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Strategic Environmental Assessments:

Capacity Building in Conflict-Affected Countries

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The Netherlands Commission
For Environmental Assessment



Summary Findings

The World Bank asked the Netherlands Commission for Environmental Assessment to prepare a first discussion draft on a potential role for a Strategic Environmental Assessment (SEA) in countries affected by armed conflicts, such as the Democratic Republic of Congo (DRC) and Haiti. The paper focuses on questions such as: what should be the purpose of an SEA and when to apply it? How to undertake an SEA most effectively in those situations; is it different from emerging good practice in non-conflict situations? How to build capacity for an SEA in conflict-affected countries: what are priorities and where to start?

The purpose of an SEA in conflict-affected countries should be first and foremost to help preventing natural resources from becoming a source for further conflict in the future. It should aim at strengthening or restoring natural resource-based livelihoods in resource-scarce settings. And to reduce opportunities for natural resource based-trade to fuel war economies. Added to this, the SEA process itself should be designed such that participants are not put at risk, ongoing peace-building initiatives are not jeopardized, and one side is not favored over another in a way that exacerbates divides. On the other hand, the SEA process can be a relatively safe opportunity to bring disputants together over a shared concern with relatively low visibility, i.e., the environment, and thus contribute to peace building.

SEA should only be applied when the environment is a priority and at the same time certain preconditions in the country are met. *Priorities* include circumstances where environmental issues were or may be a source of conflict, reconstruction actions when badly planned may seriously damage the environment, or when environmental programming could open opportunities to peace-building that could not be better developed in other sectors. In terms of preconditions, an SEA will only be effective where an institution (in most cases the state) exists in a country that has the mandate, the capacity and

the willingness to follow up on the key results of agreed actions in a SEA. Stakeholders in the country must also be willing to participate and able to do so without being put at risk. These preconditions mean that in most cases an SEA will not be a priority during the first stages of reconstruction, when the main focus will be on relief, rehabilitation and institution building. It could be a priority, however, during the later stages, as peace is consolidated and the country transitions into longer-term development. In these cases, of course, *SEA capacity building* should start before, during the early reconstruction phase.

Carrying out a conflict-sensitive SEA is no different from an 'ordinary' SEA, with two notable exceptions: to ensure a conflict-sensitive design there is a need for a more careful preparation of the integrated plan/SEA process and to the selection of appropriate methods and approaches to stakeholder involvement in the SEA process. During *preparation* more attention should be given to issues such as the historical drivers of the conflict, the issues and individuals that can bring parties together or drive a wedge between them, sites that are contested, tensions between parties such as communities, the state and armed factions. Along the same lines, the *methods* of stakeholder participation should be selected in a way that they do not worsen divisions among conflicting groups, increase danger for participants, reinforce violence or disempowered local people. Working in conflict sensitive situations means that even more flexibility is required in applying SEA than in non-conflict settings.

Building capacity for an SEA is also not different in conflict-affected countries from other countries, yet should not create tensions by itself. Therefore, the same recommendations apply as stated earlier for stakeholder involvement. A specific point of attention is the conflict or reconstruction 'context': learning activities should be focused on core functions of a (post conflict) government and not on institutions destined for closure or major restructuring.

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Table of Contents

Foreword.....	ii
1. Introduction.....	1
2. Purpose of this Note.....	2
3. What is SEA?.....	2
4. The Purpose of SEA in Conflict-Affected Countries.....	4
5. When to Do or Not to Do an SEA in Conflict-Affected Areas.....	5
5.1 When Are Environmental and Related Social Issues a Priority in Reconstruction?	6
5.2 When to Start Using SEA or Build Capacity for It?	8
6. How to Carry Out an SEA in Post-Conflict Reconstruction?	10
6.1 Preparation of the SEA Process.....	10
6.2 Options for Stakeholder Involvement	11
6.3 The Need to Be Flexible.....	13
7. SEA Capacity Building in Post-Conflict Countries.....	13
8. The Way Forward	15
References.....	17
 <u>Boxes</u>	
Box 1: Strategic Environmental Assessment for Hydro Power Planning in Nepal.....	4
Box 2: Environmental Effects of Military Conflict in Iraq.....	7
Box 3: Discussion of the Draft Note ‘SEA: Capacity Building in Conflict-Affected Countries’ at the 2005 DRC SEA Workshop.....	8
Box 4: Discussion of Draft Note ‘SEA: Capacity Building in Conflict-Affected countries’ at the 2005 Haiti SEA Workshop.....	9
Box 5: Issues in Constructive Stakeholder Engagement.....	12
Box 6: How to Create a Support Basis for SEA.....	15
 <u>Tables</u>	
Table 1: Environment as a Priority in Reconstruction.....	6
Table 2: A Generic SEA Capacity Development Plan.....	14

Foreword

The idea behind this work and paper originated from a discussion with the Bank's CPR Unit, trying to map out links between the conflict and environment fields. It is clear that conflicts have important effects on the environment of affected countries, while control over natural resources is implicated in many conflicts—especially among the Bank's poorest borrowers. The discussion led to the idea of exploring whether a relatively new tool, the Strategic Environmental Assessment (SEA), could be used to lay the foundations for improved environmental management in conflict-affected countries.

The Netherlands Commission on Environmental Assessment, which was advising the World Bank more broadly on the development of SEAs in Bank activities, readily grasped the challenge. After a few rounds of internal consultations, the Commission established a multidisciplinary team, working with the International Institute for Sustainable Development, and the Clingendael Institute. The team developed the original ideas and concepts, which were refined after discussions in the Democratic Republic of Congo (DRC) and Haiti. This is but a first step that it is hoped will generate interest in the international community, especially to encourage field testing and applications that can generate lessons and good practice guidance, as well as training and awareness rising.

