

#### 3.1.2. Capacities and capabilities

48. In improving contexts, a perverse set of incentives may be operative: both donors and international NSPs may be unwilling to see their role diminished as a result of capacity-building and governance improvements in the public sector. However, there are many examples of NSPs that have implemented programs in coordination with government ministries.<sup>31</sup> When structures can be put in place that link program operations with public organizations, they can serve as a linchpin for connecting organizational strengthening with individual skills.

<sup>31</sup> See International Rescue Committee (2002); Christian Children's Fund (2003); Spencer (2006); Shakil (2003).

49. Assessing and building up capacity and capabilities is not a simple matter of importing “training programs.”<sup>32</sup> Detailed plans and operational mandates need to be closely adapted to the situation on the ground. Invariably, some forms of civic organization and some capacity remain, however weakened or changed, and capacity-building programs need to begin from this basis.<sup>33</sup> Given the importance of long-term linkages with governance and accountability systems, programs for building capacity should include local communities and community organizations as well as public sector agencies.

50. Having a sectoral strategy or a country framework does not mean rigid adherence to each element. In unstable contexts, where uncertainty is the norm, innovation often emerges from the creative conjunction of clear initial goals with lessons of experience.

### **3.2. Local or National Frameworks for Provision?**

51. From a strictly technical point of view, the answer to the question, “Local or National?” would probably be, “Both.” Programming can be effectively implemented at both the national and the district (and even local) levels. Programming at every level can serve not only to improve services directly but also, importantly, to provide incentives that align service delivery goals with government agencies and, wherever feasible, to strengthen government systems.

52. From a broader policy viewpoint, however, there are serious considerations in the choice of level—and equally serious implications of this decision. To the extent possible, *donors should begin with a national set of goals*, rather than moving into specific projects so quickly as to by-pass viable or potentially viable public institutions.

#### **3.2.1. Service Delivery and the National Level**

53. A central question for donors, as discussed in Section 2, is the politically difficult and sometimes divisive assessment: *To what extent can a donor’s national strategy be implemented in partnership with the government?*

54. If the government can be fully a partner, then donors can set out step-by-step measures for building government capacity. If specific ministries only can be engaged, donors need to develop a “shadow alignment” with each ministry, so that its role can be increased in step with improved accountability mechanisms—taking into account the internal politics as well as the technical capacity of each ministry. Another option, in working with national systems, is to “ring-fence” certain funding mechanisms for the sake of transparency.

55. In *improving contexts*, if the government is a viable partner, donors can work to develop the capacity of government agencies over time, in areas such as finance, regulation, supply management, development of infrastructure and facilities, and such human rights obligations as information, policy making, and the setting of standards. Donors need to link service delivery approaches with building up national policies and the capacity of public agencies to oversee, regulate, and deliver services.

56. In those instances where the government is unwilling or unable to serve as a partner—even in improving service delivery—donors may find themselves limited to humanitarian systems

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<sup>32</sup> OECD (2006).

<sup>33</sup> Barakat and Chard (2002).

or specialized programs managed *outside* government systems. In these circumstances, donors may have to utilize alternate, non-state delivery mechanisms—keeping in view the eventual transition to incremental or full alignment with government.

- Such short-route mechanisms should be complemented by longer-term approaches that can help develop the long route of accountability:
- Specific accountability goals can be built into service delivery mechanisms.
- Community development planning and community-contracting models can be included in the program design.

**Box 4. “Strategic incrementalism” (\*) in accountability relationships**

By generating demand for services, donors can enhance the incentives for local officials to respond to community needs, expressed through a variety of accountability mechanisms:

- Participatory monitoring of expenditures
- Balanced scorecards of services
- Independent media
- Public expenditure tracking surveys(\*\*)

The strategic goal is to reduce service delivery problems while supporting long-term efforts to rebuild state capacity. Over time, these efforts can help improve governance at regional and national levels.

\* World Bank 2003.

\*\* Paul and Sekhar 2000; Reinikka and Svensson 2000; de Silva 2000.

*3.2.2. Service Delivery at the Local Level*

57. Studies of turn-around experiences in fragile states<sup>34</sup> indicate the importance of making best use of the relative resilience of local communities, through service delivery arrangements that bring together local government and civic organizations with the local community. The reduction in fragility arises from the potential long-term role of civic organizations in policy formation, monitoring service delivery, and engagement with public officials.

58. These are not easy goals. Community involvement—like any other strategy—requires the conscientious use of assessment tools<sup>35</sup> to ensure an understanding of local contexts. In determining whether and how to utilize various community-based programs, donors need to analyze and monitor local dynamics and relationships. Communities are not homogenous, and there are inevitably potential problems of elite capture, exclusion, and superficial participation processes.<sup>36</sup>

59. Community-based initiatives involve non-state provision, but they have a different dynamic than contracting with larger NSPs for direct service provision. Such initiatives include Community Driven Development and Community Driven Reconstruction, as well as activities to

<sup>34</sup> For example, see Manor, et. al., 2005.

<sup>35</sup> Shankland (2006); Chambers (2002).

<sup>36</sup> d’Harcourt (2006); Platteau (2000); Harriss (2000).

strengthen local organizations such as parent-teacher associations, health action councils, and water user groups.<sup>37</sup>

60. There is broad agreement that community-based approaches have the potential to be more responsive to the needs and priorities of beneficiaries (allocative efficiency), but certain requirements must be kept in mind:

- *Identifying solutions* to problems experienced at the community level generally requires additional external technical support to facilitate informed decision-making.
- *Internal community power relations*. Identified priorities may not always be consistent with goals such as equity, efficiency and sustainability.
- *Maintaining minimum standards*. Community-based approaches have the potential to improve targeting in general, but there are major challenges in targeting vulnerable groups *within* communities.
- *Enabling environment*. A key determinant of the potential and limits of community-level programming is the “enabling environment”: providing information, deciding on the optimum level of provision, ensuring maintenance of minimum standards, and responding flexibly to changing demand for services over time.<sup>38</sup>

#### **Box 5. Community-level potential in Education, Water, and Health Services**

*Education* is highly salient to people, and it is frequently seen as a sign of normalcy when children can go to school again. Education programs are seen as a core government function and a basic public good, strongly associated with social cohesion and community participation. But while education is considered a state function, there are nevertheless opportunities for extensive activities by community groups. (Rose and Greeley, 2006.)

*Water services* have basic investment costs that are often borne by local communities, which can work together to manage a shared common property resource, while civic organizations and donors can encourage existing incentives for shared action or co-production for the provision of water services. There are also valuable opportunities for the employment of youth in infrastructure programs, and in the creation of user committees to manage small-scale water and sanitation programs. (Wang et al., 2006.)

Similar community-grounded work has occurred through the development of community *health councils*, often in difficult contexts, creating greater political engagement for previously marginalized groups (Spencer 2006).

### **3.3. Choice of service delivery mechanisms: State and Non-State Providers.**

61. The core issue for donors in the context of fragility, discussed in Section 2, relates to partnering with government. Is it possible to work with governments and government ministries, or with local government only? Or do donors need to by-pass completely the current government systems?

