NONCAS Handbook

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14. ABSTRACT
The NONCAS Handbook provides an introduction into non-compliance (NC) and non-compliant actors (NONCAS), including some major assumptions and terminology issues related to NC and NONCAS. It also provides for consideration of prerequisites, options and strategies to improve compliance and to prevent and counter NC and NONCAS, as well as a collation and assessment of implementation issues of compliance strategies and strategies for preventing and countering NC/NONCAS.

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Executive Summary

The NONCAS Handbook offers four main building blocks:

- An introduction into non-compliance (NC) and non-compliant actors (NONCAS), including some major assumptions and terminology issues related to NC and NONCAS, as well as a review and assessment of existing literature on specific groups that could be described as non-compliant

- Starting points and decisive questions in order to find out whether a specific case of non-compliance or a specific non-compliant actor is relevant from an Operational Commander's perspective

- A question-based approach and a set of guiding questions to allow for a thorough analysis, better understanding and classification of NC and NONCAS

- Consideration of prerequisites, options and strategies to improve compliance and to prevent and counter NC and NONCAS, as well as a collation and assessment of implementation issues of compliance strategies and strategies for preventing and countering NC/NONCAS.

Talking about non-compliance or non-compliant actors in the context of stabilisation and reconstruction (S&R) in crisis/conflict areas/regions, we define as non-compliance behaviour that negatively affects coalition efforts to achieve goals/objectives in support of the host nation and/or international mandates. Consequently, non-compliant actors are defined as individuals or groups which exhibit behaviour which negatively affects coalition efforts to achieve goals/objectives in support of the host nation and/or international mandates.[1]

It is important to note though, that what constitutes compliance or non-compliance lies in the eye of the beholder and is a question of perspective. Firstly, different coalition actors may have differing understandings of what compliance and non-compliance means and who may be a non-compliant actor. Secondly, local actors' perceptions of what and who is compliant or not may significantly differ from the coalition's and/or the host nation government's notion. It is also important to note the coalition itself may be responsible for inducing NC/NONCAS, e.g. through its mere presence, ineffective strategies, inappropriate action etc.

From a practitioner's perspective, non-compliance is a daily and pervasive challenge in today's complex "battlefields" and missions. NC/NONCAS have negative effects on S&R efforts and prevent the coalition from achieving their objectives together with the host nation government. However, there has not yet been anything like a systematic effort to examine "non-compliance" and "non-compliant actors" in (post-)conflict situations and peacemaking/peace-building efforts. This Handbook, drafted in a MNE 6 context, reflects a new and more comprehensive approach to come to grips with actor-induced obstacles to achieving sustainable peace in (post-)conflict situations where external actors, i.e. coalition forces are involved in peacemaking, stabilisation and reconstruction in cooperation with a host nation government, conceiving the operational environment (OE) as a complex,

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[1] While irregular adversaries are a subgroup of non-compliant actors, their specific characteristic consists in their regular resort to armed violence.

dynamic system. It is important to note that the Handbook is embedded in a Concept Development and Experimentation environment and constitutes a very first attempt and one specific way to come to grips with what has recently started to be called "non-compliance" and "non-compliant actors" in the MNE community. With view to the development of analysis questions and categories as to NC/NONCAS as well as potential influencing options and strategies for improving compliance and preventing and mitigating non-compliance it draws inspiration from existing approaches and takes into consideration, discusses, assesses and fuses a multitude of sources and views which have been judged to contribute to a better understanding of and improve managing NC/NONCAS. Major inspiration is drawn from literature on the two most widely-used and popular actor groups, the so-called "spoilers" and "non-state armed groups" (NSAG).

In order to get a first grip on which behaviour and which actors may be relevant for an Operational Commander in a non-compliance context, two questions are suggested as starting points:

- Which is the impact of NC/NONCAS on the achievement of coalition objectives?

  Looking for answers to this question may help to come to a first assessment of the impact of NONCAS/NC, which in turn may help to achieve a first judgment of the (potential) relevance of the observed NC/NONCAS in the context of achieving the coalition goals, i.e. whether there is need for action.

- How much can I/we influence NC/ NONCAS and who else may contribute to this effort?

  Looking for answers to this question should help to achieve an idea whether the Operational Commander has a role in preventing or countering the observed NC/NONCAS and who else may play a role in mitigating NC. It should also sensitise the Operational Commander about desired behaviour of actors in the area of operations in relation to own (coalition) goals. Moreover, it should inspire some first reflections on the character of the NC/NONCAS perceived and trigger some preliminary ideas on ways and means of influence on NC/NONCAS.

