

Impact of the Covid-19 pandemic on fragile contexts and foreign policy instruments

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Contents

1. General impact of the pandemic on fragile contexts.....	3
1.2 Impact of the epidemic in typical clusters of fragile statehood	4
1.2.1 Epidemic in the “failing/dysfunctional state” (all dimensions weak, e.g. Somalia, in particular the Mogadishu region and in Jubaland).....	4
1.2.2 Epidemic in the “challenged state” (particularly where the monopoly on the use of force is weak, e.g. Mexico)	4
1.2.3 Epidemic in the “weak state” (particularly where administrative capacity is weak, e.g. Zambia)	4
1.2.4 Epidemic in the “illegitimate state” (particularly where legitimacy is weak, e.g. Zimbabwe) .	5
1.3. Table of the summary and implications for international policies.....	5
2. Impact of the pandemic on German foreign policy instruments	6
2.1 Effects of Covid-19 on security-sector-reform (SSR) instruments.....	6
2.1.1 Possible consequence of the pandemic: strengthening of authoritarian regimes as an effect of the global Covid-19 outbreak.....	6
2.1.2 Possible scenarios	7
2.1.3 Recommended action	7
2.2 Impact of Covid-19 on peace mediation	8
2.2.1. Introduction: Mediation and Covid-19 – Additional Challenges, Formats & Potentials	8
2.2.2 Possible impact on conflict dynamics relevant to mediation.....	8
2.2.3 Foreseeable impact for the use of/conditions for peace mediation.....	9
2.2.4 Challenges for implementing organisations.....	10
2.2.5 Opportunities/constructive dynamics in the context of peace mediation	10
2.2.6 Recommendations for the Federal Foreign Office	11
2.3 Effects of Covid-19 on instruments for promoting the rule of law	11
2.3.1 Introduction	11
2.3.2 Scenarios in partner countries	12
2.3.3 Recommendations	12
3. Bibliography and used sources	13

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Despite the widespread media coverage on the events in Europe and North America, the Covid-19 pandemic does not only affect consolidated states. Hit somewhat later, fragile states in particular have to be expected to be strongly affected by the pandemic and to face significant political, social and economic consequences. However, the situation might also create windows of opportunities, for example with regard to cooperation or peace talks. As a result of these abrupt changes, the Federal Government's involvement in fragile states needs to be adjusted. This report outlines scenarios and effects of the pandemic for fragile contexts and makes recommendations on foreign policy involvement, particularly regarding three specific foreign policy instruments: (1) security-sector-reform (SSR), (2) peace mediation, and (3) rule of law promotion. While naturally, each of these fields calls for highly specific responses, only an integrated approach allows for a coherent reaction to the challenges in connection with the pandemic.

1. General impact of the pandemic on fragile contexts

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Fragile statehood is a defining characteristic of many contexts, in which German foreign policy is active. The term refers to a territorial entity (or parts of it) in which

- (1) the monopoly on the use of force and/or
- (2) the administrative capacity of the governing institutions and/or
- (3) the empirical legitimacy of these institutions and/or
- (4) the level of service provision to the population

are structurally at risk or already limited in such a way that an acute crisis (humanitarian disaster or significant outbreaks of violence) are likely to happen or have already happened (cf. Walter-Drop 2019: 226). The OECD's approach (2016: 22) to weigh structural weaknesses with the relevant risks is highly applicable to the current case, as the **Covid-19 pandemic represents precisely the materialization of one such major risk**. The pandemic affects structures that are already weak. Although the four dimensions of fragility mentioned above are theoretically independent of one another, they occur de facto in certain typical clusters. The possible impact of the pandemic on these clusters is outlined below. However, the following applies to all combinations. On the one hand, the average age of the population in the countries concerned is often lower (than in an OECD context), which suggests that the number of persons falling ill, critically ill or dying from Covid-19 could be significantly lower than in OECD countries. On the other hand, **(a) state capacity to curb the spread of the Corona virus and (b) health system performance to treat the Covid-19 disease are often particularly low**, which could negatively overcompensate for the effect of the lower average age. To date, studies on this topic assume that at least 2% of the population will become severely ill (requiring but possibly not getting hospital treatment) and that approximately 0.2% of the population will die (Walker et al. 2020: 7). However, given structural weaknesses of the existing governance institutions actual numbers maybe significantly higher. In addition, these estimates do not include that the pandemic will likely trigger **adverse side effects** including economic crises, retracted external support, etc. Both, the Food and Agriculture Organization of the United Nations (FAO) and the UN World Food

Programme (WFP) e.g. have indicated that in the wake of the pandemic severe food shortages are to be expected (Global Network Against Food Crises 2020).