<sup>37</sup> Cliffe and Guggenheim (2003), International Rescue Committee (2002), de Silva (2000), Spencer (2006), Mercy Corps (2003), Water Aid (1998).

<sup>38</sup> Slaymaker and Christiansen (2005)

62. In countries emerging from conflict or state collapse, *donors do not need to by-pass government* in terms of cooperation, even if most services are being delivered by NSPs.<sup>39</sup> Donors can develop constructive forms of alignment, whether with government ministries or with lower levels of government.

- In *improving contexts*, establish coordination with government officials at the ministerial and district levels.
- Donors need to develop adaptable models for transitioning from specific interventions around service delivery to linkages with governance and civil society capacity building.
- NSP contracts should be structured to (1) ensure cooperation with district and local level government and (2) ensure a concurrent element of state-building.
- In both *improving and deteriorating contexts*, donors should avoid relying on individual champions in government, because of the lack of institutional sustainability.

63. In *deteriorating contexts*, it may prove impossible to partner with government agencies. Donors will need to create an external coordination group (or “cabinet”) on sector issues, *without* close engagement with government officials. Different types of deteriorating contexts have different implications for work with governments:

- Violent conflict – results in the profound weakening or collapse of the public sector.<sup>40</sup>
- Chronic underperformers – the deterioration may be slow, but the lack of will results in the erosion of public sector capacity.<sup>41</sup>
- Difficult partners – the government may be capable, but it lacks willingness to provide services or does not wish to engage (with donors or with its own citizens).<sup>42</sup>

64. Models for work in difficult contexts include GTZ water sector experience in Yemen, and USAID education work in Guinea; examples in deteriorating contexts include the GTZ water sector work in Eritrea, USAID work in health (DRC), and the DFID assessment of HIV/AIDS programs in Burma.<sup>43</sup>

### 3.3.1. Working with NSPs

65. The *choice of service delivery mechanisms* is a key decision point for donors. The tendency in deteriorating and/or violent conflict fragile states is to engage with Non-State Providers, especially international NSPs, as the quickest and most direct course for improving services. This has led in general to a proliferation of service arrangements through donors contracts with NSPs.

66. NSP service delivery agencies are key providers in fragile states, covering areas where the government is weak, absent or mistrusted. NSPs offer the opportunity to invest in human

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<sup>39</sup> For an useful analysis of services and ‘public management’, see Robinson 1999.

<sup>40</sup> Waldman (2006); IIEP (2006).

<sup>41</sup> Guinea, Central African Republic

<sup>42</sup> Burma, Eritrea

<sup>43</sup> GTZ (2006a; 2006b); Berry and Igboemka (2005); CAI/BEPS (2006); Waldman (2006)

capital, both through NSP personnel who are country nationals and through partnerships with government agencies.<sup>44</sup>

67. While there are tradeoffs between NSP and government services, the distinction should not be overdrawn, as “state” and “non-state” presents too sharp of a dichotomy.<sup>45</sup> State agencies have the responsibility to regulate, finance, monitor, evaluate and contract NSPs for service delivery.<sup>46</sup> For example, contracting for services and monitoring are key delegated functions by the state, but neither removes the state from responsibility for the quality or deliver of the services. The central role of state responsibility can help guide donor decisions as they address state-building processes, time frames for strengthening public institutions, and the accountabilities of both NSPs and donors in contexts of state failure or difficult partners.

68. In both improving and deteriorating contexts, greater attention needs to be given to the coordination and management of NSPs. Studies of sectoral activities in fragile states (along with other studies on Non-State Providers) show that there are in many instances clear and well structured plans that allow donors and international NSPs to engage in policy assessments and public sector capacity building; however, this is an ad hoc pattern.<sup>47</sup> Just as often, donors use international NSPs as contract service providers without any development of long-term plans to allow donors, international NSPs, the government, and other NSPs to work together.<sup>48</sup> In countries such as Afghanistan, Timor, and Mozambique, a major criticism of donor actions has involved the concern that—rather than placing the government at the center in improving contexts—donors disempower governments through an over-emphasis on NSPs.

69. Donors need to develop mechanisms for ensuring that the NSPs they support will in fact implement projects and programs within the alignment framework they have instituted. In all fragile states contexts, there are complex accountability dynamics reflecting the imbalance of power between organizations, the pressure for action, and participation dynamics.<sup>49</sup> One possible mechanism would be to set up joint NSP-donor-government discussions on (1) indicators on impact of services and (2) ways to connect service provision with public sector strengthening and accountabilities to local civic organizations.

### 3.3.2. *Donor approaches to NSPs and statebuilding connections*

- Support oversight mechanisms on NSPs working in fragile states to ensure coherence with other programs.
- Ensure that NSPs (international or domestic) are transparent in their own operations and accountable to service end users.
- In improving contexts, require international NSPs to coordinate and share information with appropriate government ministries, and with district and local government.

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<sup>44</sup> For example: International Rescue Committee and the Ministry of Education in Liberia; International Medical Corps and the Ministry of Health in Afghanistan

<sup>45</sup> Robinson (1999); Aga Khan Development Network (2003)

<sup>46</sup> For a view on how local governments can work with NSPs as ‘public management’ see Dorcas Robinson (1999)

<sup>47</sup> Christian Children’s Fund (2005); Aga Khan Development Network (2003)

<sup>48</sup> Ghani, Lockhart and Carnahan (2005);

<sup>49</sup> Quinn (2004).

- In deteriorating contexts, NSPs should share information and coordinate with local government agencies when feasible.
- Promote mechanisms of accountability for large NSPs.
- Ensure that service provision, whether through public sector contracts or privately funded NSP operations, does not override local capacity, skills and resources.<sup>50</sup>

### 3.4. *Saving Lives or Building Systems?*

70. The inherent limitations of policy levers, state capacity and financial resources are most keenly felt when life-saving services are urgently needed. Particularly in fragile contexts, such needs may persist beyond the initial emergency situation, posing the dilemma of how to move beyond emergency relief to achieve broader impact.

#### 3.4.1. *The humanitarian-to-development transition*

71. A number of studies have described the tensions between humanitarian-oriented aid modalities and longer-term development program goals.<sup>51</sup> There are inherent tradeoffs between the long-term goal of state capacity-building and the humanitarian imperative to deliver services quickly. As the initial crisis is ameliorated, these tradeoffs come strongly to the fore, as donors wrestle with how to scale back the use of external emergency providers without creating undue hardship for client populations, and how to build internal service-delivery capacity rapidly enough to take up the slack.

72. The critical experiences of the 1990s gave rise to coordinated humanitarian guidance mechanisms, exemplified in the Sphere framework. However, these humanitarian guidelines and practices in some ways highlight the tensions between emergency relief and development assistance. Most obvious is the matter of standards. The performance standards that can be rightfully imposed on an international relief effort cannot be transposed to a development assistance program, if only because an external standard (apart from basic human rights standards) cannot legitimately be applied to a sovereign government.