In order to be in a position to act effectively, an Operational Commander of course needs to develop a deeper understanding of the problem he/she is to tackle than that. A framework for analysis is suggested to provide orientation when approaching the challenge of understanding non-compliance/non-compliant actors. The proposed framework offers a set of guiding questions and sub-questions pertaining to important parameters of the operational environment and non-compliance/non-compliant actors. The questions offered must not be understood as an automatic, static and unfailing tool but as a contribution to guiding and structuring the analytical approach and own thinking about the challenges posed by non-compliance and non-compliant actors in an area of operation. Questions may show some similarities with already existing (conflict analysis) frameworks (e.g. WB-CAF, PCA etc.) in some aspects, i.e. concerning the structural factors in the area of operations.[2] The Handbook

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[2] We recommend to additionally have a closer look – where and when deemed appropriate – at frameworks for situation (conflict) and impact analysis of other, civilian actors, which have been drafted upon decades of experience by agencies working in the field in (pre-/post-) conflict situations.

underlines that communication, coordination and cooperation among the "blue"[3] actors in an area of operations, starting from the analysis phase, is prerequisite to ever better understanding NC/NONCAS in a certain area of operation. Taking on and integrating local perspectives also is essential for an ever better understanding of NC/NONCAS in a certain area of operation. Two further major assumptions underlying this Handbook include that a thorough analysis of NC/NONCAS already is part of a strategy for improved compliance/against NC and NONCAS and that analysis must be a continuous and iterative process.

There are several factors at work which cause and shape non-compliance and non-compliant actors and which are being taken into consideration in the suggested analysis framework- They may be grouped into: environmental factors; actors-related factors; coalition-related factors. In these three domains, parameters which are helpful in our effort to describe and analyse non-compliance and non-compliant actors have been identified. These parameters have been judged helpful in evaluating the power and the potential impact of non-compliant actors relative to causing negative effects on the achievement of coalition objectives as well as – most importantly – informative about possibilities and options to manage NC/NONCAS.

The operational environment

The operational environment (OE) may include root causes and triggers of non-compliance and influences the characteristics of NC/NONCAS, especially motivational aspects. And the operational environment influences interaction potential and possibilities of external actors. The suggested set of questions are meant to sensitise the Operational Commander and his staff for environmental factors that may be conducive to non-compliance, the emergence and/or entrenchment of non-compliant actors. The set of question covers eight domains:

- The security situation; the political set up and politics; the economic situation; the provision of basic goods and services for the local population and social-well-being; the socio-cultural context; he level of participation and inclusiveness in the political, social, cultural and economic domains; a potential history of conflict and instability; perceptions and attitudes of local populations.

The ineffectiveness and illegitimacy of the host nation government may be a root cause for alienation of the local populations and for non-compliance. In our context, with view to potential influence of certain conditions on human behaviour, a lack of physical and economic security and a lack of participation in the politics and society may be the most central deficits that influence the emergence, deterioration and entrenchment of NC/NONCAS.

Actors-related factors

The three overarching questions in the context of the analysis of actors-related factors are: Who? What/How? Why? Within this spectrum, some parameter of actors have been

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[3] „Blue" is used to describe members of the coalition (meaning own „forces"). These are to be understood as fighting/stabilising „red" (meaning hostile) forces. „Green" actors include the population (mainly), civil society, media etc.., which may be perceived as being rather friendly. The colour terminology is borrowed from the operational planning and/or wargaming domains, where actors are classified according to colours.

identified which are helpful to classify and evaluate NC/NONCAS and which have direct implications for strategy development for improving compliance and preventing and countering non-compliance. These characteristics include:

- Basic parameters of NONCAS, such as size of the group or whether we talk about a group or individual(s); position of the actor in the overall system, e.g. at the core and closely interlinked with or maybe even supported by others; resources and capabilities of the actor (in the PMESII spectrum and beyond); forms and patterns of non-compliant activities and behaviour, with the main distinguishing line consisting in whether NC is armed and violent or unarmed and non-violent; objectives, interests and commitment of the non-compliant actor, e.g. whether the non-compliant actor pursues global, strategic aims or local tactical; motivation of NC/NONCAS, which is probably the major category to look at if we want to understand NC/NONCAS; perceptions and self-conception of NONCAS; organisational parameters of NONCAS; dynamics of NONCAS.

Coalition-related factors

Coalition forces become part of the system of conflict and conflict regulation and they incite changes within this system. They may worsen non-compliance or even are the cause or trigger for non-compliance NC/NONCAS may emerge, increase or deteriorate as unintended side-effects of coalition forces' (in fact any external actors') presence, strategies and activities or behaviour. Generally, strategies, behaviour and activities that may cause or increase NC/NONCAS may include:

- Excessive or disproportionate use of force; not keeping promises; underperformance with view to assigned or declared tasks and objectives, especially the protection of the population and improvement of living standards; (display of) lack of commitment; display of weakness and fear; reinforcement of existing conflict lines and cementation of perceived injustices; misbehaviour or misdemeanor of single elements (individual soldiers etc.) of coalition forces.

We assume that there are some pivotal points of leverage which result from a thorough analysis and a systemic understanding of the operational environment. With view to NONCAS parameters we assume that in general some parameters may be more important for designing a strategy manage non-compliance. The motivation of an actor seems to be a central docking point for strategy development. Major motivational domains/issues include:

- Needs and grievances; greed or economic motivation; creed or identity issues; fear (coercion); frustration (of expectations); habits, traditions/traditional obligations.

Fundamental mechanisms for improving compliance seem to be naturally related to the motivational issues for non-compliance. Respective strategies need to identify the relevant mechanisms for improving compliance in dependency of the motivational issue(s), while taking into consideration and into account the other attributes and parameters of an actor covered by the above analysis questions (as well as of course structural conditions and coalition related factors). For practical reasons for example, the "form" of non-compliance, i.e. armed/ violent or unarmed, is an important parameter to take into account, as it defines the necessity of certain strategy components against non-compliance.

