



Guidance Note on
Conflict Sensitivity no. 14 on:

Security Sector Reform (SSR)

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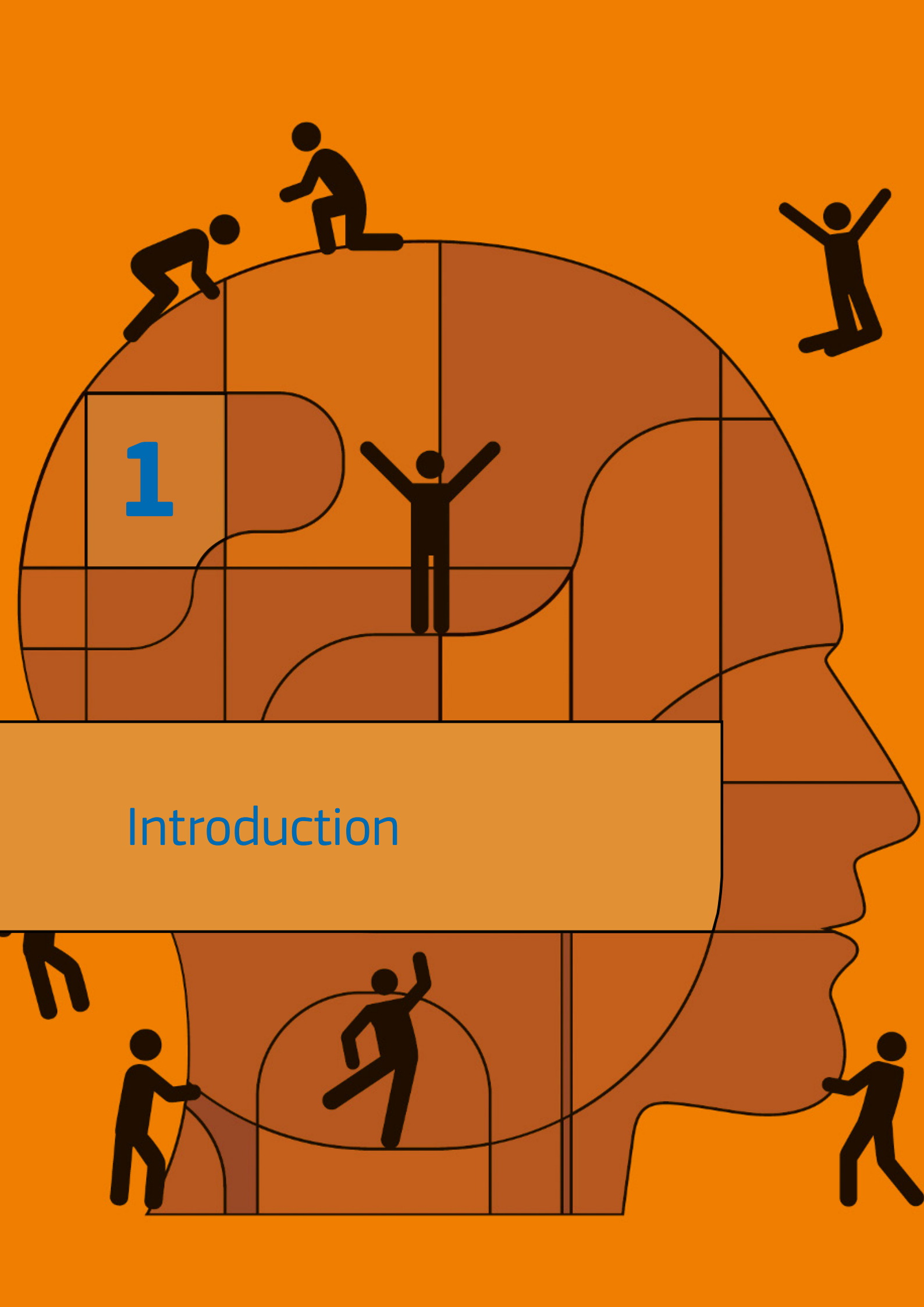
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This document aims to provide thematic guidance on how to consider key conflict sensitivity issues when supporting processes related to Security Sector Reform (SSR). The questions at the end of the document draw attention to specific conflict sensitivity considerations, calling for measures to mitigate conflict risks and risks of doing harm. These may be used in the various discussions, particularly during the design and appraisal phase of SSR support and other interventions in support of (actors in) the security sector of partner countries. This note should be read in conjunction with the rest of the EU's thematic guidance notes on Conflict Sensitivity (Conflict Prevention and Peacebuilding; Gender; Democracy and Human Rights; Working with National Actors; Working with International Actors; Economic Development and Employment; Climate Change, Environment and Natural Resources; Food Security and Sustainable Agriculture; COVID 19; Education), as well as the new Guidance Note on Conflict Sensitive DDR.