73. A sustainable transition “bridge” requires both careful coordination and appropriate mechanisms.

- Attention needs to be given early on to the *cost structure* of services: a recurring criticism points to “gold plated” services, funded for the short term, that cannot be maintained by domestic resources and longer-term aid flows.
- There is a continuing need to improve *donor coordination mechanisms*, using methods specifically adapted to more sensitive and volatile fragile state environments (e.g., Transition Results Matrices).<sup>52</sup>

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<sup>50</sup> The recently released report of the Tsunami Evaluation Coalition (2006) was notably critical of international NGOs and other external agencies for their frequent overriding of local capacity and local community organizations.

<sup>51</sup> L. Cliffe and Luckham (2000); Laurence and Poole (2005).

<sup>52</sup> UNDG/World Bank (2005).

- Donors can promote both coordination and financial sustainability by instituting *transparent donor systems* to track their own commitments over a multi-year time frame.

74. Above all, in the interests of sustainability and the development of legitimate institutions, donors need to remain engaged with the state—especially in situations of post-conflict transition and governance improvement. The “exit strategy” of donors can be too hasty, as has been argued in the cases of Timor and Haiti.

#### 3.4.2. *Managing transitions*

75. Additional transition requirements would include:

- Specific exit strategies for contracted providers and short-term projects
- Finance mechanisms for government revenues designed to promote state-building, public accountability, and citizen ownership of policies and priorities
- Selection of aid instruments that work more closely with the government and that bring together donor resources into common mechanisms as much as possible (e.g., Joint Programs, Multi-Donor Trust Funds)<sup>53</sup>
- Appropriate use of technical advisors who can work with government officials at national and district levels
- Stable funding, to avoid the resource gap that has sometimes bedeviled such transitions

#### 3.5. *Salvage or Survival?*

76. Very difficult challenges and decisions face donors in situations where the failure, or the outright hostility, of the state works against basic services, and where international sanctions may complicate emergency assistance.

##### 3.5.1. *Deteriorating contexts*

77. In dramatically *deteriorating* situations, the acute issue facing donors is whether they should continue to promote governance reforms, or shift their emphasis to strengthening local communities and households in service frameworks. In the worst situations, all options for alignment may be abandoned; donors must decide on by-passing state mechanisms, at least at the national level.

78. These contexts may be best addressed through multilateral agencies such as UNDP, IFRC, and UNAIDS. Some examples of donor-supported interventions include rule of law in Sudan,<sup>54</sup> HIV/AIDS programs in Burma,<sup>55</sup> and basic services in Puntland.<sup>56</sup>

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<sup>53</sup> DFID (2006b; 2006c).

<sup>54</sup> Maguire, 2006.

<sup>55</sup> Berry and Igboemeka (2005).

<sup>56</sup> WDR 2004 case study on Puntland (World Bank 2003b).

### 3.5.2. “Aid orphans” and isolated states

79. Even more difficult are cases where severe violations of human rights by governments have prompted donor withdrawal, creating an isolated or “pariah” state such as Burma, DPRK, and Zimbabwe, or Haiti in the mid-1990s. In such cases, donors struggle to find ways to deal with HIV/AIDS (Burma and Zimbabwe), with food emergencies (DPRK), or with the general collapse of services (Haiti).<sup>57</sup>

### 3.5.3. Sudden reversal of an improving country

80. Another challenging situation is a sudden reversal in a country deemed an improving context. Donors may be faced with pressure for aid reductions and other sanctions based on human rights and governance criteria, even though humanitarian needs call for continued engagement. Further work needs to be done on the advisability of a partial-sanctions approach: for example, retaining existing coordination systems with specific ministries that have built credibility both with donors and with communities.

81. What are donor options in countries where there is a sudden deterioration, either due to violent conflict (Timor) or governance questions (Ethiopia)?

- Donors should ensure that they are engaged with early warning systems, through dialogue with non-government organizations that are monitoring fragile and potential fragile contexts (such as International Crisis Group, International Alert and Center for Humanitarian Dialogue).
- Donors—individually and collectively—need to focus attention on monitoring risk factors and on effective diplomacy, security, development, and humanitarian coordination.
- A key advantage of non-state organizations is that they are likely to be willing to ask questions that may be uncomfortable for donor bureaucracies.

82. Monitoring *political trends* can be linked with basic service delivery relationships. Among the guiding questions in suddenly deteriorating contexts are:

- What are the relationships with ministries or local government agencies?
- In what new ways can donors and other outside agencies coordinate both their assessments and their work programs?
- What are existing relationships between donors and NSPs? Between different levels of government?
- Is the previous government still in power, and who are the new political actors?
- Is there a new mix of political parties?
- Have opposition groups been delivering services?

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<sup>57</sup> DFID (2006b); HPN (2002); DPU (2006).

#### 3.5.4. *Multi-Sector Programs*

83. A number of studies have shown that—especially in deteriorating and even violent contexts—there are opportunities for multi-sector programs that focus on working with local communities:<sup>58</sup>

- Social investment funds
- Various forms of community-driven reconstruction
- Donor trust funds

84. All have the potential to generate improved services while promoting mechanisms for community engagement in political processes.

85. Such programs as the Afghanistan National Solidarity Program<sup>59</sup> and the Timor Community-Empowerment Project can generate local community engagement in service delivery and thus provide the basis for future efforts at governance and social cohesion tasks. Key features of good practice include:

- Flexibility to match operations to changing circumstances.
- A commitment to maintaining presence during the conflict.
- Developing better systems of information and contextual analysis.
- Maximizing the role of local staff.
- Establishing closer, more open relationships with local organizations and beneficiaries.

86. The “Community Fora” program in Afghanistan illustrates the evolution of a relatively small-scale and intensive community-focused program through turbulent political changes. This program had an influence in shaping the subsequent “National Solidarity Program” (NSP), designed to carry the emphasis on community-level governance and empowerment to a much larger scale.<sup>60</sup> Such cases illustrate the importance of establishing locally relevant examples of (gender-inclusive) community participation, as a foundation for local governance and decision-making – and they demonstrate the potential for achievement and significant innovation in fragile states. The Afghanistan example also highlights tensions and tradeoffs that are recurring issues in transition settings:

- Delivering “hardware” in response to immediate local needs, and emphasizing capacity-building.
- Speed of delivery vs. “quality” of the process.
- Establishing genuine *institutions* (which can be hard) as opposed to mere *structures* designed for project implementation.
- Scaling up while still maintaining an intensive focus on governance and sustainability.

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<sup>58</sup> Cliffe, Guggenheim, Kostner (2000); Mercy Corps (2003); World Vision International (2005).

<sup>59</sup> Kakar (2005).

<sup>60</sup> Lister (2005).

- Bypassing local authority structures in favor of streamlined implementation mechanisms—at the risk of longer-term resentment and weakened sense of ownership.

### 3.6. *Equal or differential access to services?*

87. Donors committed to human rights goals and the MDGs face significant tensions in the balance of *equity* and *access*. Inevitable regional disparities may be sharply revealed, in deteriorating or conflict contexts, as islands of stability or dependability. Donors face difficult tradeoffs in addressing regional differences, especially given the security issues in contexts of violent conflict. Furthermore, attention to some regions can exacerbate conflict over resources and national identity.