The challenge of non-compliance is complex. As a rule it will require complex answers. In

most cases it will be tailored combinations of different kinds of strategic approaches and measures (parallel or sequentially) and it may be the involvement of different (external) actors playing different roles on different levels that may allow NC/NONCAS to be overcome.

This Handbook does neither develop a tailored strategy for every single possible form of NC/NONCAS nor offer a one-size-fits-all solution to mitigate NC. Instead, the Handbook points out relevant starting points and ideas about suitable proceedings for coping with non-compliance or developing strategies for improved compliance/against NC/NONCAS. Besides a continuous, comprehensive analysis in line with the suggested framework, five generic steps are identified (to be conceived as an iterative rather than a one-time sequential process) in terms of strategy development and implementation:

- Define objective(s)/end state with view to compliance/NC/NONCAS; analyse and evaluate own possibilities; communicate, coordinate and cooperate with other "blue" and "green" actors; define and implement strategies, tasks and resources to achieve objectives; evaluate and assess effects of own action and adapt strategy if necessary.

Moreover, it sensitises the Handbook user about limits and challenges of external influence on NC/NONCAS. What coalition forces can do is always subject to certain framework conditions related to their intervention and which influence on their range of options to improve compliance and prevent and counter non-compliance: Firstly, the time framework of an external coalition and especially of coalition forces is always limited. Secondly, external forces are always strangers to the country where they intervene (especially in cultural terms). Thirdly, resources and means, including manpower and expertise, that may be invested in an intervention are finite. Yet we assume that the coalition and coalition forces may still impact on environmental factors and actors-related factors, while they have a direct bearing on coalition-related factors. All three groups of factors may contain factors that are alterable more easily or more quickly by the coalition or coalition forces than others. If the display of quick impact is essential to achieve coalition goals, it is advisable to go for the "low hanging fruit" first, while not forgetting to tackle the more intractable problems in the mid and long run.

Having argued that non-compliance may have structural causes (NC/NONCAS may emerge, deteriorate or get entrenched, among others, due to a lack of security, a lack of political, economic, and social participation and a lack of fairness and equality, a lack of economic possibilities and the denial of basic goods and services, and deficits in human development and human security in general) and coalition-induced causes, the Handbook describes and explains a number of fundamental preconditions that need to be met in order to enable compliance and explicit compliance strategies and strategies to prevent or counter non-compliance. We may argue that if these preconditions are not met to a tangible degree and over significant periods of time, the very lack of those may be causes for non-compliance. This Handbook postulates that if these above preconditions are fulfilled resistance against coalition forces and the pursuit of their objectives may be significantly reduced. They include:

- A minimum degree of legitimacy of the host nation government that is being supported; a minimum degree of effectiveness of the host nation government that is being supported; a minimum degree of security throughout a significant part of the country; a minimum degree of legitimacy, credibility and commitment of coalition forces; and their sticking to certain rules and living up to a minimum code of conduct and style of operations.

Finally, different types of strategies are introduced and explained. There are different ways to categorise strategies in a NC/NONCAS context, for instance:

- Explicit – implicit, highlighting a distinction between strategies which proactively tackle NC/NONCAS and require specific tailored action on the one hand and strategies which may be rather described as a systematic do-no-harm or structural approach on the other hand.

- Direct – indirect, highlighting a distinction between strategies that directly address NONCAS on the one hand and strategies which rather address the structural causes that lead to NC/NONCAS on the other.

- Inclusive – exclusive strategies, highlighting a distinction between strategies which try to change behaviour and attitudes through integration (and maybe thus also mitigate structural deficits such as lack of participation) on the one hand, and strategies which weaken, marginalise, criminalise or fight certain actors in order to weaken these actors and/or protect the rest of the society

Underlying and key influencing mechanisms are also introduced and explained. A pool of potential strategy possibilities is presented and assessed, including indications for their respective areas of employment. This pool builds on the current state of art in spoiler and NSAG as well as peace-building literature, on lessons from past and current S&R and COIN operations and on the findings contained in the generic NC/NONCAS analysis part as well as the pervasive concept of preconditions as well as pivotal points of leverage. The pool contains the following options/strategy elements:

- Establish conditions to secure the population and provide protection; build and uphold credibility, legitimacy and trust; improve living conditions and local development; improve governance capacity; promote local ownership; inducement: incentives, positive sanctions, rewards; negative sanctions and punishment; bargaining and negotiation; persuasion; marginalisation, isolation, containment; deterrence; socialization; reconciliation; Strategic Communication.

Moreover, the Handbook hints at and explains some guiding principles which may need to be additionally taken into account when tailoring and implementing "strategies" for improved compliance or against NC/NONCAS:

- Be aware of and take into account possibilities and limits of resources available; be part of a comprehensive strategy and generate and make use of synergies within the coalition to prevent and mitigate non-compliance and improve compliance; understand and make use of local structures and conditions and promote local ownership; be aware of non-compliant actors and elements within the host nation government; be flexible and adaptable; do no harm.

A summarizing attempt is then made to link influencing mechanisms and strategies to selected shapes that the main NC/NONCAS analytical categories may take.