This report and the in-country discussions would not have been possible without the enthusiasm and expertise of Rob Verheem, and the multidisciplinary team he assembled. The field discussions were helped immensely by the authorities of DRC and Haiti. Kulsum Ahmed, who manages the Institutions and Governance Program in the Bank's Environment Department, provided critical guidance and encouragement to this work. Also thanks to Ian Bannon, Manager of the CPR Unit, who through support to this work quickly became an environmentalist, as well as numerous Bank colleagues who provided valuable inputs and feedback as the work proceeded.

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STRATEGIC ENVIRONMENTAL ASSESSMENTS: CAPACITY BUILDING IN CONFLICT-AFFECTED COUNTRIES

Many wars are fought over natural resources, which are becoming increasingly scarce across the earth. If we did a better job of managing our resources sustainably, conflicts over them would be reduced. Protecting the global environment is directly related to securing peace.

Prof. Wangari Maathai, winner of the 2004 Nobel Peace Prize

1. Introduction

Developing countries emerging from conflict generally receive considerable support from the international donor community, including the World Bank, to fund post-conflict reconstruction. Although the type and amount of support depends in large measure on the destruction caused by the conflict, in most cases of protracted conflict, considerable resources are allocated to the rebuilding and rehabilitation of key infrastructure facilities, especially in the transport and energy sectors. Given the urgent need to reconstruct economies devastated by war and the large influx of donor resources in the early post-conflict years, little attention is generally paid to the environmental impact and sustainability of these investments. Most conflict-affected countries lack the legal and regulatory framework, as well as the institutional and human capacities, to take the lead in applying, reviewing and more generally developing a Strategic Environmental Assessment (SEA) of post-conflict reconstruction policies, programs and investments.

The World Bank commissioned the Netherlands Commission for Environmental Assessment to prepare a short note on possible approaches to SEAs in countries affected by an armed conflict and that are planning for reconstruction. The Commission was asked to analyze in what way should SEAs in conflict affected countries be different from SEAs as applied more generally in countries not affected by conflict. The approach note should be a short working document with an emphasis on practical recommendations for approaches to SEA development that reconcile the need for fast results with effectiveness. It should also assess various options to build constituencies for SEAs and watchdog organizations within and outside the national and local governments.

This note was prepared by a small team of both SEA and conflict assessment experts¹ and ‘field-tested’ in workshops in the Democratic Republic of Congo (DRC) and in Haiti.

It is tragic to see how many people have left Afghanistan due to war and drought-related issues. Apart from the conflict, environmental degradation has been an important force driving people to find a better future elsewhere. The lack of water resources has led to the collapse of many livelihoods, and most of the country is subject to an alarming degree of land degradation... Now is the time to take stock of the current conditions, develop systems for the sustainable use of resources and look for ways to rehabilitate degraded ecosystems.

Dr. Ahmed Yusuf Nuristani²

¹ The team consisted of Rob Verheem and Reinoud Post of the Netherlands Commission for Environmental Assessment, Jason Switzer of the International Institute for Sustainable Development and Bart Klem of the Netherlands Institute of International Relations Clingendael

² Dr. Ahmed Yusuf Nuristan was the Minister of Irrigation, Water Resources and Environment of the Afghan Transitional Authority (UNEP 2003).

2. Purpose of this Note

Acknowledging that conditions in conflict-affected countries vary tremendously, especially in terms of the causes, duration and extent of physical damage caused by the conflict, this approach note gives a first and general idea on:

- In which conflict-affected cases is the use of an SEA most useful;
- Where an SEA is justified, how can it be carried out most effectively; in particular, in which way does it differ from good SEA practice in non-conflict-affected countries; and
- How to build capacity for SEAs in conflict-affected countries, especially what are priorities, and when and where to start.

Because contexts vary so greatly across conflict-affected countries, the recommendations in this note are not meant as a 'how to do guide', but rather are intended to offer starting points for consideration. The main audience of this note are experts from country governments, civil society representatives and donor agencies, involved in the planning of reconstruction projects in conflict-affected countries.

Lessons learned from UNEP's post conflict assessments demonstrate that environmental contamination and degradation have critical humanitarian consequences requiring consideration at an early stage in relief and recovery operations. Failure to do so can lead to additional degradation of air, soil and water resources, causing long term threats to both human health and sustainable livelihoods. Furthermore, the assessments have revealed the critical need to build institutional capacities for environmental management immediately after the conflict in order to screen the potential environmental impacts of reconstruction and development projects, and to ensure their sustainability.

Desk study on the environment in Iraq, UNEP 2003

3. What is SEA?³

While there is considerable debate regarding what constitutes an SEA, it is increasingly recognized as a continuum of approaches, rather than a single, fixed approach. At one end of the spectrum SEA focuses on integrating environmental effects into higher levels of decision-making. At the other end of the spectrum are sustainability assessments which take into account not only the environmental effects of policies, programs and plans but also their social and economic effects on current and future generations (OECD/DAC 2005). For the purpose of this approach note, we take the World Bank description of SEA as a starting point:

A participatory approach for upstreaming environmental and social issues to influence development planning, decision-making and implementation processes at the strategic level.

In this note, we emphasize environmental issues, and social issues directly related to the environment. Using this definition also implies that any assessment or analytical work that is not participatory, does not focus on environmental and related social issues, and does not aim to influence planning and decision making will not be regarded as an SEA.

In practice, the SEA approach is consultative and iterative, relying on partnerships and open discussion. The objective of an SEA is to help design sustainable policies, plans and programs. Ideally, it ensures that the environmental implications of sectoral reforms are examined early, that alternatives are considered

³ The discussion in this section is largely based on Ahmed, Mercier and Verheem (2005).

and that stakeholders play a key role in the decision-making process. In this, SEA complements Environmental Impact Assessments that are more designed for discrete, ring-fenced projects.

A good SEA is tailor-made to the context in which it is applied and is designed to influence the policies, plans, or programs that are under preparation. This means that an SEA has to be carried out in an appropriate time frame so that it can be useful to decision makers. The time frame, in turn, is likely to affect how an SEA is carried out, while the level and type of analysis will depend on data availability. Finally, the SEA should be closely related to, and ideally integrated into, the decision-making process for the policy, plan, or program in question.