88. As health, water, sanitation education and security/justice are internationally recognized human rights, there are difficult decisions in the short-term about the progressive realization of universal access and quality.

89. A fundamental weakness is the lack of attention—by donors and INGOs—to the specific programming needs of urban and peri-urban areas as well as secondary cities. The potential or real risk to service personnel presents a major dilemma for donors working in situations of violent conflict. If there are regions or areas that are “islands of stability,” should donors give priority to these locations where services can be more adequately and safely provided? This again raises the tradeoffs between humanitarian and human rights aspects of equity and access, as well as questions of safety for service delivery providers on the front line.

#### 3.6.1. *Addressing exclusion*

90. A range of social, political and economic relations may lead to the partial or total exclusion of certain groups from access to services. Such groups may be age cohorts (either youth or elders), gender, ethnic, or religious divisions, or political factions. The World Development Report 2007 on youth has noted the centrality of engaging or re-engaging with young people in fragile states, including the investment by donors in “second chance” opportunities. Donors need to be aware that “traditional structures” may be captured by elite groups and thus work to the exclusion of others. Religion is sometimes an overlooked dimension of aid systems and statecraft,<sup>61</sup> and donors need analytic and dialogical tools for engaging with the impact of religious organizations and views on inclusion and exclusion.

91. In the case of gender relations, services are particularly important for improving women’s well-being and economic opportunities. In assessing the gender impact and implications of services, donors should look for the contribution that women and women’s organizations can bring to reducing fragility and strengthening social cohesion, and not simply identify women as victims of fragile states, especially violent conflict.<sup>62</sup>

92. The fragile states literature gives relatively little attention to gender relations, except for some discussion of gender-based violence and girls’ education. While there are notably negative impacts on women and girls in fragile states, especially in situations of violence, it is important to note that giving attention to gender issues is not a victim approach.

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<sup>61</sup> Johnston (1995).

<sup>62</sup> Conaway ((2006).

93. Women's organizations<sup>63</sup> often play key roles in maintaining services, in supporting social cohesion, and in negotiating safe space between communities in conflict. Often in fragile states, the work undertaken by women's organizations and supporting agencies, in various forms of services, provides a foundation for addressing both service delivery and gender issues. Women can also have a positive impact as service providers, even when they have been excluded from education and community decision-making in the past, as in South Sudan.<sup>64</sup> The inclusion of women may require addressing local obstacles, as in Sierra Leone where local cultural norms may exclude women from selection in community development work and enforce discriminatory rulings against women.<sup>65</sup>

94. Donors, governments and NSPs can ensure that the work undertaken by women and women's organizations at the local level does not become swamped by new, externally designed and driven initiatives that restore some men to previously held hierarchical roles. Women's organizations and initiatives can be encouraged and strengthened, with funding, training, and inclusion in decision-making mechanisms that shape fundamental questions of security and services. Their organizations should be identified at the outset of transition processes and helped to work within broader peace initiatives and to communicate their messages to both national leaders and the international community.

95. Donors also need to assess how to address various local and national legal issues relating to gender, as well as traditional systems that may involve (for example) early marriage, domestic violence, obstacles to educational opportunities, and gender-discriminatory forms of family law.

96. There is a risk that an image of women as victims emerges when focusing on the negative consequences of fragility on women and gender roles. Nevertheless, the impact of various forms of discrimination and violence against women, especially in violent conflict, should not be minimized.

### 3.6.2. *Spatial contexts*

97. A key element affecting all services, and shaping the relationship between services and governance, is spatial setting. Distinct challenges are involved in dealing with large urban and peri-urban communities as opposed to scattered, rural settings.

98. Donors and government officials need to give greater attention to the specific nature of urban programs, such as employing youth in infrastructure or WatSan, programs. Because international NSPs and donors are relatively weak in large-scale urban programs, fragile states work has a special need for detailed assessment of successful programs in large urban areas, secondary cities, small town, and rural settings. For example, in countries affected by violent conflict, peri-urban areas are likely to dramatically grow with an influx of IDPs.

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<sup>63</sup> International Crisis Group (2006); Conaway (2006).

<sup>64</sup> d'Harcourt (2006).

<sup>65</sup> d'Harcourt (2006); Amnesty International (2006).

99. The case study of sanitation in Angola is a good example of an effort at addressing a neglected service in a difficult context, as it includes the potential for community mobilization in addressing neglected services.<sup>66</sup> More work needs to be undertaken by donors in understanding how locale and scale relate to services, and to the service and governance connections.

#### **4. Recommendations and Implications**

##### **4.1. Recommendations for country programming**

###### *4.1.1. Context analysis*

- Is the government a potential partner?
  - *Yes*: national government, specific ministries, or primarily local government?
  - *No*: can donors work with opposition movements and civil society organizations? How to manage the eventual transition to government alignment?
- How much resilience has survived violent conflict?

###### *4.1.2. Approaches and mechanisms*

- Recognize the centrality of the *security and justice sector* as impacting service delivery in all sectors.
- Work to bring together humanitarian, development, and security planning.
- In violent contexts: link humanitarian work to efforts promoting social cohesion and conflict reduction; link with nascent government systems.
- NSP contracts must be structured with a view to accountability, capacity, and sustainability. They should include requirements for sharing information with government agencies or local government, as appropriate.
- In implementing ‘community’ based approaches, take into consideration the associated risks of elite capture and exclusion at the local level.
- Encourage links between community groups and local government.

###### *4.1.3. Sectoral approaches*

- Give high priority to improvements in security and justice.
- Link security and justice programming to local and traditional systems (Koran, Bible, local belief systems).
- Donor commitment to “local ownership” of justice systems may mean working through profoundly conflicting perspectives.
- Educational services can provide important normative bases in fragile contexts, encouraging a sense of normalcy and social stability in difficult situations (social cohesion).

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<sup>66</sup> DPU (2006).

- Since many of the determinants of health lie outside of the health sector (such as water/sanitation and nutrition), a cross-sectoral or multi-sectoral approach is essential.
- Provide support for new community health councils and be cautious about introducing external vertical programs.
- In urban contexts, the connections between integrated water resource management, technical capacity building, infrastructure, and community user groups may provide an entry point for traction on governance issues.
- Support community mechanisms of cooperation around water services.
- Link employment opportunities with investment in sanitation; give specific attention to out-of-school youth, in basic infrastructure work programs.

## **4.2. Recommendations for further research**

### **4.2.1. *General***

- Examine the impact of fragility on services in specific contexts.
- Assess the potential impacts of improving services on fragility.
- Revisit the Sphere guidelines (and similar humanitarian frameworks) to ensure that they provide adequate entry points for transitions to development assistance and stronger public institutions.