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1   Introductory remarks

1.1   Context

The problem statement of the current Multinational Experiment (MNE 6) underlying our following effort to come to grips with the phenomenon of non-compliance and non-compliant actors in areas of operation reads as follows:

"To establish and ensure a safe and secure environment, coalition[4] forces require the ability to share information, gain situational understanding, synchronise efforts and assess progress in concert with interagency partners, international organisations, and other stakeholders when countering activities of irregular adversaries and other non-compliant actors."

To secure the success of international stabilisation and reconstruction efforts in complex (post-) conflict/crisis scenarios (see picture below for an impression of the many facets of a stabilisation and reconstruction effort), focussing only on physically fighting irregular adversaries has proved to be insufficient and does not solve the problem of "resistance" in an operation area. The understanding of what and who in the operational environment hampers the success of coalition efforts towards achieving sustainable peace, stability and reconstruction needs to be broadened. So do strategies, methods, means and activities to mitigate "resistance" to achieve coalition objectives of stabilisation and reconstruction. It is against this background that so-called "non-compliant actors" have been integrated into the MNE 6 Problem Statement. Non-compliance (NC) and non-compliant actors (NONCAS) exist in any complex (post-)conflict/crisis scenario. Non-compliance/non-compliant actors have negative effects on stabilisation and reconstruction efforts and prevent the coalition from achieving their objectives together with the host nation government. While irregular adversaries may pose the main military threat, it seems to be indispensible to also cope with non-compliance/non-compliant actors in a broader sense. The mitigation of non-compliance requires a multifaceted approach combining a wide range of instruments. When analysing non-compliance/non-compliant actors and looking for strategies against non-compliance we need to keep in mind that the coalition itself may be responsible for creating non-compliance/non-compliant actors through ineffective strategies or inappropriate action (e.g. alienation of farmers by destroying their crops; also see NUPI (2009): p. 8). Generally, it is clear that coalition forces become part of the system of conflict and conflict regulation and incite changes within this system intentionally or unintentionally. Non-compliance and the role of non-compliant actors may emerge, increase or deteriorate as an unintended side-effect of a mere presence of coalition forces or as a result of its operational activities.

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[4] The definition of a „coalition" in this context reads as follows: „An ad hoc or temporary grouping of nations and/or organisations united for a specific purpose/in a common cause".
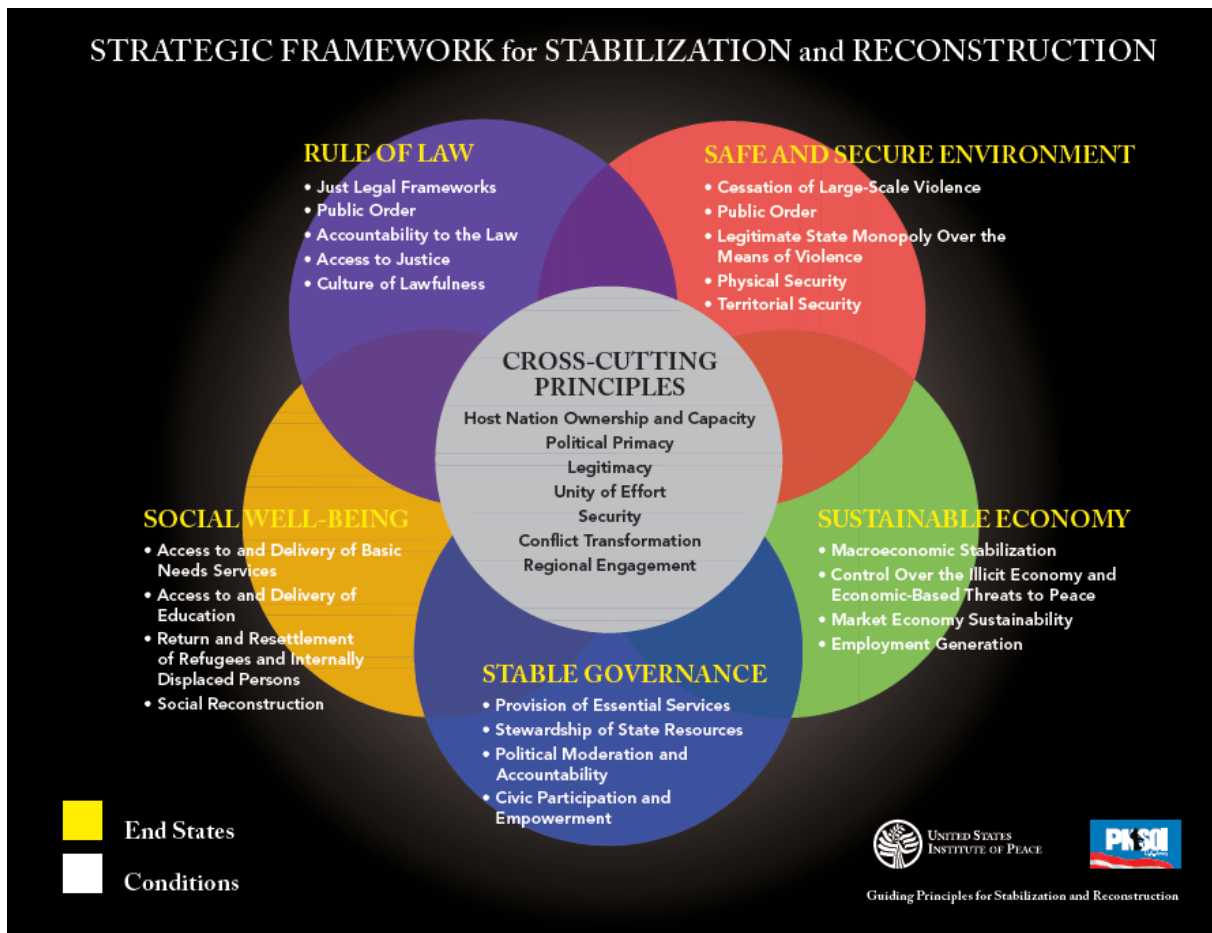
Picture: Strategic Framework for Stabilisation and Reconstruction; source: United States Institute of Peace and U.S. Army Peacekeeping & Stability Operations Institute (2009)