A large puzzle shaped like a human head, composed of various brown and tan pieces. Several black stick figures are interacting with the puzzle: two are climbing the top left, one is jumping off the top right, one is standing with arms raised in the center, and three are at the bottom (one pulling a rope, one jumping, and one pushing). A large tan banner is across the middle.

1

Introduction

According to the **2016 EU-wide Strategic Framework to Support Security Sector Reform (SSR)** (hereafter *EU SSR Framework*), SSR is ‘the process of transforming a country’s security system so that it gradually provides individuals and the state with more effective and accountable security in a manner consistent with respect for human rights, democracy, the rule of law and the principles of good governance (European Commission, 2016).’ The EU has been at the forefront of SSR policy development and cooperation since the mid 2000’s (European Union, 2006; Council of the European Union, 2005; Council of the European Union, 2016). It is currently one of the major supporters of SSR processes in partner countries undergoing transition towards more stability, security and peace. In most settings, SSR is a fundamental element of conflict prevention, peacebuilding, democratisation and sustainable development. Assistance to partner countries reforming their security systems works towards the EU’s objectives of peace and stability. At the same time, it contributes the internal security of the EU and its citizens as well as its trade and investments abroad.

The *EU SSR Framework* is the main policy document to apply when the EU provides (or considers to provide) support to the security sector of partner countries. As such, the Framework:

- **applies to all EU actors and instruments**, i.e. political/diplomatic, external action instruments, crisis response, as well as Common Security and Defence Policy (CSDP) civilian and military missions and operations at all levels;
- **guides all EU support to** interventions supporting the (reform of) security and defence sectors of partner countries. It recognises the interdependence of security and justice, and its principles can thus also be applied to justice actors, where their roles and functions have clear im-

plications for the security sector, such as in the criminal justice chain; and

- **applies to all contexts**, not just conflict and post-conflict situations.

The main objectives of the EU, as described in the *EU SSR Framework*, are to support partner countries’ efforts to ensure security for individuals and the state as well as the legitimacy, good governance, integrity and sustainability of the security sector. The EU is committed to carry this out by applying the following nine **main principles of engagement** when supporting the security sector in partner countries:

- Understand the security sector in its wider context.

- Enable broad national ownership.
- See the bigger picture.
- Systematic political and policy dialogue.
- Coordinate EU support with EU Member States (MS) and other international partners.
- Be flexible and balance long-term systemic change and immediate security needs.
- Measure progress through monitoring and evaluation (M&E).
- Manage risk.
- Make best use of the EU SSR expertise.

The *EU SSR Framework* also details actions to apply these principles through the development of tools, such as:

- Security sector analyses guidance.
- EU SSR Coordination Matrix and Strategic Logic of engagement.
- Monitoring and evaluation guidance with indicators for security capacity building.
- Risk management methodology.
- A Human Rights Due Diligence policy.
- Provision of EU SSR expertise through a permanent informal inter-service EU SSR Task Force, the European Security and Defence College's (ESDC) SSR training programmes and the EU Security Sector Governance (SSG) facility – surge capacity to support EU Headquarters and Delegations with a pool of SSR experts.

In addition to the definition mentioned above, the EU has a **holistic understanding of the security sector/system**, in line with the OECD DAC's SSR guidelines (OECD, 2008), which includes law enforcement institutions (police, gendarmerie, customs, border guards, etc.), the criminal justice system (penal courts, prosecutor's office, corrections, etc.), armed forces, intelligence services, institutions that provide political, financial and judicial oversight (line ministries, parliamentary committees, court of auditors, the

judiciary, etc.), the judiciary sector itself, and non-state security actors, including customary authorities, traditional courts, guerrillas and liberation armies, private military, and security companies.