### **4.2.2. *Specific approaches***

- Design mechanisms to ensure that citizens and civic organizations are included in service delivery decisions and wider accountability mechanisms.
- Design stable funding systems to address the long time frame for rebuilding services and governance, with flexibility in design and management.
- Establish sectoral priorities that are explicit about sequence and tradeoffs.
- Develop transparent mechanisms of alignment with government, for improving contexts.
- Examine the dynamics of service delivery in relation to the politics of social divisions: urban/peri-urban/rural areas; gender; ethnicity; religion.
- Assess such funding and coordination mechanisms as Results Based Transitional Frameworks, SWAps, Multi-donor Trust Funds, and Joint Programs, with a view to the reduction of fragility through improved service delivery.

## **4.3. *Donor engagement***

### **4.3.1. *Drive for systematic change within donor organizations***

- Address the technical-over-political bias: staff incentives are needed to assure proper attention to the broader context and system implications of program design.
- Staff working in fragile contexts need to be recognized and promoted based on their analytic and problem-solving skills, not on the basis of money disbursed.

- Invest in staff resources and skills for political, social and conflict analysis as part of fragile states donor systems.

4.3.2. *Ongoing work program on services in fragile states:*

- Build on sectoral research on good practice
- Develop country and regional maps of services, including services provided by NSPs.
- Refine existing and develop new, flexible outcome indicators that are adaptable for sector and context.
- Establish a new forum for exchanges of experiences that would include: donors; key international NSPs from both the humanitarian and development fields; conflict assessment and mitigation organizations; and representatives of fragile states CSOs.
- Build upon country turn-around lessons.
- Develop strategies for supporting livelihood opportunities, particularly for youth.

**Box 6. Principles for Donors in Fragile States**

- Design service delivery programs and mechanisms incorporating the broader goals of reducing fragility and increasing resiliency.
- Give greater attention to the implications of contracts with international NSPs for service systems and for accountability dynamics.
- Address and understand the complex worldviews associated with security and justice.
- In the context of long-term engagement, develop mechanisms for donor accountability to citizens in fragile states.

## ANNEX:

### SYNTHESIS OF SECTORAL LESSONS AND IMPLICATIONS FOR GOOD PRACTICE

#### I. Security and justice service delivery

1. Security and justice is foundational for establishing good governance, community cohesion and safe spaces for service delivery. Donors should develop assessments of the various forms of delivering justice and security at the community level and consider the impact that outside actions will have on various service providers. Programs should seek to address priority security issues while developing a longer-term framework for the sector. Collapsed states are unlikely to possess the capacity to participate fully in the design of these plans so international agencies may have to take the lead. Local stakeholders should be involved in the process to link with existing norms of security and justice, and to help develop ownership and increase capacity.

2. The roles of outside agencies are not necessarily to promote a singular approach to legal systems or to impose a singular international norm, but to facilitate the emergence of what one observer termed ‘local conventions’. Donors face a delicate balance, as the fact that the rules of morality change from place to place does not equal moral relativism: a core of universal principles is still possible, but not necessarily a universal interpretation of what they mean in practice.<sup>67</sup> Donors’ work on security and justice is also highly multi-layered between national legal frameworks and national security issues, and district and local systems, including diverse legal arrangements and traditions.

3. Security and justice work cannot be imposed by fiat from a national capital, so donors need to start modestly and build up programs and goals. This can be done region-by-region, according to the political and security situation, creating ‘islands of dependability’ that can provide bundled services to a limited area. In improving contexts, there are possible national level connections that can provide an overarching framework, while in deteriorating contexts, the local level and specific interventions are likely to be the preferable option.<sup>68</sup>

#### *Improving*

4. Support non-state security and justice providers who have endured throughout violent conflict and are normally already delivering more than 80% of all service. Integrate security and justice issues into national development frameworks to ensure they are established as a priority in national government and donor planning, and the budgeting of state revenues over a period of five years. Concentrate on managerial sustainability, recognizing that ‘train and equip’ projects with their emphases on outputs have repeatedly been proved to be ineffective and cost inefficient unless embedded in enduring management development programs. Focus on the financial sustainability of service delivery programs with detailed estimates of the costs the recovering state will have to assume correlated to its projected.

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<sup>67</sup> Hyden (2000).

<sup>68</sup> Scheye and McLean (2006).

5. Even if the national government is not a viable partner, explore ways in which specific local governments can become involved in a few services. Work can include assessing public views on access to justice, improving the quality of policing, and legal procedures. Poor people have views on their rights, however defined, which often includes various forums of customary and formal legal systems. Some countries that are not in conflict or improving have several systems of law that have co-existed for decades (often a reflection of colonial history, which has provided a national system based on Anglo-Saxon, Napoleonic or inherited structure). This also is indicative of formal and informal systems, as poor people are not able to pay for the formal court/legal system. They prefer to use, for both financial and cultural reasons, various community forms of policing and adjudication of their concerns. This is also an instance where spatial location often determines the system used, as even poor people are more likely to use formal systems in urban areas.

### ***Deteriorating***

6. Donors should remain engaged with a focus on long-term development building block, such as working with the non-coercive elements of the security system, such as the justice sector. Build the foundations for investing over the long-term in various elements of judicial reform, such as new legislation on codes of criminal and civil procedure, family and juvenile law; developing a judicial training institute, publishing laws and digests of court decisions, modernizing court administration; and fostering integrative financial budgeting. At the same time, donors need to find ways to support non-state justice and security systems that are not implicated in violence or violation of basic human rights. In countries with deepening forms of conflict, non-state security and justice providers provide a ‘safety net’ at the community level and can ensure that basic local needs are addressed.

7. As much as is feasible, donors should provide support for various activities through assistance to community organizations, Bar Associations, and independent lawyers groups that protect human rights, monitor allegations of abuses, and defend victims. Assistance should be directed specifically to women’s organization because they often show notable resilience even in highly conflictive fragile contexts. Women’s and other grassroots groups may become increasingly active, and can be once of the primary vehicles for the multiple provision of justice. One example is the Citizen-Police Liaison Center in Karachi, which has brought together information on crime in a non-partisan basis, making resources available for informing the public sector agencies, monitoring performance and negotiating with different agencies for action.<sup>69</sup>

### ***Violent Conflict***

8. Even in situations of violent conflict, there may be promising opportunities for improving security and justice mechanisms, most likely through multilateral rather than bilateral donors. One example is the UNDP Rule of Law Program in the Sudan, which included programs in Darfur. Implemented by UNDP, the International Rescue Committee and Sudanese non-state agencies, the program was shown to have had significant impact in daunting circumstances. The activities included training in rule of law and human rights for government officials, support for paralegal groups, setting up a local legal aid network, the establishment of legal information centers, and holding public events on rule of law related issues.<sup>70</sup>

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<sup>69</sup> Masud (2002)

<sup>70</sup> Maguire (2006).