1.2 Impact of the epidemic in typical clusters of fragile statehood

1.2.1 Epidemic in the “failing/dysfunctional state” (all dimensions weak, e.g. Somalia, in particular the Mogadishu region and in Jubaland)

In the case of a “failing/dysfunctional state”, it is to be expected that the epidemic will largely be able to spread **uncontrolled and even undetected**, as state capacities to even register cases are weak to non-existent (and weaker still in terms of the ability to curb the spread). With regard to curbing the spread (e.g. through social distancing), international actors in general cannot compensate for state weakness; however, they could do so regarding treatment. In this case, the course of the epidemic will thus depend primarily on the **international community’s involvement** (cf. the Ebola crisis in West Africa in 2014-16), which, in turn, will depend on how the Global North itself is affected. If mortality is high (particularly in older age groups), administrative capacity in these regions can decline further, as can legitimacy should the spread of the epidemic be attributed to failure on the part of the state. (This can also affect international actors!) If a significant part of the population falls ill or is adversely affected by the pandemic, **violent conflicts could initially decrease, but then escalate (again) after the epidemic**. Furthermore, inadequate healthcare can lead to new crises, such as a **food supply crisis**. New **migration movements** could be triggered as a result of panic among the public about supply shortages. Closed borders exacerbate the situation and lead to further problems.

1.2.2 Epidemic in the “challenged state” (particularly where the monopoly on the use of force is weak, e.g. Mexico)

The actions of **violent non-state actors** make it significantly more difficult to curb the epidemic effectively (weakened potential for containment measures to be effective). In the medium term, however, it can be assumed that the epidemic will affect state actors and violent non-state actors equally. Depending on the severity of the illness, **violent incidents may decline** and violent non-state actors may even make use of state health services. If the situation can successfully be portrayed as a “joint (national) challenge”, this may provide **particular opportunities for conflict mediation** and tend to strengthen the government’s legitimacy. However, should the state in question fail to overcome the crisis (e.g. because its capacities are too weak), this can **exacerbate the conflict**. The risk of social unrest and protests will increase, as will the potential for “markets of violence” (Georg Elwert) with corrupt “markets” for strategic goods such as face masks, hospital equipment, etc. and widespread violence.

1.2.3 Epidemic in the “weak state” (particularly where administrative capacity is weak, e.g. Zambia)

A “weak state” can do very little to curb an epidemic via state-imposed measures. Furthermore, the service supply to the population (including in the healthcare sector) already depends on **international state and non-state actor involvement** (which is high in the example of Zambia) in the *status quo ante*. As in the case of the “failing/dysfunctional state”, the ability to buffer the impact of the pandemic is thus largely dependent on these actors’ capacities and willingness, albeit under

significantly better conditions (due to the lack of violent conflicts and legitimacy problems). However, depending on the course the epidemic takes, the **legitimacy of external actors (and the state)** can be eroded, with all the consequences this entails for international involvement.

1.2.4 Epidemic in the “illegitimate state” (particularly where legitimacy is weak, e.g. Zimbabwe)

This combination is already particularly volatile; as weak legitimacy is mainly met with political repression (thus further undermining legitimacy). If civil war breaks out, there is potential for severe, bloody, and protracted conflict because state capacity (including in the security sector) is relatively high (e.g. Syria). However, it is possible that such states will be able to implement **containment measures comparatively effectively**. If this is not possible and/or the national healthcare system collapses, **destabilisation** may occur. In a case where regime opponents' organisational capacities are weakened, destabilisation may arise at a later stage.

1.3. Table of the summary and implications for international policies

<i>Combination</i>	Failing/dysfunctional state	Challenged state	Weak state	Illegitimate state
<i>Pandemic policies</i>				
Containment	--	-	-	+/-
Treatment	--	+/-	--	+/-
<i>Structural effects</i>				
Monopoly on the use of force	(-)	+/-	n/a	-- (!)
Administrative capacities	-	-	-	-
Legitimacy	-	+/-	-	--
Supply situation	--	-	-	-

Possible impact of the Covid-19 pandemic in various combinations of fragile statehood

- External, bilateral and multilateral international actors play an important role, particularly in the combination of a “**failing/dysfunctional state**” and a “**weak state**”, as these actors’ involvement in the service supply to the population is already high in the *status quo ante*. As a result, these states face significant challenges in overcoming the pandemic (with all the consequences this entails for their legitimacy and the legitimacy of external actors).
- However, particular attention should be paid to the question of **new opportunities for conflict mediation** in the combination of a “**failing/dysfunctional state**” and a “**challenged state**”.
- The epidemic’s significant **potential for destabilisation** in an “**illegitimate state**” should also be fully recognised.