It is important to emphasise that the *EU SSR Framework* and its principles are **applicable to all security-related EU interventions** and not only those aimed at supporting a reform process. The EU does indeed support many interventions in the security sector of partner countries, as well as in the justice sector. This includes, for example, supporting a specific unit in police services, human resources management within armed forces or strategic management capacities within a Ministry of Interior or Defence. All such EU interventions are extremely conflict-sensitive and politically sensitive, because they touch upon the state's prerogative of the use of force and power structures. Conflict sensitivity is therefore an essential factor in EU activities to avoid causing harm and maximise positive impact for human security.

The *EU SSR Framework* introduces the notion of **conflict sensitivity in the security sector** through its principles, and it identifies that SSR support entails four levels of risks:

- **Insufficient national political commitment** to change from a state-centric security apparatus to a system more oriented towards human security.
- **Unintended negative consequences**, while recognising that no intervention is neutral and avoiding introducing reforms and resources that favour vested interests or become entangled in corruption and patronage systems and/or in conflict economies.
- **Reputational risks for the EU** when supporting security actors that may have abused their position of power and used excessive force towards the population.

- **Risk of non-intervention** in the case in which the state cannot ensure its duty to protect civilians.

Reform efforts in the security and justice sector must be **gender-sensitive**, reflecting the differentiated security needs of women, men, boys and girls and ensuring that members of each group – especially the vulnerable among them – have effective and equal access to judicial and security services. To this end, the formulation or review of national security policies should be informed by a thorough gender analysis. In addition and in line with the Gender Action Plan III (GAP III), support for victims of violence, including sexual and/or gender-based violence (SGBV),

should be accompanied by preventive measures (e.g. legislation, gender awareness raising in police and military structures, tackling perpetrator impunity).

The EU has increased its tools and support to **all components of the security sector**, including the military¹. It provides institutional support, training, equipment, support to oversight mechanisms, as well as support to community security and the accessibility of justice². The funds engaged in the security sector by the EU through all its instruments (e.g. NDICI-GE, CFSP and CSDP, EPF) and its Member States are substantial. Applying this guidance on conflict sensitivity in this sector is therefore essential if indeed the EU ultimately aims to support human security.

1 Cf. NDICI-GE Regulation 2021/947, article 8 and 9 as well as the Council Decision establishing the European Peace Facility (EPF), March 2021

2 Those areas of engagement are listed in the EU SSR Framework as the main areas supported by the EU. It is not an exhaustive list, but used for the purpose of this guidance note.



2

Providing SSR Support

A. INSTITUTIONAL SUPPORT

One of the areas of engagement of SSR support is institutional. Such support for security and justice institutions could include assistance to the development of partner countries' defence; security and justice policies and strategies; coordination mechanisms, administrative, communication and operational procedures; internal accountability mechanisms; human resources planning and management, information and data; and budgeting and sound financial management systems in full compliance with international human rights and humanitarian law and gender mainstreaming. Institutional support includes assistance in planning reforms which should be tailored, inclusive and oriented to help partner states assess their own specific needs. These would be aimed at achieving specific and realistic short-, medium- and long-term outcomes. The EU interventions should carefully assess the requirements in terms of human, technical and financial resources and the financial sustainability of the planned outcomes.

The EU's institutional support mainly targets the state apparatus, line ministries and security and defence forces. Other institutional actors of the security sector could also be targeted, such as Parliament (Security and Defence Commissions), the judicial actors, as well institutions such as the Human Rights Commission, ombudsperson or the state audit office. The EU should always ensure that its efforts to strengthen institutions would demonstrate direct benefits for the population in terms of improved security, increased trust between the population and institutions, as well as the monitoring and addressing of human rights compliance within security and justice institutions, including gender responsiveness.

In accordance with the Women, Peace and Security Agenda, states are responsible for preventing sexual- and gender-based violence, sexual exploitation and/or other abuses that may occur in crises or conflict-affected contexts that may arise from or take place within security and military institutions (Council of the European Union, 2018).

B. TRAINING

EU support includes **building the capacity of national and regional training institutions**. This may include technical assistance and mentoring, assessing training needs, assisting in the development of new curricula and 'training the trainers' (ToT). EU training

assistance would specify the knowledge, skills and/or attitudes intended for the training in order to promote behavioural change of security sector personnel, units and institutions. It will also seek to ensure that training is valued in terms of career perspectives and

that staff perform the duties for which they have been trained. Support may be linked to dialogue within human resource management systems involving the identification of profiles needed by security and justice institutions, fair and transparent recruitment and promotion, equal opportunities for women, as well as gender responsive approaches, etc.