9. In both improving and deteriorating fragile states, there may be several systems working at the same time, in overlapping areas and with overlapping ‘jurisdictions’. These may include more formal systems, such as those provided by NSPs through clinics, training on legal issues, and various dispute resolution mechanisms. There may also be various religious and clan based systems as well. More needs to be known about how to work between the systems, and donors and NSPs need to be aware that even if there are apparent conflicts between the premises of the systems—and especially between ‘Western’ or ‘formal’ systems and traditional ones, they should not ignore the existing systems. Finding ways to engage with these systems could be vital for restoring order and security, including dialogue with religious scholars and judges on their basic texts, as has been done in Afghanistan. In countries coming out of conflict, programs can include various problems that may be exacerbated by a conflict, but every community has problems with family/inheritance/crime issues. The challenge for donors is that the citizens in fragile states have diverse and divergent views on matters of justice and legal systems, and donor commitment to ‘local ownership’ needs to be able to work through profoundly conflicting perspectives.

10. Donors should invest in accountability systems that can monitor various providers of security and justice. This includes funding independent media sources, diverse types of civic watchdog organizations, independent unions, as well as women and youth organizations. One challenge that is especially difficult but which requires engagement regards working with traditional community and religious systems, even when these are problematic from an international human rights framework, they cannot be ignored.

11. At the center of their support, donors need to invest in the long-term in police and judicial training. They should also recognize that the justice element has other connections with services when considering mechanisms to reduce corruption, ensure that funds for service delivery reach their end users, and promote greater opportunities for excluded groups. Such mechanisms as the Bamako Initiative to monitor drug supplies, Public Expenditure Tracking Surveys to ensure that money reaches front line providers, and establishment of systems for child protection and welfare, or women’s land rights, all have an impact on service delivery and governance.

## **II. Education**

12. A central element of work in the education sector, which is different than in health or Wat/San is the restoration of the capacity of the state to deliver, as opposed to monitor, fund or regulate, education services. In education, there are particular factors regarding the provision of services that relate to national identity, cultural and social dimensions. These are especially fraught in situations of overt conflict. Educational services can provide important normative bases in fragile contexts, encouraging a sense of normalcy and social stability in difficult situations. One major challenge is that educational attainment is based on long-term outcomes, rather than short-term indicators, though there in the case of out of school youth, there are more immediate gains. Several commentators have noted the problematic of MDGs for education in fragile states.

13. Donors and service providers can, by context, define education programs that address sources of fragility or mitigate sources of fragility. Education programs can both build upon and strengthen various resilience factors and opportunities. Donors need to determine how to involve various actors, both those promoting reform and those likely to block changes. This will assist them in identifying windows of vulnerability as well as likely opportunities for change. Donors can seek government recognition of alternative service delivery systems while rebuilding government capacity; target critical groups such as youth; involve key groups outside the education sector who can influence a wider perception of state legitimacy; work across sectors;

seek outcomes beyond education.<sup>71</sup> Donors can also determine by context how to integrate such issues as school health, the use of radios, the role of ‘volunteer’ teachers, the integration of adults and marginalized youth, and the particular dynamics for working with teachers’ unions.

### *Improving*

14. In states recovering from fragility, each priority objective must be two fold: an urgent set of activities to restore education services and an initial step in a long-term set of activities to rebuild systems and structures. Urgent activities may be radical alternatives to the conventional way of doing business through the established ministry structures and systems.

- Teacher training: immediate rollout of basic teacher training workshops and first steps to rebuild a teacher training system.
- Provision of learning materials: immediate delivery of whatever useful materials area available for teachers and students, and first steps to build a relevant curriculum, and quality textbook procurement and distribution systems
- Community support: immediate measures to reconnect families and communities with their schools, and first steps to institutionalize school-community relationships.
- Learning spaces: immediate help to communities in finding safe and healthy places to teach, even if temporary, and first steps to map schools and set construction standards and procedures.

15. In improving contexts, Non-State Providers can work with the government to provide support to educational systems, including ways to rebuild public sector capacity. NSPs have shown innovative approaches that link with the public sector’s emphasis on the basics of infrastructure and curriculum. If the public sector is committed to UPE, how NSPs can support that goal through both direct provision and technical partnerships. This was shown in the work of the Aga Khan Development Network across South Asia, including in Afghanistan.<sup>72</sup> The AKDN Education Program was carried out in partnership with the Ministry of Education to assist in developing and delivering a reform design that focuses on quality improvement in the public school system. The program sought to improve the quality of teaching in all government schools in three (Northern) provinces through building up education training institutions, as well as the education offices at the district and provincial levels.

16. In Liberia, IRC worked at both the community and district level to rebuild educational systems. The program had several elements. Capacity building work included establishment and fostering of PTAs, strengthening the quality of instruction through mentoring teachers, and providing assistance directly to the Government of Liberia. The assistance involved reopening the Zorzor Teacher Training College, training and support for county and district education offices, and basic provision of resource materials such as materials for students and teachers, or basic furniture. Similar forms of cooperation were reported between Christian Children’s Fund and the Ministry of Education in Afghanistan over several years.<sup>73</sup>

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<sup>71</sup> Rose and Greeley (2006).

<sup>72</sup> Shakil (2003).

<sup>73</sup> Christian Children’s Fund (2003); International Rescue Committee (2002).

### ***Deteriorating***

17. Donors can work with NSPs, as even in situations of poor governance, there is potential to work with some Ministries of Education<sup>74</sup>. There are also opportunities to address the negative connections between political corruption and services. In Guinea donors helped to end of issuance of false degrees and nepotism in hiring. In Haiti, donors worked with security forces and with parent organizations to reduce school violence. Similarly, in Nepal, efforts were made to maintain education services even as the political situation deteriorating.<sup>75</sup>

### ***Violent Conflict***

18. Education has a particularly key role to play, but also serves as an area of contention in contexts of violent conflict. Donors need to determine the available resources available for the education system, including assessing whether public and Non-State Providers are utilizing materials that exacerbate conflict. Donors can provide inputs through the supply of appropriate pedagogical material. In addition, they can support a range of psychosocial support programs for children and young people affected by violent conflict.<sup>76</sup>

19. There are significant challenges in terms of the management and oversight of the curriculum in the system. Often the curriculum reflects the views of certain groups that are in conflict with others. Besides the curriculum, donors need a clear map of current educational resources, to better assess the better options for access and coverage. As with situations of improvement out of violent conflict, the quality of learning may need to take second place to the creation of safe spaces for children and communities.

20. In countries emerging from conflict, there are opportunities to adapt various instruments to education and normalcy. In Burundi, USAID supported the use radio networks for community awareness campaign on consequences of exclusion. Donors can seek to support different elements of social cohesion, (reaching the excluded, provision of relevant education, shared positive values, citizenship, respect for diversity, peaceful conflict resolution, etc.) They can explore the core of the curriculum, the language of instruction, and the production of textbooks and other pedagogical materials. Additional attention needs to be given to out of school youth, the process of reintegration of returning refugees and IDPs, and the engagement of parents, teachers and community leaders in re-establishing education systems.<sup>77</sup>

## **III. Health**

21. The state will have different role than in education---less direct provision and more regulation, information, etc.) Much work has been done to map out the complexity of health services in low-income countries<sup>78</sup>, the challenges of contracting services to Non-State Providers<sup>79</sup>, and the particular challenges in fragile states<sup>80</sup>. The role of the public sector might

<sup>74</sup> BEPS/Creative Associates (2006).