2. Impact of the pandemic on German foreign policy instruments

2.1 Effects of Covid-19 on security-sector-reform (SSR) instruments

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Efficient, democratically controlled security sectors are an important prerequisite for peace, security and sustainable development, especially in fragile and crisis-ridden states. Accordingly, the interministerial strategy on SSR from 2019 emphasises the need for SSR projects to support effective security provision for the population while acting in accordance with the rule of law, transparency and human rights. SSR projects of the federal government also aim to ensure that these institutions are subject to civilian supervision and are embedded in functioning political structures that are accepted by the population. SSR is becoming increasingly important as a means of conflict resolution and peace-building, particularly in crisis prevention and post-conflict situations.

Covid-19 can have various effects on security sectors. On the one hand, authoritarian regimes may expand repressive measures against the population in order to retain stable power structures. On the other hand, the pandemic may have a direct impact on work within the security sector, such as in the judiciary and penitentiary facilities. The increased risk of infections in prisons, for example, may render working there difficult to impossible. UNITAR has already developed a specific [toolbox](#) for this purpose, which should provide possible solutions; some states, such as the Democratic Republic of Congo, for example, have reacted by releasing more than 2,000 prisoners, which in turn could affect the overall security situation. Moreover, the virus also affects security forces themselves. The case of the US aircraft carrier "USS Theodore Roosevelt" and its more than 100 infections on board showed the dangers of many people staying in close quarters. Leaving these detrimental aspects aside, Covid-19 also offers security forces the chance to prove themselves to the population as effective helpers and to build trust.

Covid-19 is likely to have a negative impact on German SSR engagement in the longer term. As already set out in Chapter 1, even before the pandemic, states in which SSR projects are currently implemented were often, if at all, only partially able to enforce their monopoly on the use of force or had only limited necessary administrative capacities to adequately respond to crises. Already then, reform processes were challenging and demanding in the circumstances prior to Covid-19 and will become all the more so now that post-conflict or fragile states are hit harder by the crisis. In addition, repressive practices in authoritarian regimes may further intensify, as will be discussed below.

2.1.1 Possible consequence of the pandemic: strengthening of authoritarian regimes as an effect of the global Covid-19 outbreak

The experience with Covid-19 may lead to countries requesting more bilateral cooperation with and support of the repressive parts of their security sectors along the lines of authoritarian regimes. Authoritarian regimes currently appear to be particularly capable to respond to and deal effectively with Covid-19, since they mobilised internal forces more quickly and swiftly provided infrastructure such as emergency hospitals. Restrictive measures, such as curfews, were adopted and implemented more quickly as well; fear of citizen protests due to infringements of fundamental rights did not stand in the way of these extensive decisions. The fact that this was mainly due to the lack of control bodies, such as strong security apparatuses without parliamentary control, remained widely unreflected, and the faster procedure thus created an apparent comparative

advantage over democratic systems in pandemic crises. In this scenario, it would become more difficult for German SSR to call for whole-of-government approaches that aim beyond increasing the effectiveness of security forces. The increased involvement of security forces in government activities, especially in times of crisis, shows how important stable civil oversight mechanisms are. Although it may make sense to expand the competencies of security sector actors directly within the crisis, it must be ensured that the expanded competencies are reduced once the crisis has been overcome. This is vital to prevent security forces from exploiting their strong role in the crisis and extending it to the period post-Covid-19.

In order to make use of past experience in project work, the German government should analyse the course of the Ebola crisis in West Africa. Here, lessons learnt could, for example, be drawn with regard to supra-regional security architectures related to disaster control. The work currently being done on biosafety could also provide more information for project work.