Since programs and plans are typically prepared within a fairly well defined time frame, the SEA methodology most often applied in these cases is an extension of the environmental impact assessment methodology (see Box 1 for an example in Nepal). The emphasis is on gathering information and conveying the information to decision makers through reports and public consultations. Key steps include:

- Initial stakeholder consultations for scoping and screening;
- Knowledge-base development through, for example, use of relevant analytical tools;
- Prioritization of issues and analysis of alternative approaches, using stakeholder and expert inputs;
- Creation of an action plan and management framework that includes the approach to further consultations, knowledge gaps, assessment of options, and implementation; and
- Development of an implementation and monitoring framework.

Unlike programs and plans, policy formulation is often carried out formally or informally over a much longer time period. A recent World Bank study⁴ looks at important institutional mechanisms aimed at influencing the longer time frame in which policy is formulated in practice. The approach is a continuous one—that is, it goes well beyond the formal policy formulation process to the policy implementation phase, and emphasizes the importance of continuous improvement in the design of policies for environmentally sustainable and socially equitable growth. Key institutional elements in an ideal policy-based SEA process would include:

- Prioritization of environmental issues in terms of their effects on economic development and poverty reduction, using both quantitative and qualitative techniques;
- Mechanisms that bring together different viewpoints during the policy formulation and implementation process, particularly the views of the most vulnerable groups, i.e., those most affected by environmental degradation;
- Mechanisms that ensure social accountability; and
- Mechanisms through which social learning can occur. Under this proposed continuous approach, a policy-based SEA would gradually incorporate institutional and governance elements.

⁴ Environment Department, World Bank (2005)

Box 1: Strategic Environmental Assessment for Hydro Power Planning in Nepal

Context

The power demands in Nepal are estimated to grow by more than 10 percent annually into the first decades of the 21st century. To meet the increasing domestic demand, the Medium Sized (10 to 300 MW) Hydropower Study Project, which included a Sectoral Environmental Assessment, was designed to assess how to meet the increasing power demand in Nepal while addressing environmental and social concerns.

The Sectoral Environmental Assessment had several purposes, including:

- Identifying the medium-scale hydropower projects with the greatest potential in the sector with attention to environmental and social concerns (Screening and Ranking); and
- Providing an Environmental Impact Assessment framework for the sub-projects to be funded.

Methodology

The Screening and Ranking process was applied to all the available medium scale hydropower options in the range of 10-300 MW (138 projects) and was undertaken in two steps:

- 1) Coarse Screening of 138 projects on the basis of a set of simple indicators to weed out the least acceptable projects. The primary criteria addressed: the technical/economic and environmental/social dimensions; power supply costs; site-specific risks (such as geology or hydrology); fit of the potential project with power system needs; physical impacts; biological impacts; and social-cultural issues.
- 2) Fine Screening and Ranking: the 44 projects that passed the coarse screen were rated on the basis of the same indicators used for the coarse screening, but with increased level of detail and accuracy. A cut-off line was drawn to keep on board the 24 most acceptable sites. These projects were subjected to further investigation and data collection, including considerable data gathering in the field, where local stakeholders were also interviewed and consulted. Individual or clusters of parameters were weighted and a score between 1 and 3 was given. Combining all these elements, the weighted scores were added up and transformed into a composite rating between 0 and 100 for the environmental/social dimension. A similar approach was applied for the technical/economic dimension, and the projects were entered into a two-dimensional preference ranking matrix.

Outcome

The seven most attractive Medium Hydropower projects were finally retained. As they passed the Screening and Ranking process they were eligible for funding through the Project Development Fund and were subject to Environmental Impact Assessments, feasibility studies and detailed designs. While conducting this phase, there was an extensive and open consultation process with government stakeholders, the professional community, NGOs and interested members of the public. For the Environmental Impact Assessment, the SEA provided a five-step framework, including implementation and monitoring (to be carried out by members of the Nepal Electricity Authority, with the Ministry of Population and Environment acting as watchdog).

Source: Ahmed, K. et al. Environment Department, World Bank (forthcoming).

4. The Purpose of SEA in Conflict-Affected Countries

In conflict-affected areas environmental protection and restoration will typically be only one among many competing imperatives. For this reason, the outcome of the SEA process must demonstrate its value by offering means for tackling key impediments to peace and long-term human security. The most important aspect related to environmental issues is to prevent natural resources from becoming a future source for further conflict. The purpose of an SEA in conflict-affected settings therefore includes:

- Strengthening or restoring natural resource-based livelihoods in resource-scarce settings;
- Reducing opportunities for natural resource based-trade to fuel war economies; and
- Helping to ensure that the proposed policy, plan or program 'does no harm' to peace.

In a conflict sensitive setting, this aim must be undertaken in balance with a commitment for the SEA process itself to do no harm, or even to build peace:

- Do No Harm: The process undertaken should not put participants at risk, jeopardize ongoing peace building initiatives, or favour one side over another in a way that exacerbates divides.
- Build Peace: the SEA process can be a relatively safe opportunity to bring disputants together over a shared concern with relatively low visibility, i.e., the environment. Through its participatory process, it may also have a valuable demonstration effect for broader political democratization efforts. For example, in Sri Lanka parties may not be willing to speak directly about land ownership, but may find consensus on the need to protect a valuable nature area with tourism potential, or on the need to maintain water quality for groups from both sides. Trust and relations thus established may be deepened and broadened in later years.

However, in cases where peace building is the main purpose of an ‘environmental discussion’, an SEA process might not always be the best approach because of its transparent and participative nature. Often more low-profile, less ambitious and pragmatic forms of environmental discussions will be more suitable for this specific purpose. For example, in situations where relationships among groups are particularly tense, ‘silent diplomacy’ or ‘quiet diplomacy’ may work better than an open and transparent discussion among all stakeholders.