<sup>75</sup> Chris Berry and Adaeze Igboemeka (2005); Vaux, Smith, Subba (2006).

<sup>76</sup> Ahlen (2006); Winthrop (2006)

<sup>77</sup> Buckland (2006)

<sup>78</sup> IDD/U. Birmingham studies on Non-State Provision of Services (2005)

<sup>79</sup> Loevinsohn and Harding(2005).

<sup>80</sup> Newbrander (2006); Waldman (2006a; 2006b); Zivetz (2006); HLF (2005).

focus on ensuring the minimum standard quality guidelines, as well as emphasizing equity through targeting, incentives, training, while leaving much of the director provision to NSPs.<sup>81</sup> One key challenge is that many of the determinants of health and well-being are outside of the ‘health sector’, such as water/sanitation and nutrition. This makes the cross-sectoral or multi-sectoral approach all the more important in health.

22. In health, there are quite different sector specific issues, because of the complex nature of human health and well being. The initial point of concern is on how to determine which services should be provided, for example, should the focus be on prevention and basic health (MCH, IMCI, and communicable diseases). In certain contexts, HIV/AIDS prevention and reproductive health needs may take a higher priority. Decisions on the priorities among service then link to the provision of essential drugs, and how primary health care relates to secondary services. Given the nature of fragile states and problematic livelihoods, where does nutrition fit? Is it part of a health service, or more connected to livelihoods and food security? The service provision landscape is exceptionally diverse in the health field, and the challenges of provision, quality and financing (budget support and Trust Funds; SWAps; contracting; roles for global health partnerships) are extensive.

23. With the wider framework of health systems, as well as state and NSP roles, donors can begin to assess by context how to support a package of basic health services, and what are the likely options for extending different types of coverage over time. As donors support the development of health systems (again, much of the front line through NSPs), they can fund assessments that allow for fairly quick evidence-based information on monitoring of performance, which will inform further actions. Central to the role of donors in the health sector is to find the best ways of funding services. In health, particularly with the nature of humanitarian interventions, commitment to reliable longer-term funding is vital for sustainable systems.

24. Among the central issues for policy makers are:<sup>82</sup>

- Allocation: what health services are to be delivered
- Production: how are the services to be organized and produced?
- Distribution: who will receive the services?
- Financing: who will pay for the services and how will the providers be paid?

### ***Improving***

25. Where there are potential improvements, especially in countries emerging from violent conflict, the tradeoffs between severe illnesses and collapsed health systems, and rebuilding of institutions is especially raw. Donors will need to tackle the blending of humanitarian and development goals, along with the large role taken by international NSPs in the health sector. In countries that have not had violent conflict and where some elements of health services already function, donors may have the opportunity to focus on local and divers needs, and be able to set

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<sup>81</sup> Health services are predominantly non-state at the point of delivery in most low-income countries, including those that have relatively effective governance. In fragile states, even those making notable improvement, being realistic about the public sector role in health requires focusing on the most effective use of the public sector at all levels. While the national government may have the regulatory and policy role, local government can play a key role in coordination and information sharing amongst providers.

<sup>82</sup> Newbrander (2006).

out more tangible health outcomes. In improving contexts, donors need to ensure that public institutions are strengthened for their roles in regulating and providing stewardship for health systems. This may require integrating diverse donor programs and NSP operations.<sup>83</sup> Because of the large role by international NSPs in health, this could include contract provisions for greater coordination and sharing with the government.

26. The risk comes in the connection between clear and measurable results, and the mechanisms of vertical programs (including the various global funds), which can prevent the development of an integrated health system for the longer-term. Generally, various vertical or disease-specific programs are appealing because they are seen as results oriented with visible and measurable impacts. These qualities make them attractive to donors, and more justifiable to domestic constituencies compared to the less tangible, longer timeframe requirements of systems-wide strengthening. A broad commitment to the health systems over a long time frame, incorporating humanitarian and development agendas, along with governance, is necessary to overcome the understandable short-term pressures that exist for both institutional, but also humanitarian reasons.<sup>84</sup>

27. In terms of linking quick impact projects to longer-term goals, post-conflict health authorities in many countries (Afghanistan, Democratic Republic of Congo, East Timor, Liberia, Somalia, and so on) have found it useful to develop a Basic Package of Health Services (BPHS) in the early stages of health system reconstruction. The hope is that similar appropriate services will become available throughout the country; everyone will know exactly what to expect and will know exactly what is and what is not being delivered. In DRC, notably, the BPHS was developed by health authorities from throughout the country at a meeting organized by the World Health Organization and UNICEF in Nairobi well before the signing of the current Peace Accords.

### *Deteriorating*

28. As with improving contexts, the front line services would be provided by NSPs but without a direct government role. Depending on the context, it may be possible to involve local government officials. There are risks of disconnected health systems, as humanitarian goals drive the short-term activities of NSPs. Donors need to develop an external health sector coordinating mechanism, as this sector is the most complex in terms of the relationships between external determinants, different types of health programs, diverse health actors, and health outcomes. Donors need to give more attention to the contracts that they develop for NSPs in deteriorating situations, especially as these contracts are often set out from a genuine humanitarian need basis, but lacking in linkages to any governance or longer-term framework.

29. Along with provision of services through NSPs, donors can support various local mechanisms such as community health action councils. They can also support multi-sectoral approaches that are likely to have a strong health component. Community level, multi-sectoral programs also provide an opportunity to link community action can be linked to sanitation/hygiene goals. Donors have also sought to address health sector problems through working through various alternative channels of service provision, adapted to country context.<sup>85</sup>

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<sup>83</sup> Waldman (2006b).

<sup>84</sup> see Zivetz (2006) on Mozambique, Timor and Afghanistan.

<sup>85</sup> Berry and Igboemkea (2005).

### ***Deteriorating/violent***

30. Despite the unpromising context of the loss of trained personnel and the sometime deliberate targeting of health centers, there are experiences in violent conflicts where health initiatives have provided both a break in the fighting for communities, and a negotiating point for international agencies. Campaigns such as the vaccination campaign organized by UNICEF in El Salvador, and similar efforts in the Sudan show the potential for addressing health needs to difficult contexts. Addressing the destruction of health services will usually be done through Non-State Providers, an a particularly important set of issues in violent conflicts are common in the areas of gender-based violence, reproductive health and HIV/AIDS. More attention should also be given to a range of psychosocial and mental health needs for improving as well as deteriorating contexts.<sup>86</sup>

31. In all fragile states contexts, donor policies and programs will need to balance the objectives, and sometimes tradeoffs between services delivery around basic health needs and the long-term institution building tasks. In the health sector, this is particularly complex because the role of the state is unlikely to include a significant percentage of direct provision of health services, as most health services in non-fragile, low-income states are provided through an exceptionally diverse range of NSPs.<sup>87</sup>

32. Such cases as Afghanistan, Timor, Mozambique, and Cambodia point to the benefits of prioritizing the early development of a national health employment scheme. Three criteria for such a scheme stand out: (1) it reflects the larger vision for the society; (2) it is budget-based; (3) it is realistic in terms of capacity and capacity building options. Some of the lessons also include the need to address the organizational cultures of ministries, as some offices may have resistance to contracting with NSPs. National employment schemes could link contracting with human resource, wages and benefit issues, to avoid having parallel health systems. In this work, community health workers could be key bridges between the contracted agencies and the public sector.