2.1.2 Possible scenarios

One possible scenario for countries in which the German government implements bilateral SSR is a strengthening of authoritarian regimes, along the lines of China and Russia, with considerable effects on national and regional security architectures. A distinction must be made here between authoritarian states that themselves implement SSR in other contexts, and states that are traditionally considered "recipients" of such measures. After the crisis, authoritarian states that implement projects can more quickly resume sending personnel to recipient countries due to lower security and due diligence levels for deployment (first mover advantage). These states could in turn set the reform agenda. They could be met with a trust advantage in comparison to more democratic systems since authoritarian regimes reacted more quickly at the pandemic crisis' offset. Governments that feel weakened by the pandemic and its effects could demand more repressive technologies and respective expertise – while paying less attention to the effective control of security apparatuses. Projects that focus on whole-of-government approaches, and thus not only on the exercising of sovereign control but also on restrictions on the exercise of power, thus appear increasingly less attractive for local security actors. A danger, that classic train-and-equip approaches, which primarily serve to increase the effectiveness of security forces, would be stripped off their normative frame, could emerge, which would produce more repressive and less accountable security forces. The simultaneous need for the strengthening of democratic structures would be ignored. However, precisely during this crisis the role of democratic control of the armed forces' importance becomes clear: In order to ensure that restrictions on fundamental rights are limited in time, and in order to be able to democratically legitimize their scope.

2.1.3 Recommended action

- Close political monitoring by country desks and embassies with regard to the roll-back of Covid-19-related infringements on fundamental rights, possibly introduction as a special topic into the German government's annual human rights report, to be addressed in bilateral talks and multilateral formats, such as the Human Rights Council
- Analysis of the Ebola crisis' effects on SSR in West Africa for the development of further scenarios: lessons learnt (supra-regional disaster control, SOP development for security actors, capacity-building in parliaments to control the link between security and public health, in particular to ensure roll-back of restrictions)
- Include biosafety programme's experts in the development of SSR options for action; here in particular use the already institutionalised co-operation with the Robert Koch Institute and existing mutual understanding of required expertise and methods to develop swift, relevant plans for capacity-building bridging security and public health

- Close monitoring of the security situation and role of state and non-state security actors by embassies abroad, which will enable the Federal Government to swiftly identify any concrete co-ordination needs (national/international) which it should specifically support.

2.2 Impact of Covid-19 on peace mediation

Professor Lars Kirchhoff, Julia von Dobeneck, Dr Anne Holper (European University Viadrina, Research and Transfer Project Peace Mediation at the Federal Foreign Office Division S03)

2.2.1. Introduction: Mediation and Covid-19 – Additional Challenges, Formats & Potentials

When the Federal Foreign Office published its Peace Mediation Framework in 2019, it became evident that good practice in the field of peace mediation goes hand in hand with a flexible and adaptive reaction to the realities of a conflict and a corresponding peace process. Now the pandemic adds even more volatility, uncertainty and complexity to the already multi-layered anatomy of contemporary conflict and inherently fragile mediation processes.

As elaborated in the first parts of this paper, this holds particularly true in cases where the destabilization dynamics may arise only at a later stage due to either authoritarian regimes or weak organisational capacities (or a combination thereof). Clearly distinguishing between conflict dynamics caused by Covid-19 and possible changes with regard to the proper conditions of peace mediation helps to formulate useful responses on the side of the ministry as well as with regard to implementing organisations.

2.2.2 Possible impact on conflict dynamics relevant to mediation

- **Shift of attention:** Political and media attention shifts, even in the case of huge conflicts. The resulting decline in support and awareness leads at best to the stagnation of negotiation and mediation processes and at worst to deliberate exploitation of the situation for measures under the public radar (greater repression of the opposition, minorities etc.).
- **New group egoisms:** In terms of social psychology, crises that come “from outside” make groups close ranks and isolate themselves from other groups (in-group/out-group dynamic). Humanity and solidarity outside one’s own group (politically marginalised people, refugees) declines in proportion to the perceived threat to one’s group.
- **New potential for escalation:** Exacerbation of existing conflicts with ideological, ethnic, linguistic, social or religious dimensions, including as a result of current strategies to deal with the new crisis situation.
- **Authoritarian measures:** Harsh isolation measures that are not democratically legitimised increase regimes’ lack of legitimacy and mobilise the opposition and public, possibly strengthening support for non-state armed groups.