1.2 State of the art

From a practitioner's perspective, non-compliance is a daily and pervasive challenge in today's complex "battlefields" and missions. The increasingly obvious practical relevance has for some time been inspiring academia to more systematically scrutinise some of the problems identified in order to better understand and cope with them. In the field of social and political sciences explanatory approaches and categories have been developed and are being developed (e.g. Stephen Stedman's spoiler concept or Schneckener's concept of non-cooperative forces in post-conflict situations). Institutes such as DIE (Deutsches Institut für Entwicklungspolitik) and ISN (International Relations and Security Network) etc. have for some time been scrutinising certain NONCAS sub-groups, especially the so-called non-state armed groups (NSAG) or violent non-state actors (VNSA). Moreover, the United Nations (UN), Organisation for Economic Cooperation and Development (OECD) and other organisations active in the fields of development and security increasingly consider phenomena of non-compliance and respective actors both in their conceptual approaches and practical handbooks for operative personnel in the field.

However, there has not yet been anything like a systematic effort to examine *"non-compliance"* and *"non-compliant actors"* in (post-)conflict situations and peacemaking/peace-building efforts. This very terminology chosen in the MNE 6 context ("non-compliance/non-compliant actor") and the emerging concept of what is behind this terminology, reflects a new and more comprehensive approach to come to grips with actor-induced obstacles to achieving sustainable peace in (post-)conflict situations where external actors, i.e. coalition forces are involved in peacemaking, stabilisation and reconstruction in cooperation with a host nation government.

1.3 Aim and scope of the Handbook

It is important to note that the Handbook (as well as the Guidelines) is embedded in a Concept Development and Experimentation environment. It constitutes a very first attempt and one specific way to come to grips with what has recently started to be called "non-compliance" and "non-compliant actors" in the MNE community. Non-compliance and NONCAS need to be conceived as "concepts in the making" and "living concepts" which, last but not least, implies that there still exist many truths out there. Nature and level of ambition of this Handbook need to be conceived in that light.

The overarching ambition of the *"NONCAS-Handbook"* is to support a better understanding of the phenomenon of non-compliance (NC) and non-compliant actors (NONCAS) and to contribute to improving the capacity to prevent, react to and counter NC/NONCAS. The ambition is to develop an approach to analyse NC/NONCAS and shed light on potential points of leverage and strategy options (also for the Operational Commander). The *"NONCAS-Handbook"* is meant to support the creation of *"Prototype Guidelines for an Operational Commander"* to improve and - at best - achieve compliance and prevent the transition of other non-compliant actors into the irregular adversary spectrum and serves to supplement these Guidelines.

1.4 Methodology of the Handbook

The Handbook offers four main building blocks:

a. An introduction into NC and NONCAS, including some major assumptions and terminology issues related to NC and NONCAS, as well as a review and assessment of existing literature on specific groups that could be described as non-compliant.

b. Starting points and decisive questions in order to find out whether a specific case of non-compliance or a specific non-compliant actor is relevant from an Operational Commander's perspective.

c. A question-based approach and a set of guiding questions to allow for a thorough analysis, better understanding and classification of NC and NONCAS.

d. Consideration of prerequisites, options and strategies to improve compliance and to prevent and counter NC and NONCAS, as well as a collation and assessment of

implementation issues of compliance strategies and strategies for preventing and countering NC and NONCAS.

The Handbook is written to serve as a generic point of departure, although using practical examples where suitable and available, and does not provide a specific prescription. An underlying assumption of this Handbook is that a thorough analysis of NC/NONCAS already is part of a strategy for improved compliance/against NC and NONCAS.

The Handbook offers orientation for identifying, analysing and assessing non-compliance and non-compliant actors via suggesting questions to ask in the framework of the analysis of NC/NONCAS. This means that rather than providing fixed categories or answers, the analysis part of the Handbook is based on a number of core questions which help the user of the Handbook with getting to grips with NC/NONCAS. In the case of complex phenomena such as non-compliance/non-compliant actors, a question-based approach best supports a thorough and at the same time flexible analysis. A question-based approach is widely used in handbooks and field-guidelines especially in the context of conflict analysis (e.g. Worldbank Conflict Assessment Framework – WB-CAF, GTZ Peace and Conflict Assessment – PCA, etc.). It contributes to arouse active thinking on the part of the user, tends to inspire more active participation and ownership and thus creates room for additional insights. Overall, it is used to support a deeper and more dynamic understanding of non-compliance and non-compliant actors and to reveal points of leverage and strategy options, as well as issues that need to be taken into account when devising and implementing a strategy to improve compliance or to prevent or mitigate non-compliance.