Water irrigation helped build early communities and bring those communities together in larger functional arrangements. Such community networking was a primary impetus to the growth of civilization. Indeed, water may actually be one of humanity's great learning grounds for building community... The thirst for water may be more persuasive than the impulse toward conflict.

Jerome Delli Priscoli⁵

5. When to Do or Not to Do an SEA in Conflict-Affected Areas

In almost all cases, environmental issues will be important in conflict-affected areas. Typically, conflict takes place in countries where the population has a very close relation with the environment and is very directly dependent on the immediate resource base. For example, the *Practical Guide to Multilateral Needs Assessments in Post-Conflict Situations*, prepared jointly by UNDG, UNDP and the World Bank, states that “...armed conflict usually creates significant damages to the natural environment. For example, land mines and ammunition, scorched earth tactics, decay of resource management systems. Control of territory and natural resources belong to the key issues leading to violent conflict.” (Kievelitz et al. 2004) However, this does not mean that in all cases SEA is the best instrument to address these problems. First, time and money are scarce under any circumstance, but even more so in the difficult post-conflict setting. Thus, resources and funds should only be devoted to an SEA process when it matters and its priority can be convincingly demonstrated. Second, adopting participatory processes such as those involved in an SEA are not always possible or effective in a post-conflict situation, and may depend on the post-conflict phase in which an SEA is being considered.

In general, two criteria determine whether or not to use SEA and both criteria need to be met:

- Use an SEA if environmental, including related social issues are a *priority*; but
- Only if the SEA is *doable*.

⁵ Jerome Delli Priscoli is the editor of the journal *Water Policy* and a social scientist at the U.S. Army Corps of Engineers (www.findarticles.com/p/articles/mi_m1111/is_1802_301/ai_63125057/pg_6).

5.1 When Are Environmental and Related Social Issues a Priority in Reconstruction?

In practice, first response in planning reconstruction is often to give precedence to economic development and humanitarian needs. Yet many contemporary conflicts are financed or motivated at least in part by natural resource-related activities. Enhanced environmental management may help to reduce this threat. Furthermore, the overwhelming majority of people living in countries at highest risk of conflict or transitioning from conflict to peace depend directly on accessible natural resources for their livelihoods. A failure to safeguard these resources and manage them for the long term while implementing a policy, plan or program may undermine long term prospects for peace.

Table 1 distinguishes three broad situations in which environment is a priority in reconstruction.

Table 1: Environment as a Priority in Reconstruction

Environmental and social issues are a priority when:	In that case an SEA should:
<p><i>Environmental issues were or may be a source of conflict</i>, due to one or more of the following:</p> <ul style="list-style-type: none"> • People abuse natural wealth to finance war efforts or threaten neighbouring countries; • There is not enough of the resource, causing grievances over land, water or food. This includes situations in which the environment has been seriously damaged by the conflict and needs reconstruction (see box 2 below for some examples from Iraq); or • Populations have been physically moved from the area that sustained their livelihoods (Internally Displaced Persons, refugees). 	<ol style="list-style-type: none"> 1. Map the environmental sources of conflicts to determine ways of mitigating or reducing these. 2. Prioritize damage and find the most efficient ways to restore natural resources and ecological production bases, e.g. for food or export. 3. Assess options for returning populations to their places of origin and impacts of these options.
<p><i>Reconstruction actions, if badly planned, may seriously damage the environment</i> or area of global environmental significance (such as world heritage sites); e.g., through badly planned land management, infrastructure development, industrial development or tourism development.⁶</p>	<ol style="list-style-type: none"> 1. Investigate better, more sustainable alternatives. 2. Find the best and most efficient mitigating measures.
<p><i>Environmental programming could open opportunities to strengthen cooperation, democratization or other peace building activities</i> that could not be better developed in other sectors due to one of the following:</p> <ul style="list-style-type: none"> • Environment is a low-politics issue that is unrelated to the conflict, and technical cooperation between former combatants can encourage broader trust building; • Shared environmental concerns make it impossible for one side to exclude the other in decision-making; • Environmental activism is an area where civil society can be fostered; or • Environmental reconstruction works may offer job opportunities for demobilized combatants. 	<ol style="list-style-type: none"> 1. Identify areas of shared concern over natural resources and create opportunities for projects to address these in a way that fosters inter-group cooperation. 2. Through the SEA process contribute to the strengthening of local environmental civil society groups.

⁶ For example, in Cambodia deforestation accelerated after the cessation of hostilities as the country had an urgent need for funding to finance reconstruction and pay down war debt. Another example is Sri Lanka where a multitude of international consortia are waiting for sufficient stability in the country to develop tourism facilities on the east coast. While offering good opportunities for employment and financial revenues, this tourism development may lead to significant waste problems, water pollution and shortage and disruption of sensitive ecosystems if not properly planned and managed.

Box 2: Environmental Effects of Military Conflict in Iraq

Iraq is confronted with a range of environmental problems that are both immediate and severe. Some have been triggered by internal Iraqi policies and actions and exacerbated by factors such as the impact of economic sanctions and limited regional cooperation on the management of shared natural resources. Others can be directly linked with recent military conflict, some of which include:

- War-damaged water distribution networks;
- Poorly functioning water sanitation systems because of power cuts;
- Disruption of waste disposal systems;
- Contamination of groundwater by oil spills, depleted uranium and other hazardous substances;
- Environmental impacts of oil fires;
- Large quantities of military waste such as unexploded ordnance, destroyed vehicles and packaging material;
- Desertification exacerbated by land degradation from military movements and the use of munitions; and
- Deliberate deforestation to reduce potential cover for attacking forces and because of fuel shortages.

Source: UNEP (2003).