The EU could provide training directly, including with CSDP missions, wherever there is a need to provide assistance for strengthening basic justice and security services rapidly. CSDP missions often incorporate the delivery of the training (and ToT) as part of

their mandate which then contributes to the overall capacity-building efforts of the host country's security and justice sector. As far as possible, it should do this through – or in cooperation with – national or regional training institutions, with the intent to strengthen them and eventually hand over the full responsibility for the training. **Human rights training should be systematically included in the curriculum as well as gender- and conflict-sensitive approaches.** To ensure that the skills acquired through the training are used properly, the EU should systematically monitor training and follow-up.

C. EQUIPMENT

The EU can provide lethal³ and non-lethal equipment to security sector actors, including the military. As stated in the *EU SSR Framework* and the Council Decision establishing the European Peace Facility (EPF), this should be done within a broader security support framework for the partner country. The EU should seek appropriate guarantees that equipment will **not be used in violation of human rights, fundamental freedoms or the rule of law**. To avoid the risk of equipment becoming unserviceable, abandoned, unaccounted for or misused, the functioning of logistical support and registry/tracing chains should be assessed and, if required, support should be provided to improve their effectiveness. The development of basic good practice in equipment

management should be an integral part of any provision of equipment to ensure its maintenance, re-supply and safe disposal.

The EPF Assistance Measures (AM) should always include conflict-sensitive assessments, assessments of other risks and impacts, mitigating measures, and strict controls and safeguards. They are also required to comply with international law, international human rights law and international humanitarian law⁴. The Council Decision calls for progress reports on the EPF AM, including the evaluation of its impact and the management and use of assets, as well as updates on context analysis, risks and conflict sensitivity.

D. OVERSIGHT MECHANISMS

The EU supports the establishment or strengthening of **effective civilian and democratic control and oversight** in the security sector, inter alia by promoting and supporting the formulation and enforcement of relevant legislation and procedures,

as well as increasing the capacity of independent complaints and civilian oversight institutions and mechanisms. Beneficiaries of such support may be national legislative bodies and independent or quasi-independent bodies, such as ombudspersons, human

³ Only through the European Peace Facility since March 2021.

⁴ From the Council Decision establishing the EPF, article 56.

rights institutions or commissions, anti-corruption commissions, independent police complaints commissions, and judicial authorities in their role of

overseeing law enforcement agencies, etc. The EU also promotes freedom of the media and supports its capacity to report responsibly on the security sector.

E. COMMUNITY SECURITY

Where violence and conflicts are linked to political, social and economic issues that are predominantly local or when national security forces are unable to provide vital security services, the EU could finance support initiatives whereby **the population is provided with aspects of security and justice through a community security approach**, involving (official and/or traditional) local authorities, where possible, the residents of the communities and neighbourhoods in question and the local security forces. The aim is to improve the security in local communities, resolve conflict and address the local root causes of violence, and ultimately ensure that national authorities can address security issues and conflict at local level. Often, civil society actors, women and youth can play

a critical role in increasing the legitimacy of peace processes. Women leaders and women's groups have shown to be effective in peace-making at community levels and should therefore also be associated with high-level mediation processes. It should be noted that engaging external agencies at the community level entails certain risks. It is therefore important to understand the context and the local dynamics between traditional authorities, the population and representatives of the state (if any). Attention should also be given to the potential for traditional systems to entrench or exacerbate longstanding discriminatory practices, for example, against women, ethnic minorities or vulnerable groups.



3

Key Conflict-Sensitive Issues

In many circumstances, an effective SSR process has the potential to play an important role in stabilisation and building lasting peace. It can make the security forces and judiciary more efficient, transparent and accountable – responsive to the needs and rights of all groups in society. Alongside related efforts, such as democratisation, human rights protection and strengthening the rule of law, SSR could help in addressing several root causes of conflict.

Experience within the EU has demonstrated that to be able to contribute effectively to SSR, the EU needs to engage early with an enduring long-term perspective, flexibly and a capacity to react swiftly – connecting diplomacy, development, peace, security and defence efforts in high-risk contexts. However, at times, there may also be good reason not to engage with actual support (yet). Support of SSR activities in circumstances where certain basic political conditions are not sufficiently in place or significant improvements are not realistic could very likely backfire and have serious negative implications for the majority of key stakeholders, including the EU.