This Handbook offers a comprehensive perspective on NC/NONCAS. First of all, the operational environment in which non-compliance and non-compliant actors may emerge and develop is understood as a complex, dynamic system, in which the constituting elements interact and influence each other. Moreover, the Handbook takes into consideration, discusses, assesses and selects and fuses a multitude of sources, views, approaches which have judged to contribute to a better understanding of and improve coping with NC/NONCAS.

More specifically, the Handbook draws on

- Results produced in the framework of Objective 1.1 by our multinational partners

- Relevant expertise of the national interdisciplinary and interagency MNE 6/Objective 1.1. community

- Relevant expertise and input of the international MNE 6/Objective 1.1 community

- Input and inspiration provided by the MNE 6 community, both national and international, especially from related objectives (1.2, 1.3, 2, 4.3)

- Existing handbooks, studies, reports, articles, relevant conferences and their results etc.

The Handbook resorts to real-life examples and case studies where suitable, taking into consideration, among others, Afghanistan as a current relevant example. Nevertheless, a

more generic approach has been chosen for the Handbook to allow a broader use of the findings.

2 A short introduction to non-compliance

2.1 Assumptions and starting points

The operational environment (OE) is a complex, dynamic system. Our efforts to analyse and act upon what we call "non-compliance" or "non-compliant actors" necessarily take place in what Stephen Stedman calls the "fog of peacemaking" (see Stedman (1997): p. 17). The fog metaphor describes two fundamental conditions of international peacemaking, stabilisation and reconstruction efforts in crisis and conflict countries and regions. The first one consists in the immense complexity of the situation(s) we confront. The second one, closely connected to the complexity of those situations as described above, consists in the uncertainty of developments. This uncertainty is caused by the dynamics inherent to any complex system as well as limits to information and cognition and pertains to actors' intents, motivations, commitments and set-ups as well as to the likely effects of any external action that might be taken.

The understanding of what or who in the Operational Environment hampers the success of coalition Stabilisation and Reconstruction (S&R) efforts needs to be broadened and deepened. So does the conception of strategies, methods, means and activities to mitigate "resistance" against coalition objectives and their achievement.

Virtually in any (post-) conflict/crisis scenario, so-called NONCAS exist, whose behaviour and activities have negative effects on S&R efforts and prevent the coalition from achieving their objectives together with the host nation government. The mitigation of NC is a complex effort and may require multifaceted, tailored approaches, possibly combining a wide range of instruments. Focussing only on (kinetically) fighting irregular adversaries does not necessarily solve the problem of "resistance" in an operations area.

From a conflict transformation perspective, NONCAS need to be seen as peace-building partners and agents for transformation. Actors who are able to severely disrupt efforts for sustainable peace and stability in the short run are at the same time actors without whose (active) compliance such efforts will fail also in the mid to long term. We must avoid considering NONCAS as enemies or as mere objects or targets of specific programs, measures and strategies.

The coalition itself may be responsible for inducing NC/NONCAS., e.g. through ineffective strategies, inappropriate action etc. For instance: bursting into dwellings of local population in search of insurgents or causing civilian casualties through excessive force or careless behaviour, e.g. overly aggressive convoy driving. In this context it is also important to note that empirical evidence – history as well as current cases – serve to prove that often the very rules, beliefs and frames external actors use to cope with the complexity and uncertainty of crisis management and peacemaking defeat them (see also Stedman (1997): p. 44).

2.2 Initial remarks on non-compliance and non-compliant actors

Non-compliance is normal. NC/NONCAS exist in any (complex) (post-) conflict/crisis scenario. Transformation processes in general always causes non-compliance/non-compliant actors. Peace processes in particular are characterised by conflicting positions, interests and needs of the parties and social groups involved (see FriEnt/DIE Workshop Report (2006): p. 5). Newman and Richmond assume that "In some ways, spoiling is part of peace processes, as much as conflict is a function of social and political change." (Newman/Richmond, cited in NUPI (2009): p. 23). We also know that in any situation, whatever the cause, there will be an active minority for the cause, a neutral majority, and an active minority against the cause (see Kuehl (2009): p. 74). Non-compliance and non-compliant actors may be located mostly within the active minority against the cause as well as within the neutral majority group.

What is non-compliance or a non-compliant actor is a question of perspective. What constitutes compliance and non-compliance lies in the eye of the beholder. In fact, non-compliance and non-compliant actors may be conceived to only start to exist as such by setting subjective objectives and standards against which behaviour and actors are measured.

Firstly, "blue" actors may have a different understanding of what compliance and non-compliance means and who may be a non-compliant actor. Different external actors have different perspectives on the same phenomenon. These perspectives depend on these actors' roles, outlooks, traditions and tasks in the area of operation. The establishment of, for instance, a "safe and secure environment", implies objectives and activities in quite a number of interrelated fields of action. To different external (and local) actors working in these fields of action, NC/NONCAS mean different things. NC/NONCAS may include a broad and varied range of behaviour, activities and actors, depending on the perspective of what needs to be achieved in which field of action. Fields of action may include security, institution-building and democratisation, rule of law, rural development, education, health and other basic social services, humanitarian assistance and many others. To illustrate what has been said above, compliance in the field of rule of law for instance may mean that citizens resort to legitimate legal institutions when solving disputes among them, e.g. filing a complaint instead of exercising self-justice. In the field of health it means for example that citizens stick to a minimum of hygienic measures (e.g. avoid certain water sources) in order to avoid the outbreak of some kind of epidemic. As the meaning of compliance varies according to different fields of action, so do possibilities to improve or achieve compliance (as a function of different fields of action). Striving for a comprehensive approach, we should permanently seek triangulation of our assumptions through communication with the other relevant actors in a broader coalition context. Insights from other fields of action and actors may enlighten the understanding of causes and mechanisms of non-compliance in an area of operations.