Experience both from SEA and conflict assessment processes suggest that an SEA will only be effective if at least the following three preconditions are met:

1. There is a possibility of mainstreaming environmental issues into a strategic decision that will actually be implemented on the ground. In practice this typically means: is there an institution (in most cases the state) in the country that has the mandate and the capacity, including funds, to follow up on agreed actions? Is this institution also willing to take the lead in the SEA process and use its results?
2. Key stakeholders are willing to participate. In practice this means: do all key stakeholders—from all sides of the previous conflict—have sufficient trust in the process? Do all participants have a potential stake in its final outcome?
3. It is possible to involve stakeholders without putting them at risk. This issue is particularly important in post-conflict situations, especially where public security may not be fully and effectively restored.

Anderson and Olson (2003) provide two examples where the third condition was not met—with tragic consequences. An agency convened a large-scale meeting to try to bring two groups in conflict together. During the opening remarks, someone started shooting from the stands. The agency quickly closed the meeting and left the scene. The violence continued after the agency left, and several people were killed and many more injured. In a separate case, an international agency trained local mediators who then went back and forth between sides under very difficult circumstances. Three of the 20 workers were killed by the warring parties.

Typically determining whether the above three conditions are met and providing answers to the related questions will not be easy or clear cut. However, it is essential to consider these conditions and gather as much information as feasible, before deciding whether an SEA application is a priority and how it should be designed.

An important criteria is the availability of funding. The participatory process of an SEA raises expectations that could lead to frustration when not followed through. There should at least be reasonable

prospects that funding will be available to actually carry out assessed reconstruction actions before engaging in an SEA.

5.2 When to Start Using SEA or Build Capacity for It?

First, it is clear that in most cases it will not be possible to fulfil the above preconditions if a conflict is still ongoing. So a general first conclusion would be that an SEA is best used during post conflict reconstruction. However, when discussing this issue at SEA workshops in DRC and in Haiti most participants agreed that it would be very necessary to start with at least the analytical work much earlier and preferably before peace or political negotiations commence. This would enable environmental and related social issues to play a role in these negotiations. For example, in the Sri Lanka peace negotiations, especially from the Tamil side, great emphasis was placed on nature protection. The boxes below present the main recommendations from the DRC and Haiti workshops on conflict sensitive SEAs.

Box 3: Discussion of the draft note ‘SEA: Capacity Building in conflict-affected countries’ at the 2005 DRC SEA Workshop

In general, participants subscribed to most of the observations in the draft ‘SEA in conflict affected countries’ note. The following critical comments and additional observations were made:

- For collection of data it will be too late to wait until the conflict is over. Information on environmental damage and opportunities can be used in creating awareness in the belligerent parties and can assist peace building. Practice in the DRC has shown that collection of data can effectively be done during the conflict.
- Strategic environmental issues should be integrated in the needs assessment for post conflict reconstruction. Currently no methodology for this is available. It is suggested to integrate a summary environmental assessment in the post-conflict needs assessment.
- SEA should aid politicians in deciding how to manage natural resources that have been the root of a conflict or have fuelled a conflict. In this respect, an SEA will be more suitable for decisions on ecological resources than geophysical resources.
- While indicating that one of the purposes of an SEA for reconstruction planning is re-establishing the natural resource based of livelihoods, the draft note does not sufficiently identify refugees and internally displaced people as target groups for reconstruction
- The draft note puts emphasis on the use of an SEA when natural resources are the source of conflict. However, where this is not the case, natural resources may suffer serious damage from conflict (e.g., the former Southern Iraqi marshlands). Such collateral damage should also be considered in deciding whether and when to use an SEA as part of reconstruction planning
- Accepting that an SEA is defined by its participative character, SEA for reconstruction should also be considered when not all stakeholders can be consulted.
- Regarding capacity building, the note should put more emphasis on making use of existing groups active in the country or region.

If SEA’s main role is in post conflict reconstruction, the next question is during which stage(s) of post conflict reconstruction might one best consider the use of an SEA? There are several ways of categorizing these stages. For example, the sequence: humanitarian assistance/relief (1-2 years) to rehabilitation (typically after a peace agreement, may last a couple of years) to longer-term development. Another distinction is: stabilization/transition (year 1), then transformation/institution building (years 2 and 3), leading to consolidation (years 4 through 10) (Kievelitz et al. 2004).

A common feature is the existence of three broad stages or phases.⁷ In the first stage emphasis is on fulfilling immediate needs. This is not the best stage for SEA application, because the three preconditions

⁷ Although in some cases countries regress into conflict or other forms of instability after stage 1 or 2.

mentioned above cannot generally be met. During the second phase, emphasis is on institutional capacity building and starting up of spatial and sectoral planning. This is a good time to consider the development of SEA capacity. The third stage is the best time to start applying SEA when deemed a priority, as it is in this stage that all three criteria are likely to be fulfilled.

Box 4: Discussion of the draft note ‘SEA: Capacity Building in conflict-affected countries’ at the 2005 Haiti SEA Workshop

- The guidance in the approach note is judged useful, however, should evolve into a more detailed manual on how to carry out an SEA in conflict sensitive situations.
- A precondition for an SEA should be that the state can effectively represent minorities and indigenous people. Minorities will always be important stakeholders.
- SEA should not compete with other initiatives that potentially have bigger peace building capability, but rather be integrated into these.
- The analytical part of the SEA should preferably start during the conflict rather than after it has ended, to feed the peace negotiations and thus enable these negotiations to include natural resource issues.
- Tools for conflict sensitive SEA are not only needed after the end of an armed conflict, but for all situations in which reconstruction is needed in a conflict sensitive area. For example, Gonaïves is a conflict sensitive area where reconstruction is needed after flooding. Currently no such tools are available.
- Put more emphasis on the cultural context for SEA and design the SEA—especially how to approach stakeholders—with sensitivity to cultural aspects. In particular, pay attention to:
 - The mind set of the population, especially their perceptions of what the conflict is about;
 - Flexibility to adopt new approaches;
 - Willingness to change from a destructive attitude to a constructive attitude with regard to natural resources;
 - Resilience of the different groups;
 - Attitude of people toward ecosystems/environment;
 - Pre-conflict history: migrations, resulting ethnic composition, cultural differences, tensions;
 - Independent nature of the process; and
 - Role of parties outside the country/region at stake (e.g. Rwanda, Uganda and Angola factions in 89DRC).
- Place more emphasis on an analysis of traditional family structures: e.g., destabilized families are more vulnerable to involvement in conflicts.
- Realise that the ability of people to benefit from available resources may vary, for example, because of their psychological condition, their entrepreneurial strength and their willingness to trade income from war with income from trade.
- Make it very clear to stakeholders what the objective of the SEA is.
- Establish mechanisms (checks and balances) to ensure that during an SEA process spoke persons can indeed articulate what their constituencies think.
- If participation in capacity building can spark conflict, have it organized through neutral facilitators.
- In all cases, involve local organizations, NGOs, universities, local authorities, the media, and train stakeholders in their role.
- Sufficient budget is important.
- Capacity building should preferably take place on the job.