All EU support in the security and justice sector, especially in (post-)conflict settings, has the potential to become an active element within conflict dynamics. It carries high risks and is rarely (perceived as) completely neutral. Support to SSR processes might inadvertently replicate existing tensions and/or reinforce patterns of exclusion. Any decision of the EU to actively engage in supporting SSR activities should therefore first consider several political and contextual issues, including the risks that foresee that support could actually have a negative impact on peace and conflict in the country or region concerned.

Such conflict sensitivity is important in all externally supported activities, especially in fragile contexts. Given that armed forces and groups have access to weapons, the risk that conflicts may turn violent is even higher. Such violent confrontations and threats could, for example, involve homicide, hostage taking, threats to (former) combatants, etc.

Possible conflict-sensitive issues and areas to be considered are:

Before support to SSR activities can be designed, negotiated and launched, the entire (potential) conflict dynamics in the country (and region) concerned should be well understood. This includes the historical setting as well as the current socioeconomic, political and security situation. Unless there is specific and up-to-date analysis on how any type of intervention may inadvertently contribute to tensions or outbreaks of violence, there is a real risk that the EU's intervention could contribute to the eruption of new violence or the escalation of existing conflict. A **comprehensive (regularly updated) conflict analysis** would show what type of conflicts could develop; such analysis would thus help make designing the support effort conflict-sensitive as well as maintain a conflict-

sensitive approach during actual implementation (cf. Guidance note on the Use of Conflict Analysis in Support of EU External Action, European Commission, 2020). Updating the conflict analysis would keep track of changes in the political (conflict) environment and how these relate to the SSR activities supported. The process would preferably be linked to a monitoring and evaluation (M&E) system set up for the SSR support as well as the EU general risk management framework (RMF+).

The initial **decisions on what specific reforms would be supported and under what conditions** are essential and highly sensitive from a conflict perspective. Some groups might, for example, be viewed as more likely to gain benefits than others in the developing national or regional power relations. Some of the intended reforms might also be part of a still fragile peace settlement, for example, if former members of armed groups have agreed to be absorbed (at various levels) into national security forces. The actual implementation of such agreements is usually complex and delicate. From a wider perspective, in any SSR process, it is important that **the truly essential issues in the security sector** are being addressed and that there is sufficient genuine agreement among the key stakeholders on the required changes. Defining these real priorities in the security (and justice) sector would best be based on some form of joint assessment. Before deciding on any support, external partners, such as the EU, would need to be convinced that sufficient political will does indeed exist. If external actors were to get involved in supporting parts of an SSR process which are not viable, the negative results could be seriously damaging for these partners and the actual peace process.

Even more than in other external assistance programmes provided in fragile situations, it is essential that the **ownership of the core SSR process** is and remains national. The security and justice sectors are crucial in a sovereign country. The

risk that some external partners might have their own agendas and are not **genuinely coordinating** their activities within the agreed SSR process is realistic in some instances.

Security and justice reform will unavoidably affect **the way power is considered and distributed across relevant institutions**. Powerful groups, especially when it is likely they will lose some of their control and power, often resist reform. Both the formal and informal security and justice systems must be considered when drafting and introducing reforms. Traditional leaders, religious and/or ethnic groups are, in some cases, perceived as equally, if not more, legitimate than state institutions for the provision of security and justice. Awareness and analysis of the dynamics between these systems is thus key to a conflict-sensitive approach to SSR. Therefore, it is sensible to aim for long-term approaches with carefully sequenced steps, rather than short-term, quick-win projects.

Much of the SSR support usually required activities outside the core of the security institutions themselves, such as strengthening civilian institutions, democratic oversight, protection of civilians and human rights, community policing, etc. To effectively contribute to genuine peacebuilding, it is therefore important to have mixed teams of experts to support SSR processes and not only military or former military personnel. Operational teams and other experts should be well-balanced and composed of men and women with different backgrounds and a wide range of experience. The possible militarisation of the social environment where people contribute, cooperate and learn should be prevented. This is also an important consideration in making SSR more gender-responsive.