33. Therefore, in the health sector, because of the particularly broad and complex mix of NSPs, the strengthening of the public sector requires a different set of approaches than in education, for example. The key in building competent and accountable public health institutions resides in ensuring that the state can have broad and effective oversight of the health sector. In health more than other sectors, the peculiar ‘new public management’ role of the state is notable, as some NSPs should be connected formally to the different levels of governmental health systems. The key point then is that in most fragile states, there will be a continuing dynamic between reducing immediate vulnerability; achieving specific health outcomes; building a more lasting and equitable health system; and building the capacity of civil society.<sup>88</sup>

### **IV. Water/Sanitation**

34. As with health, much of the provision of water and sanitation services will be through community and NSP providers, but there important state roles, especially in urban areas. For water and sanitation, there are strong links to health and education goals, but a lack of tools for political analysis of the sector. In particular, this is the case for sanitation, which is generally

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<sup>86</sup> Jones, et al. (2006).

<sup>87</sup> IDD, University of Birmingham, study on Non-State Provision of services in six countries.

<sup>88</sup> High Level Forum on the Health MDGs, “Health in Fragile States: An Overview Note”.

neglected compared to water. Attention should be given to the spatial diversity between urban, small town and rural ('great divide' between urban and rural), as these contexts effect how service arrangements can be developed and sustained. One cross-sectoral connection with justice and security is the possible role of public sector in adjudicating water resource access. In addition, there are strong linkages to health, as there will be high-risk of water-borne and sanitation-related diseases.

35. There are a number of specific elements in the water and sanitation sectors that help determine the nature of sectoral programs. These include the spatial relations of whether the services are to be delivered in urban, peri-urban, small town or rural areas. Access to safe water is an issue of daily consumption needs for survival, and since water is essential for survival, there is always high demand for it as a good and a service. In addition, there are community access and wider resource management issues, as water is a renewable, but often short-term scarce, natural resource. The water sector is characterized by a number of favorable "features" vis-à-vis level of engagement, partnerships and use of non-state actors, multidisciplinary and participatory approaches, and potential for linking up and/or bundling packages with other sectors. Because water resources are geographically situated, there are linkages with land tenure, water rights and access that highlight the role of public sector stewardship and oversight.

36. One starting point for donors and providers is to explore the existing water systems.<sup>89</sup> What is the structure of water system? What are the current roles of the state? What is the role of the local governments? Who currently delivers water? How is the water market structured? Even where utilities not provide adequate services, poor households manage to find a water source or supplier, and there supply mechanisms that have adapted to meet demand, often outside the public sector or publicly owned utility.

### *Improving*

37. The experience of GTZ and KfW in Yemen provide an example of a donor seeking to create an improving context even in a problematic environment.<sup>90</sup> The multi-level strategy pursued by the donor through micro-level with local capacity, meso-level addressing water resource management, and macro level on water policy development, highlights an approach that works with fragility and the particular characteristics of the sector. The experience of the two agencies in scaling up the water system work has shown how it is possible to create positive synergies between different levels of action. The water sector presents some particular opportunities for donors, for example in urban water the connections between integrated water resource management, technical capacity building, infrastructure and community user groups may allow for traction on governance that would otherwise not occur. In the Yemen case, the project included both training Community Mobilization Workers which included communication on the nature of on-going sectoral reform measures.

38. A different type of example, in a country emerging from conflict and with major population shifts to peri-urban areas comes from work on community-led sanitation in Luanda, Angola. Facing increasing difficulties due to massive urban migration in recent years, Luanda's peri-urban areas, officially considered transitional rather than permanent, have often gone ignored during periods of infrastructure improvements. The Sambizanga project has alleviated strains on households, who were spending a quarter of their income on water, allowing them to redirect

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<sup>89</sup> Wang, et. al. (2006).

<sup>90</sup> GTZ (2006b).

their earnings and benefits from water standpipes run as small enterprises by local communities. The project encourages demand for improved sanitation through the use of community ‘mobilizers’. This is particularly important for initiatives that focus on in-house sanitation---normally a household responsibility. Initiatives such as this one involves users in the provision of public sewerage facilities may also require action to mobilize community interest. The project’s success has afforded communities greater opportunities to engage with local government through participatory techniques.<sup>91</sup>

### ***Deteriorating***

39. Donors have a range of options in working through diverse NSPs, as well as local user groups. Water and sanitation services provide an entry point for community engagement, and as with health, in deteriorating contexts, multi-sectoral programs can be an entry point for services. The connections between health and water can be emphasized in developing multi-sectoral programs. For households and communities, access to safe water and adequate sanitation involves more than access to a clinic for illness or prevention, or educational facilities. Access to clean water and adequate sanitation is closely connected with reducing health vulnerabilities and improving quality of life.

40. Eritrea provides an interesting case, as it is a ‘difficult partner’, in a context that combines a post-conflict setting with a government that is both capable and unwilling to engage with civil society or governance issues. The GTZ and KfW work in Eritrea<sup>92</sup> highlights tradeoffs between emergency responses and support for longer-term water policies. The lessons from this case included the importance of sequencing assistance and finding the most appropriate entry points in a particular context. It also shows how the particular nature of water as a natural resource, and thus the need for coherent water management policies, could offer a different type of entry point than in other sectors.

### ***Violent conflict***

41. In countries in or emerging from violent conflict, the water sector provides some particular issues, notably the nature of water as a limited resource. Donors and provider agencies need to address conflict over access to water resources. In addition, especially for networked services, there are also significant problems with the loss of personnel and a smaller professional base for restoring networked services. There will be even fewer qualified technical personnel available for sector work, many having been killed, having left the area, or having fled the country, and staff and aid workers will be subject to dangerous and unsafe working conditions.

42. Because water is essential for survival, there is high demand for it as a good and a service (at least for water, though seldom sanitation). Assuming end-user costs are not prohibitive, households would prefer to have water nearby than farther away, just as they would prefer household water points and clean water. Given opportunities to set priorities, water supply is often the first thing that communities will request. In the large National Solidarity Program (NSP) in Afghanistan, for example, every fourth village requested water supply as their first priority.

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<sup>91</sup> (DPU Peri-Urban Interface Team).

<sup>92</sup> GTZ (2006a).

43. In most contexts, Non-State Providers have developed a close relationship with poor households. While there are many areas requiring further research regarding the spread, quality, pricing and sustainability of water services offered by Non-State Providers, these providers do offer benefits to those who are unable to access the utility network supply. Many of these benefits accrue to the poorest and more vulnerable households. In relation to the poor, the roles of diverse providers can be categorized into three points: they increase choice – empowering the poor; they fill gaps in network supply; and they tailor their service delivery to meet the complex needs to the poor.

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