A relatively new instrument in the first phases of reconstruction is the post conflict needs assessment.⁸ This is a process led by national authorities, supported by multilateral agencies, aiming at overcoming the effects of conflict, prevent renewed outbreak and determine priorities and the costs of post-conflict reconstruction. Needs assessments also include sectoral needs assessments. In each of these sectoral assessments cross cutting issues should be addressed, of which environment is one. Most needs assessments are carried out very soon after a peace agreement or political settlement has been reached, and must be completed in a relatively short time in order to secure donor funding for the reconstruction. For these reasons, it will be generally difficult to integrate an SEA into the need assessment process. While the need for speed is understandable, it would seem critical in addressing environment as a cross cutting issue to define as a minimum when, what and how SEA capacity should be build in the country.

6. How to Carry Out an SEA in Post-Conflict Reconstruction?

Assuming the SEA preconditions are met, and the SEA is carried out at the right stage of reconstruction, the accepted principles, process and methods of SEA in post-conflict situations are largely no different from those in a non-conflict setting, as described for example in World Bank guidance (Ahmed, Mercier and Verheem, 2005), OECD/DAC guidance (OECD/DAC, 2005), publications of the International Association for Impact Assessment,⁹ and in professional literature (e.g., Dalal Clayton and Sadler, 2005). There are three notable exceptions, however:

- I. Preparation of the integrated plan/SEA process to ensure a conflict sensitive design.
- II. Methods for stakeholder involvement in this process.
- III. Increased need to be flexible.

6.1 Preparation of the SEA Process

In addition to the usual issues, the following issues need to be addressed and taken into consideration during the preparatory to make the SEA conflict sensitive (Bush 2003; Frerks 2004). Drawing on development agency conflict assessments, academic writing and analyses from independent groups (e.g., International Crisis Group, Economist Intelligence Unit, academic case studies, donor literature, DFID Strategic Conflict Assessments, local think tanks or academics), interviews, and working with a highly-knowledgeable and preferably impartial local informant, identify the following information:

- **Conflict analysis:** map the historical motivators and drivers of the conflict, and the key elements and milestones in the peace-building process. Identify connectors and dividers, those issues or individuals bringing parties together or driving a wedge between them, relevant in the implementation of the program, plan or policy.
- **Stakeholder analysis:** map positions, interests, and values of stakeholders; perceptions of justice, fairness, and respect; consider cultural issues such as flexibility to adopt new approaches, willingness to change from destructive to constructive attitudes on natural resources, attitude

⁸ The post conflict needs assessment is defined as ‘a complex analytical process led by the national authorities and supported by the international community and carried out by multilateral agencies on their behalf, with the closest possible collaboration of national stakeholders and civil society. The needs assessment aims to overcome consequences of conflict or war, prevent renewed outbreaks and shape the short term and potentially mid-term recovery priorities as well as articulate their financial implications on the basis of an overall long term vision or goal (Kievelitz et al. 2004).

⁹ For example, see the SEA Performance Criteria on www.iaia.org.

toward ecosystems, religion and traditions; take into account the pre-conflict history, including migrations, resulting ethnic composition, cultural differences, and tensions.

- **Location and timing of actions:** e.g., consider program, plan or policy impacts/actions located in violent areas or contested locations; review increasing or decreasing opportunities to work in the target area.
- **Political and military context:** e.g., relationship between local communities, political, and military authorities; political, legal, and security stability; leaders' accountability; corruption; use of force; relationship between armed factions, role of parties outside the country/region at stake (e.g., Rwanda, Uganda and Angola factions in Congo).
- **Socio-economic issues:** e.g., legacies of conflict such as fear, war economy, food insecurity, destroyed infrastructure, poor health; conflictive relations between communities; impact on local resources.
- **Representation and facilitation:** is it possible to consolidate different interest groups with shared interests through a single representative? Is it possible to identify locally-knowledgeable process facilitator/leader candidates who will not be seen by any of the interests as biased?
- **Identification of main counterpart** (in most cases the state): are any parties contesting the state? Which parties do not identify with or feel excluded by the state? In other words, who do you need to talk to before you start and who do you talk to first?

The necessary information during the preparatory phase may be taken from conflict and needs assessments.¹⁰ Typically these kinds of assessments are carried out in the early phases of reconstruction and are thus completed before the SEA starts.

General analysis in Kyrgyzstan revealed that the benefits of an agricultural expansion project were mainly going to the local elite. But the conflict perspective pointed questions towards the issue of ethnicity. There had been serious ethnic clashes in the past. The Government was about to lift a moratorium on land sales and tension over land sales was expected to rise. Local political power had been 'captured' by an elite group which also controlled the judiciary. There were also border tensions and conflicts over resources which tended to fuel ethnic differences. The Conflict Assessment pointed out that some local persons might perceive considerable gain to be made by causing conflict. The project tended to favour the political elite and marginalize the ethnic minority. Recommendations included the monitoring of the ethnic composition of projects in the area and the formulation of new projects which more directly reached the target groups.