The EU should always aim to **support the effectiveness as well as the accountability of the security and justice sectors**. Supporting only one of the two would entail considerable risks. For example, training and equipping the police in a

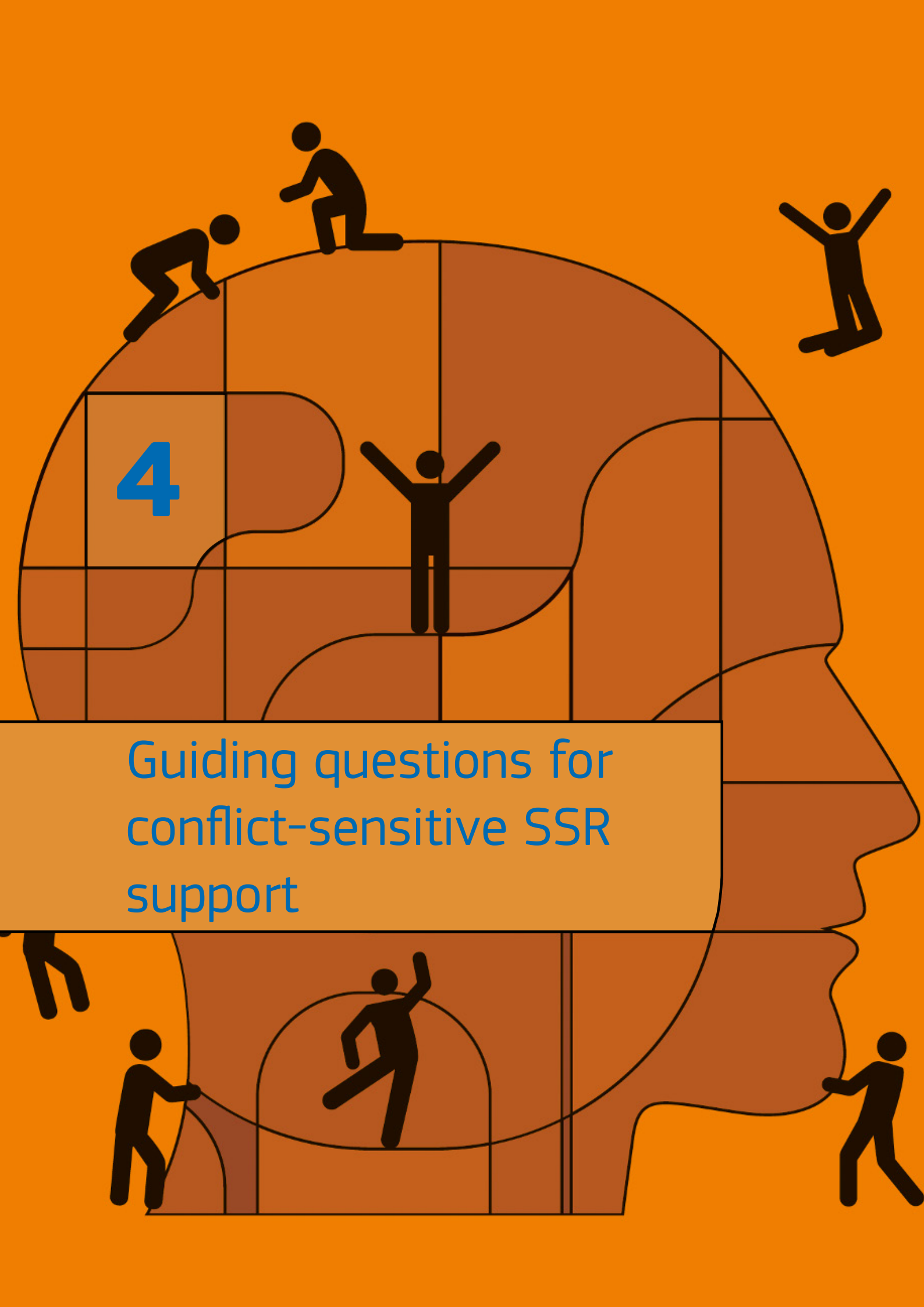
partner country, without ensuring support of their internal accountability mechanism, would be a risky undertaking for the EU. Support of security forces should indeed incorporate a safeguard that would respect **human rights standards**. If the support leads to more efficient security forces without such forces being sufficiently trained in protecting human rights, it could, for example, increase abuses against political opponents of a regime, vulnerable groups or human rights activists. Partnership with international agencies might in some settings even be seen as providing legitimacy to national authorities involved in human rights violations.

In SSR, it is **critical to consider oversight of the security institutions**. In the oversight mechanisms, the participation of civil society, youth and women can play an important role. Where relevant, the EU could therefore support civil society initiatives to monitor the conduct of security forces. However, this should be adequately implemented so that such support does not put actors involved in these initiatives in danger.