Possible results include:

- **The emergence of new/re-accentuated conflict fields:** 1. Border regimes; 2. conflicts on access and distribution (healthcare, basic supplies, humanitarian assistance, financial aid, funerals etc.); 3. social unrest due to resistance to isolation measures that pose a threat to people’s

(economic, psychosocial) survival; 4. deterioration in access to humanitarian assistance; 5. emergence of new rifts in society (old/young; healthy/vulnerable); 6. increase in xenophobic trends (with new enemy groups); 7. unrest in and around refugee accommodation (tendencies for people to flee depending on the risks); 8. unrest due to the difficulty of verifying information (journalists, international NGOs and missions no longer on the ground; reduced staff numbers at embassies and consulates); 9. unrest due to elections being postponed.

- **More difficult conditions for external support:** Political energy for diplomatic peace efforts is curtailed by endeavours to overcome the corona crisis; it becomes more difficult to deliver humanitarian aid supplies; new access may be required for humanitarian assistance; peace missions cannot be carried out.
- **Shifts/lack of transparency in the media:** Media reporting ceases (de facto or imposed ban on freedom of movement for journalists); states conceal the actual extent of the outbreak; increased censorship.

However, there are also

- **prospects for a real watershed – ideally one that will prove fruitful.** Out of necessity, opponents overcome their differences and begin cooperating (e.g. parties to conflicts have accepted the UN Secretary-General’s call for a global ceasefire and joint Covid-19 mobilisation (Guterres 2020a, Guterres 2020b)); overcoming the crisis (similar to a natural disaster) can be used as a narrative for strengthening social cohesion (in society as a whole or with groups that are not integrated); expected restructuring of the international system (cooperation, flows of goods, exchange of knowledge).

2.2.3 Foreseeable impact for the use of/conditions for peace mediation

In the medium term, at least, it will be significantly more difficult:

- For **third parties to enter** conflict zones and for **parties to a conflict to travel** to negotiation venues
- **To develop trust, speak in person and guarantee good faith** through face-to-face meetings between mediators and parties to a conflict (IMSD, FFO 2019: 7) and between parties to a conflict (IMSD, FFO 2017: 6; Federal Foreign Office 2019: 3)
- For mediators and parties to a conflict to **exchange confidential information** (IMSD, FFO 2019: 7)
- To be **present on the ground**, to show willingness to travel, to show that one regards the conflict or region as important, to learn about and take part in the culture – all significant acceptance factors, certainly in tracks 2 and 3, that is, in work with political or civil society leaders (IMSD, FFO 2019: 7; Federal Foreign Office 2019:1)
- To **exchange information informally/conduct interactive conflict analyses** between third parties or other actors who provide support (people working in development cooperation, business or humanitarian assistance, other mediation actors, journalists) in hot spots/jointly used hotels (Federal Foreign Office 2019:7)
- **In general to maintain the momentum and thus the political value of processes**, especially as regards cooperation with stakeholders with whom particularly close contact is needed in order to ensure their political support (Federal Foreign Office 2019: 3).

2.2.4 Challenges for implementing organisations

- **Risk of losing established contacts**, as they cannot be reached by digital means or information cannot be shared digitally (confidentiality/security aspects) (NGO representatives 2020; MSN 2020)
- **Labour-intensive cancellation/administration/communication** due to calling off planned activities in a way that does not forfeit trust (NGO representatives 2020; MSN 2020)
- **(Financial) threat to livelihoods** in view of the need to cut jobs and loss of revenue (NGO representatives)
- **Need to adjust measures rapidly despite a possible lack of professional expertise**, e.g. switching from physical to distance/digital formats and/or from mediation to psychosocial support/crisis management (MSN 2020).

2.2.5 Opportunities/constructive dynamics in the context of peace mediation

- **Need for a greater and more targeted use of peace mediation:** due to new conflict lines and shifts induced by Covid-19 (see 2.2.2), peace mediators may have to be deployed extremely rapidly, thus generating greater attention for this instrument and raising awareness of its positive impact.
- **Shift from a focus on high-level to medium-level mediation:** where attention for high-level mediation dwindles, medium-level mediation (tracks 1.5 or 2) can be used to show that responsibility in crises is being maintained and to draw up concrete proposals on breaking deadlocks in track 1.
- **Emergence of (the need for) cooperation in ongoing processes' agendas:** parties to a conflict realise that they may need to tackle the pandemic together.
- **Targeted deployment of well-trained insider mediators (where possible from the societies involved) on all tracks** (Mason 2009) in the new conflict fields mentioned above (see 2.2.2), but particularly in **negotiating humanitarian access** and support services.
- **Use of travel/contact restrictions as an incentive to restructure mediation markets in favour of local/national ownership** (Federal Foreign Office 2019: 8) – a proactive shift in the roles of international NGOs/states may be needed here (handover/transfer/sharing of responsibility, access, information, funding, expertise, while maintaining international cooperation).
- **Use of restrictions on physical events as an incentive to develop professional digital formats for peace processes:** the need to switch to digital channels can lead to greater use of digital formats and increase trust in them; currently the greatest demand/need is for protected/non-trackable online communication forums (in order to have digital “good offices”); these can subsequently be used to a greater extent in inaccessible regions or places with stakeholders who cannot be reached through official channels.
- **Focusing on the priorities:** concentrating on the main conflict issues and functional solutions; less “dialogue for the sake of dialogue” (Kyselova, von Dobeneck 2017); cutbacks necessitate closer cooperation with the UN and ICRC, as well as better multilateral coordination.