DFID (2002)

6.2 Options for Stakeholder Involvement¹¹

Stakeholder involvement is essential to the quality and effectiveness of the SEA process. Yet, when performed wrongly, this same involvement may obstruct the peace process, or even put stakeholders at personal risk. It is for this reason that events need to be organized in a conflict sensitive manner. Good preparation of the participants as well as attention to hierarchical, gender and power relations is also key to the success of workshops (Kievelitz et al. 2004). In planning stakeholder involvement it is necessary to ensure that the consultation process does not:

- Worsen divisions among conflicting groups;

¹⁰ These include instruments such as Strategic Conflict Assessment, Conflict Analysis Framework, Conflict Analysis and Response Definition, and Conflict and Policy Assessment Framework. A key reference on the pre-negotiation process design phase is: *The Consensus Building Handbook*, Ch 2: Conducting a Conflict Assessment.

http://web.mit.edu/publicdisputes/practice/cbh_ch2.html.

¹¹ Adapted from Anderson (2000) and Anderson and Olson (2004).

- Increase danger for participants;
- Reinforce structural or overt violence;
- Divert resources from more productive and effective peace activities;
- Increase cynicism and discouragement; and
- Disempowered local people.

Under most circumstances, representatives of all sub-groups in conflict should be consulted or included, with two caveats:

- First, communities themselves can be so deeply embroiled in the conflict that their involvement is simply another aspect of manipulation of a process for power vis-à-vis other groups.
- Second, it takes time to locate the types of representatives who make consultations work, and a mistaken choice can worsen inter-group divisions.

Box 5: Issues in Constructive Stakeholder Engagement

- Start early;
- Make mutual expectations explicit;
- Be aware of cultural backgrounds;
- Be transparent about policies, progress and the future;
- Follow through on commitments;
- Establish venues for informal interaction;
- Break down the perception of power; e.g., arrange meetings between high level officials and locals;
- Be clear about the objectives, forms and strategies for stakeholder engagement;
- Ensure that stakeholder engagement is a continuous process;
- Determine appropriate stakeholder representation; distinguish between stakeholders that are (i) potentially affected by the project, and (ii) potentially able to influence the project;
- Engage with stakeholders in their own communities;
- Disaggregate big issues into component parts;
- Reward peace rather than violence; attention is easily focused on responding to acts of violence, which diminishes and devalues the peaceful activities of the overwhelming majority of the population;
- Manage expectations for outcomes; familiarize local stakeholders with the realistic possibilities for the project/activity and the government;
- Get the right person for the right job; finding the person with the 'right' personality is essential;
- Speak with one voice; avoid internal conflicts within government or donor agency;
- Educate communities to become better negotiators;
- Recognize the importance of local staff; and
- Be aware of implicit messages; e.g., through choice of words, language and security measures.

Stakeholders should be informally consulted before the formal engagement process takes place. Issues for discussion include:

- Who are the different actors and what are their relationships to one another?
- Who needs to be involved in which processes and why?
- When do they need to be involved?
- Why do they need to be involved to achieve what objective? and
- What should be their role (exchange information, consult, ask advice, participate, negotiate)?

Source: Collaborative for Development Action, Inc (2003).

Factors that affect whether inclusive representative involvement will work, or not, include:

- Representatives are trusted and respected (either because of their traditional roles or because the process by which they were selected is seen as fair) by both their own community and others;

- The representatives, themselves, see the value of inclusiveness and take on a "bridging" role intentionally aimed at reducing inter-group divisions;
- Checks and balances are included in the process to ensure that representatives convey the needs and interests of their constituencies throughout the entire process, and do not evolve into having an agenda of their own;
- Transparency: decisions regarding risks and benefit distribution are open and public; and
- Demonstrating/strengthening community: the strength of civilian structures is reinforced in order to reduce the vacuum where military authority can assume power.

In situations where particular groups or individuals cannot be directly consulted but their interests need to be represented, process managers will need to be particularly creative and careful. Options for consultation range from multi-stakeholder participation in open meetings, to consultations with individual groups, to confidential interviews with individuals, to suggestion boxes and online voting, to organizing meetings outside the country or conflict area. Box 5 provides a summary of issues for constructive stakeholder engagement in conflict sensitive situations.

6.3 The Need to Be Flexible

Even more than in non-conflict SEAs, there is a need to be flexible as to the 'principles' of good practice in conflict affected countries. In most of these countries, even in the longer-term development phase tension will exist between the ideal SEA and the need to act quickly (working with what we have). Some of the central benchmarks for a 'good' SEA may have to be compromised to some extent. For example, democratic values and goals of inclusion may be at loggerheads with the goal of getting a good environmental management system quickly.

7. SEA Capacity Building in Post-Conflict Countries

As stated before, actually carrying out SEAs will in most cases take place during the third stage of reconstruction, during the longer-term development, or consolidation, phase. This means that SEA capacity needs to be built beforehand, which will likely be during the second stage of post-conflict, i.e., the rehabilitation or stabilization/transition phase. Priority is to build capacity within:

- The lead agencies for sectoral and spatial policies and plans. One of the key principles of SEA good practice is that these assessments should be the direct responsibility of the 'owners' of the policies, plans and programs for which the SEA is carried out. These institutions therefore should have sufficient knowledge, skills and capacity to conduct the SEA process and carry out assessments. One way of building such capacity is to support environment units in the key departments and train the staff of these units.
- The environment agency responsible for design and implementation of SEA regulation. Capacity should be created within this agency to: (i) prepare regulations; (ii) act as helpdesk, both in general (manuals and guidance) and as reviewer of specific SEAs; and (iii) act as watchdog, making sure SEAs of sufficient quality and relevance are actually carried out.
- In addition to, or as an alternative to, the environment agency playing a quality assurance role, this responsibility could be given to a 'neutral' entity, such as a commission directly under the President's office. The independence of such a commission will make its quality reviews more credible.