Issues related to **the (financial) resources involved in SSR** could be another potential source of conflict. Given the complexity of SSR processes and the many

actors involved, it is often challenging to establish and manage appropriate financial and procurement systems. Mismanagement and possible diversion of funds through corruption could affect (the credibility of) the entire reform process. Key stakeholders could become frustrated and lose their confidence in the reforms. Moreover, finances could become the focus of competition between powerful groups, possibly feeding into a persisting war economy, which should in fact be dismantled. Indeed, part of the overall reform process should aim to secure the withdrawal of armed groups and/or security forces from any possible involvement in illegal business, such as drug trade, poaching, logging, smuggling and mining.

In general, it is also possible that when providing training and equipment to the security sector, the **skills, facilities or hardware may be misused by (members of) the security institutions**, thus promoting or facilitating conflict or violence. EU interventions may indeed lead to unintended consequences that increase violence between individuals or groups, or among communities. Again, this demands strict and thorough analysis of these risks as well as continuous monitoring.



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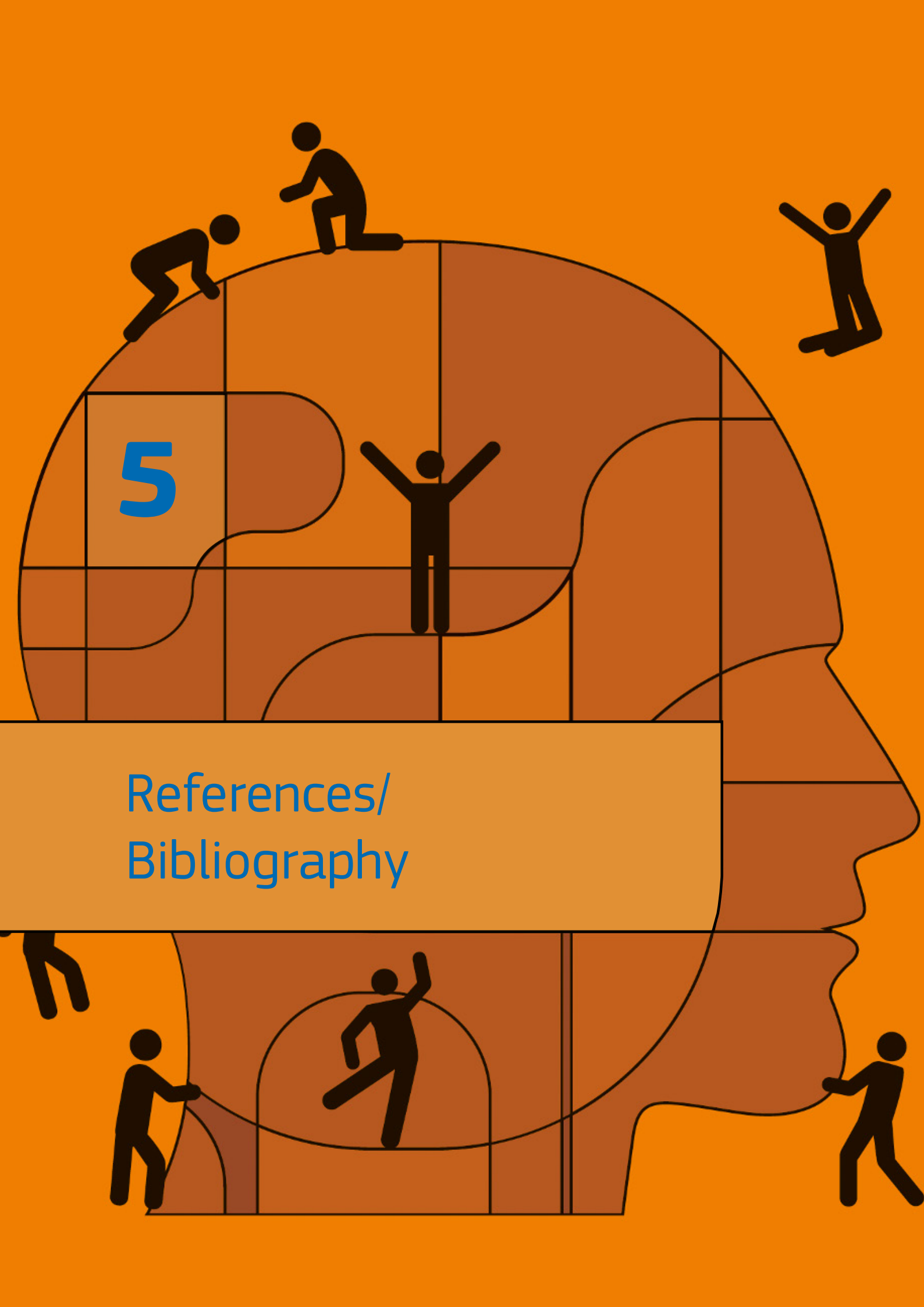
Guiding questions for
conflict-sensitive SSR
support