2.2.6 Recommendations for the Federal Foreign Office

In essence, the overall relevance of peace mediation will not be affected by the Covid-19 dynamics. However, its specific shapes and styles, challenges and potentials will. In that respect, a number of concrete recommendations can be made:

General

- **(Temporarily) Adjust peace mediation capacities and priorities** with a view to Covid-19 implications (see above)
- **Uphold existing responsibilities and bridge new gaps** by using existing and new distance formats (see 2.2.5) and **activating and strengthening specific local/regional capacities** via political and technical support (see 2.2.5)
- **To this end, provide more flexible funding and highly qualified support** (possibly individuals, especially from the conflict contexts themselves)
- **Explore and possibly provide security-cleared digital space** (video conferences etc.), cooperation with the Federal Ministry of the Interior, Building and Community, the Federal Ministry of Defence, the Federal Ministry for Economic Affairs and Energy and civil society initiatives with digital skills

With a view to implementing organisations

- Encourage/require:
 - **support measures** in the conflict contexts to be **refocused** on the new conflict lines and actors arising from Covid-19, possibly including preventive measures and in particular flanking the implementation of ceasefires
 - **the use of local mediation expertise** to negotiate humanitarian access
 - **mentoring/coaching/guidance** for insider mediators
- **Implement measures to make it easier for pledged funding to be reallocated to digital equipment** (acquiring skills and procuring technology)
- **Explore further options** to help NGOs whose survival is at risk, especially small NGOs, to **work on adapted issues and obtain bridging support**

2.3 Effects of Covid-19 on instruments for promoting the rule of law

Dr Tilmann Röder (Freie Universität Berlin and Federal Foreign Office Division S01 via the Rule-of-Law Promotion Hub)

2.3.1 Introduction

The Covid-19 crisis will have a **severe impact on justice and statehood** in all partner countries where Germany promotes the rule of law. Their responses are likely to mirror those in countries already affected by the wave of infection, where the following measures can repeatedly be observed:

- **Domination of the executive**, with curtailment of the separation of powers and use of the military for domestic duties

- Curtailment of **fundamental rights**, particularly as regards freedom of movement, the right of assembly, freedom of opinion, the media and science, and data protection
- Partial suspension of the work of the **judiciary**, partial continuation with threats to the rights of defendants and prisoners

2.3.2 Scenarios in partner countries

In order to reflect important contexts in which the rule of law can be strengthened in various ways, the types used below are slightly different to those mentioned in the introduction.

Type	Scenario	Promoting the rule of law – impact and options
Highly fragile states (e.g. Democratic Republic of the Congo)	FRAG-1: Authoritarian executive domination prevents the state from collapsing	Continue current projects, possibly in a modified form, strengthen criminal justice, insist on a return to (greater) rule of law and fundamental rights
	FRAG-2: State has no ability to act, possibility of a regime change (FRAG-2a) or civil war (FRAG-2b)	Possibly promote the rule of law in the context of stabilisation; in the case of active conflict, discontinue projects, possibly conduct mediation
States with an authoritarian government (e.g. Egypt)	AUT-1: Stable state institutions, repressive measures (regime type becomes more pronounced)	Insist on a return to (greater) rule of law and fundamental rights (possibly as a condition for support); alternatively, provide support to civil society
	AUT-2: Destabilisation and possibility of a regime change (AUT-2a) or civil war (AUT-2b)	Proceed as in FRAG-2
Weakened democracies (e.g. Mexico)	DEM-1: De-democratisation and increasingly authoritarian regime	Proceed as in AUT-1
	DEM-2: Domestic cooperation to preserve democracy and the rule of law	Provide support, particularly in the field of justice; continue current projects, possibly in a modified form.