Secondly, local actors' perceptions of what and who is compliant or not may significantly differ from the international community's and/or the host nation government's notion. Calling a certain kind of behaviour "non-compliant" or calling a certain actor a non-compliant actor

involves the act of "labelling".[5] In the context of non-compliance we use the term "labelling" in order to highlight the fact that the description of something or someone as "non-compliance"/"non-compliant actor" also needs to be conceived as labels, which means they are descriptions applied from the outside, rather than something intrinsic to the labelled thing, phenomenon or actor. International actors claim to have the power to define and set norms (often based on the liberal peace concept – constitutional reforms, democratisation, human rights, market economy) (see FriEnt/DIE Workshop Report (2006): p. 5). Yet local actors may have different views. Calling a certain behaviour or a certain actor non-compliant might give the impression that the labelling entity has the authority of deciding about what is wrong and right. Those labelled as such may neither think this person has such authority nor share this person's judgment. We need to be aware that labelling may lead to the creation or reinforcement of non-compliance, especially in modernisation processes – which in fact often coincide with current and most probably future post-conflict and peace-building situations (see FriEnt/DIE Workshop Report (2006): p. 5; also: NUPI (2009): p. 13/14). In this context it is also noteworthy that labelling a certain kind of behaviour or an actor as non-compliant may be purposefully used by either the coalition or host nation governments to blame or get rid of actors who are in their way. Such cases may reinforce negative reactions towards labelling processes.

The subjective nature of the concept of compliance/non-compliance may imply major challenges for the Operational Commander in two ways: divergence of views on compliance and non-compliance between the Commander and the coalition forces on the one hand and local populations and any other actor in the operational environment on the other hand, as well as within the coalition.

Determining, assessing and preventing or countering non-compliance and non-compliant actors needs objectives and standards. We need to be able to delineate who and what an alleged non-compliant actor is non-compliant with and in which way: "If we are unable to effectively define perceived infringements and infringing actors that undermine our strategy how can we develop instruments or policies to mitigate this"? (see NUPI (2009): p. 13). Compliance and non-compliance can only be defined and measured against set objectives and standards. Firstly, we need to define what our objectives are. Secondly, we need to define the required level of compliance in order to achieve our objectives (note: total and pervasive compliance will normally not be achieved within an operational environment). Talking about a coalition acting within a Comprehensive Approach, setting common objectives and standards and achieving a shared understanding of those poses a huge challenge (see also NUPI (2009): p. 12).

NONCAS are dynamic. Non-compliant actors may change and develop over time. This may be true for their motivation, their objectives, their strategies and tactics, their organisational form, their leadership and the membership etc. This also means that some non-compliant actors may not necessarily be non-compliant all the time (see also NUPI (2009): p. 22).This exacerbates both the challenge of analysis as well as of devising and implementing

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[5] Labelling means to describe someone or something in a word or short phrase. In sociology it is connoted with describing people in order to control and identify deviant behaviour.

strategies for improved compliance. The dynamic nature of NONCAS and NC requires continuous analysis and regular updates on known NONCAS but also of the situation and the population as a whole.

There are many forms of compliance and compliance is a moving target. The spectrum of compliance reaches from instrumental or tactical compliance over "neutral" compliance (acceptance) to commitment in the spirit of active support for coalition objectives and their achievement. Moreover, compliance may be a moving target as it is a function of the objectives and the level of ambition and standards of the coalition (in cooperation with the host nation government) as well as of the development of the operational environment. We need to carefully think about which compliance we are after. We also need to carefully have a look at what may look like "true" compliance at first sight. Although brought about by strategies that the coalition may have applied to improve compliance, this compliance may as well be merely instrumental and tactical. Generally, we need to monitor the effects of our strategies and activities and adapt our perception of and strategies against NC/NONCAS to the results achieved with past and ongoing strategies and activities as well as possibly evolving objectives, standards and changes both in the operational environment and the NONCAS themselves.

Be cautious with typologies and classifications. Typologies and classifications are useful but need to be handled with caution. While they are helpful to make sense of reality and to develop strategies, they also bear the risk of supporting (mis-)understandings and the inappropriate labelling of actors. We must not conceive typologies to be everlasting and static instruments for understanding reality. Reality changes and so must typologies. Neither do typologies, even if they offer suggestions for categorisation and classification of phenomena and/or actors, change reality in a sense that unambiguous, singular collations of phenomena and/or actors are feasible. In this context, we also need to keep in mind that terminology and definitions shape perceptions and have political and practical implications. Having once classified an actor as non-compliant, we may continue to wrongly treat him or her as such even though the objectives or motivations of the actor have changed. Against this background it may be helpful to talk about and have a look at non-compliance as a phenomenon rather than have a look at non-compliance in a too actor-focussed way (see also FriEnt/DIE Workshop Report (2006): p. 5).