A. SAMPLE GUIDING QUESTIONS: GENERAL SSR & SECURITY

1. Are elements of SSR included in a peace agreement or ongoing negotiations? If so, do these address the essential issues that need to be addressed in the sector?
2. Does a reliable overview of the size and composition of the current security forces exist, including an analysis of their command-and-control arrangements?
3. Does a comprehensive national SSR plan or strategy exist? If so, is this based on a recent assessment of the needs of the security forces in terms of equipment, training, facilities, etc.?
4. Do the SSR plans allow for sufficient ownership in society, particularly among the stakeholders directly involved? Have civil society, women and youth organisations been included in the discourse and decision-making pertaining to the reform process?
5. How likely to mobilise to incite violence are relevant actors in this intervention if they are not satisfied with how the SSR unfolds?
6. How will the protection of human rights be strengthened during the SSR process?
7. Has there been an assessment of the various security needs of women, men, girls and boys in the geographical area of the intervention? Does the intervention take those needs into account?
8. Does the EU conduct a comprehensive analysis of the conflict and security dynamics, including of the role of the different security actors in the conflict and the expected impact of possible SSR interventions?
9. Has the EU developed different scenarios for its engagement in supporting SSR?
10. How does the decision of the EU of whether or not to support the SSR play a role in the content and viability of the SSR plans?
11. Does the SSR contain sufficient bottom-up (community-led) elements?

B. SAMPLE GUIDING QUESTIONS: CONFLICT SENSITIVE ASSISTANCE TO SSR

12. Do national and local actors have sufficient capacity and resources to implement the entire foreseen SSR process? What could happen if they don't?
13. Is the international community able and willing to support the SSR process, ensuring sustainability, complementarity and genuine national ownership? Is there a risk that some international partners have in fact separate agendas? How would the EU be prepared to deal with such a possibility?
14. Would the reformed security sector be a (better) reflection of the society as a whole?
15. Would the SSR contribute to genuine improvements of civilian and democratic oversight of the entire security sector?
16. How might weaknesses in oversight and accountability of the security sector inadvertently result in further tensions or violence? For example, without sufficient checks and balances, the intervention might increase the abusive behaviour of the security forces, corruption, illicit economic activities and/or organised crime. Providing equipment to security forces without ensuring oversight, coordination and responsibility over its use could result in the misuse of that equipment.
17. How might the provision and governance of security be inadvertently affected by the foreseen intervention (including non-state armed actors)? For example, undermining gang leadership could result in the splintering of gangs, weakening command-and-control, arms proliferation and increased violence.
18. How might possible weaknesses in command-and-control result in further tensions or violence through the resources transfer introduced by this intervention? For example, could new equipment be used to extort funds from communities?
19. Could SSR support feed into patterns of domination and exclusion or perceptions of discrimination? For example, could the security sector be drawn from one dominant ethnic group, enhancing their capacities to not only reinforce the domination but also the exclusion of other groups?
20. What are the risks that SSR support would lead to leakage or other abuse of weapons, equipment, skills or facility use?
21. In cases where a SSR involves the absorption of members of former armed groups into regular forces, is this expected to undermine public trust in national security institutions? Could it lead to other conflicts and instability?
22. Could support of SSR exacerbate existing or create new vulnerabilities? For example, reinforcing police and prosecutors but not penitentiaries could leave the criminal justice chain as a whole weak, despite reinforcements to certain parts.
23. Is it possible that the foreseen EU support would need to operate in disputed geographical areas?
24. What type of non-state security providers exist and what role do they play in the security sector? Are they supporting or threatening the stability of the state? Are they supporting or threatening the security of individuals and communities?



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