Responses to the developments must be based on close observation and made **quickly**.

2.3.3 Recommendations

- **Inform partners** about **options** that cause as little harm as possible to rule-of-law principles, fundamental rights and democracy and envisage their complete restoration after the end of the crisis.
- **Help partners to implement these courses of action**, possibly by providing guidance via digital technologies and local stakeholders.
- **Focus** on the following areas: separation of powers and fundamental rights (in an advisory capacity); justice and prisons (maintaining the ability to act by focusing on the most important cases and protecting fundamental rights by releasing non-dangerous prisoners).
- **Modify current projects** by identifying and working with new local partners and using digital technologies and similar methods that do not require travel.
- **Ensure far closer inter-ministerial cooperation**, *inter alia* by sharing existing analyses and coordinating context-specific strategic planning, as context analysis, monitoring and evaluations cannot be conducted on the ground. The situation provides great opportunities in this area.

3. Bibliography and used sources

- Centre for Humanitarian Dialogue (2020, 23 March): HD launches global COVID-19 response initiative, 23.3.2020. Press Release. www.hdcentre.org/updates/hd-launches-global-covid-19-response-initiative/ (accessed 22 April 2020).
- Federal Foreign Office (2019): Peace Mediation Framework. Berlin.
- Global Network Against Food Crises (2020): 2020 - Global Report on Food Crises, Rome: Food and Agriculture Organization of the United Nations.
- Guterres, António (2020a): COVID-19: UN-Secretary General's Appeal for a Global Ceasefire, UN News 23 March 2020 (SG/SM/20018). news.un.org/en/story/2020/03/1059972 (accessed 22 April 2020).
- Guterres, António (2020b): Secretary-General Reiterates Appeal for Global Ceasefire, Warns "Worst is Yet to Come" as COVID-19 Threatens Conflict Zones. UN Press Release 3 April 2020 (SG/SM/20032). www.un.org/press/en/2020/sgsm20032.doc.htm (accessed 22 April 2020).
- Initiative Mediation Support Deutschland (IMSD), Federal Foreign Office (FFO) (2017): Basics of Mediation: Concepts and Definitions. Fact Sheet Series: Peace Mediation and Mediation Support. www.peace-mediation-germany.de/resources.html (accessed 22 April 2020).
- Initiative Mediation Support Deutschland (IMSD), Federal Foreign Office (FFO) (2019): Methodology and communication tools in peace mediation. Fact Sheet Series: Peace Mediation and Mediation Support. www.peace-mediation-germany.de/resources.html (accessed 22 April 2020).
- International Crisis Group (2020): The Covid-19 Pandemic and Deadly Conflict. www.crisisgroup.org/pandemics_public_health_deadly_conflict (accessed 22 April 2020).
- International Crisis Group (2020, 24 March): COVID-19 and Conflict: Seven Trends to Watch. www.crisisgroup.org/global/sb4-covid-19-and-conflict-seven-trends-watch (accessed 22 April 2020).
- Kyselova, Tatiana, von Dobeneck, Julia (2017): Track III Dialogues in Ukraine: Major Patterns and Resulting Risks. www.peacemediation.de/uploads/7/3/9/1/73911539/policy_paper_track_iii_dialogue_ukraine_cpm_kma.pdf (accessed 22 April 2020).
- Mason, Simon (2019): Insider Mediators. Exploring Their Key Role in Informal Peace Processes. Berghof Foundation for Peace Support.
- Mediation Support Network (MSN) (2020): Minutes on Exchange between Members on Impact of Covid Pandemic on Peace Processes, 31 March 2020.
- NGO representatives (2020): Personal exchange with the authors, 23 March – 3 April 2020.
- OECD Development Assistance Committee (2016): States of Fragility 2016, Understanding Violence, Paris: OECD, p. 22.
- Walker, Patrick GT et al. (2020): The Global Impact of COVID-19 and Strategies for Mitigation and Suppression, Imperial College, London.

Walter-Drop, Gregor (2019): Fragile Staatlichkeit, in: Schuppert, Gunnar Folke (eds.): Von Staat zu Staatlichkeit. Beiträge zu einer multidisziplinären Staatlichkeitswissenschaft, Baden-Baden: Nomos, pp. 211-232.