In all cases, funding will be an important issue. SEAs will only be effective if staff involved is paid properly, consultants have enough budget to prepare solid assessments, the costs of stakeholder

involvement can be covered and the actual impacts of policy and plan implementation can be monitored. Financial arrangements should be part of any capacity building program.

Five additional groups play an important role in ensuring SEAs play a meaningful role in reconstruction: local consultants, academics, NGOs, the media and the court system. Strengthening capacity of the last two groups is outside the scope of this note, but training consultants to prepare SEAs, academics to become SEA trainers, and NGOs to speak up during SEAs, is an important part of SEA capacity development.

SEA practice has taught that training will be most effective if given on the job, preferably during SEA pilots. A first stage in any SEA development plan should be to create support within both sectoral and environment agencies for a limited number of SEA pilots. Preferably, these pilots should be led by a small SEA team, consisting of representatives of both the sectoral and the environment agency. Training should focus on these teams, who can then disseminate their experience within their own agencies.

A precondition for effective SEA capacity development is high level support. For this reason a number of high level sensitizing meetings should be part of any capacity development plan, to garner both political and bureaucratic support. Other stakeholders may also be instrumental in generating support for SEAs (see Box 6).

Based on the recommendations above, Table 2 presents a generic SEA capacity development plan (to start at an appropriate time, e.g. directly after immediate needs have been fulfilled or during the second phase of reconstruction).

Table 2: A Generic SEA Capacity Development Plan

Main activities	1st Year	2nd Year	3rd Year	4th Year	5th Year
Prepare SEA country needs assessment Prepare a multi-year SEA development program	xx xx				
Design institutional embedding, legislation, regulation, procedures and manuals			xxxxxxxxxxx	xxxxx	
Carry out pilot SEAs Carry out regular SEAs	xxxxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx xxxxxxxxxxx	xxxxxxxxxxx
Awareness raising & training - high level meetings - SEA teams responsible for pilots - staff of lead agencies - staff of environment agencies - local consultants - universities curricula development - civil society	x x xxxxx x x x x x x x	x x x x x x x x x x x x x x	x x x x x x x x x x x x	x x x x x x x x x x x x	
Coaching of SEA teams, e.g., by international consultant	x x	x x x x	x x x x	x x x	
Data management	xxx	xxxxxxxxxxx	xxxxxxxxxxx	xxxxxxxxxxx	
Evaluation		x		x	

As is the case for SEA itself, the development of SEA capacity should be conflict-sensitive. This means that the same issues as mentioned earlier under options for stakeholder involvement are also valid. In

addition, generic recommendations for any kind of capacity building in conflict affected countries, apply. For example, as summarized in McKechnie (2004):

- *Leadership matters*: Building institutions depends critically on leaders in key ministries and institutions that are rooted in society, are respected for their abilities and have integrity;
- *Incentives also matter*: staff should receive decent pay and merit should form the basis for selection and promotion;
- *Build on what exists*: start from institutions that survived the war, as well as NGOs and UN agencies;
- *Arrange learning activities within the country*: send people out of the country only when absolutely essential;
- *Define training needs in its strategic context*: learning activities should be selective, focused and support reconstruction. Focus learning activities on core functions of post-conflict government and not on institutions destined for closure or major restructuring; and
- *Training should build on the comparative advantage of international partners*: some organizations are good at providing strategic and policy advice, others at technical studies, and others at providing training. The challenge is to ensure that all aspects of capacity assistance fit together so that the whole is greater than the sum of its parts.

Box 6: How to Create a Support Basis for SEA

How to create sufficient support for SEA when the time is ripe? One of the most effective options has proven to be strengthening the capacity of potential SEA advocates in the country to speak up and act. These may be environmental agencies, civil society (both NGOs and the business community), academics and the press. Where to start and how to best do this is difficult to address at a generic level, because of the differing contexts in conflict affected countries. For example, in one country support to NGOs may be most effective, while in other countries this may be support to environmental agencies, or both. As an illustration below is what happened in the DRC.

In May 2000 donors launched the initiative Capacity Linkages for EIA in Africa. Part of this effort involved inviting EIA professionals from all over Africa to establish national EIA associations. With limited funds, in Central Africa an umbrella organisation and seven national associations were established, including one in the DRC. With a membership of 60, this association convinced the Ministry of Environment, Nature Conservation, Water and Forests to establish by the onset of 2004 an EIA department with a staff of seven. In 2004 the association established a consortium of institutes preparing an SEA of violent conflicts in the DRC. Relevant departments of the ministries of Scientific and Technological Research, and Environment, Nature Conservation, Water and Forests are members of the consortium.

8. The Way Forward

This note is a first attempt to look at some issues in the application and strengthening of SEA in conflict sensitive situations. An obvious next step, therefore, would be to broaden the basis: a more extensive piece of analytical work, involving a wider range of experts from SEA, conflict assessment and peace building backgrounds. This should lead not only to a more in depth analysis, but specifically to more hands on suggestions and guidance on when and how to use SEA in country development processes.

Also, further sensitisation of the issue is needed in the professional community by disseminating and using this note for debate in workshops, conferences, etc. both within the SEA and the peace and conflict communities. Key in this is to bring the two thematic groups together. The preparation of this note has shown that the two fields have tended to follow more or less parallel tracks, in spite of having common objectives.

A third priority action is to continue the discussion of this note in conflict-affected countries that find themselves in need of strengthening their planning processes. As suggested above, it would be most effective to focus on this subject in countries that are in the second stage of post-conflict reconstruction, i.e., institution building following soon after humanitarian and emergency needs have been met. This would also be the appropriate time to provide training, awareness raising and the implementation of SEA pilots. However, this should not exclude countries that express a keen interest in SEA and that are in different conflict stages. Since even during conflicts SEA may have a role to play in feeding negotiation processes, or indeed provide a relatively safe platform for conflicting parties to work together on a common goal.

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