2.3 Defining non-compliance

Definitions are a prerequisite to get to grips with a certain object or phenomenon. Defining NC/NONCAS in the framework of the MNE 6 process has so far proved to be a controversial endeavour. Several definitions have emerged. The definition of non-compliance as "all types of activities and behaviour detrimental to the achievement of the coalition strategic vision/objectives and their implementation" (see AUT Study) has experienced some agreement upon which this Handbook builds.

For practical use in this Handbook we chose to interpret the definition as follows:

> **Non-compliance:**
>
> **Behaviour that negatively affects coalition efforts to achieve goals/objectives in support of the host nation and/or international mandates.**
>
> **Non-compliant actors:**
>
> **Individuals or groups which exhibit behaviour which negatively affects coalition efforts to achieve goals/objectives in support of the host nation and/or international mandates.**

These definitions are rather broad and could include non-compliant behaviour of state actors (e.g. Afghani government) as well as NC/NONCAS "from within" the coalition (e.g. NATO/ISAF). However, referring to the MNE 6 context and for the sake of focus and manageability of the Handbook certain actors are excluded from further consideration in this Handbook (see also Scherg (2009)):

All actors within the coalition of external actors mandated to support peace, stability, reconstruction and development, even if those sometimes initiate or exacerbate the population's non-compliance, e.g. coalition forces causing civilian casualties, and even if independent NGOs do sometimes not collaborate and share information with other coalition actors etc. While there is room for improvement of external engagement (including civil-military relations), this possibly harmful behaviour of actors within the coalition is not labelled „non-compliant" in this Handbook but is rather put on the causes side of non-compliance and is analysed as such. Changing such behaviour may itself be part of a strategy to improve compliance of local actors and mitigate the risk of transition of actors into the irregular adversary spectrum.

All state actors of the host country. Although there might be harmful elements within the state actors of the host country and borders between state and non-state actors are sometimes fuzzy, the external engagement is mandated to support the host nation government and (probably) support state-building. Also, labelling possibly harmful behaviour of these actors as „non-compliant" would not be very helpful in the context of the joint endeavour.

External actors like foreign governments or secret services supporting local non-compliant actors by financing, training etc. They are relevant to understand the overall picture, but not for designing strategies on the ground.

Although the above mentioned actors will not be labelled and dealt with as non-compliant actors within the framework of this Handbook, we are fully aware that these actors may be also part of the conundrum the international community confronts in (post-)conflict situations. This is why we would like to underline that we need to continue to be aware of those actors and see to it that they be dealt with either in supplementary frameworks, on different levels, or by different actors.

2.4 Non-compliance and irregular adversaries

Building upon the MNE 6 problem statement - *"To establish and ensure a safe and secure environment, coalition forces require the ability to share information, gain situational understanding, synchronise efforts and assess progress in concert with interagency partners, international organisations, and other stakeholders when countering activities of irregular adversaries and other non-compliant actors"* - the *"Prototype Guidelines for an Operational Commander"* – which this Handbook is meant to support – should contribute *"to improve and - at best - achieve compliance and mitigate the transition of other non-compliant actors into the irregular adversary spectrum"*.

Against this background we attempt to make clarifications as to a possible distinction and as to relations of the two groups mentioned in the problem statement: irregular adversaries and non-compliant actors.

2.4.1 Irregular adversaries

In an MNE 6 framework, Irregular Adversaries have so far been characterised as follows (see Multinational Experiment Executive Steering Group Meeting Multinational Experiment 6, Granada, Spain, 26 March 09, Decision Sheet, 20090331):

- Not constrained by generally accepted conventions of international behaviour, such as the Geneva Conventions with respect to agreed international standards covering the conduct of warfare. Often violate status as a regular combatant, feign civilian or non-combatant status or commit hostile acts in disobedience of the laws of war. Normally not a member of the regular armed forces, police or other internal security forces and lack the political discipline imposed by national sovereignty and accountability. May operate independently or outside the framework of a political state and often feel no allegiance to a nation or accepted political ideology.

- Have a long term focus and use protracted efforts "below the threshold of war" to disrupt the ability of the government, the civilian security forces and the armed forces to carry out their tasks and to prevent the economy and political and public life from functioning normally. Employ a general strategy of avoidance and are often indistinguishable from the civil population. A key tenant may be focused on population control/popular support. Combat forces are only partially and occasionally visible and when directly confronted with a stronger military opponent, they transform, reorganise, and weave into various physical environments and human activities.

- Exploit increasingly inexpensive but lethal weapons in an erosion strategy aimed at weakening political resolve by inflicting mounting casualties over time, often with external support from sovereign governments, transnational organisations or building of alternate or 'shadow' governments, as alternatives to standing sovereign governments, to demonstrate strength while delegitimising the standing government. They are frequently characterised by particularly extreme violence with a degree of brutality, which ensures maximum media coverage, against both military and civilian targets. At the same time, they are adept at presenting their own suffering and commitment in the media to influence the international community. Note: Transnational is defined as extending or going beyond national boundaries.

2.4.2 Relations between irregular adversaries and non-compliant actors

In the framework of this Handbook, irregular adversaries are conceived as a subgroup of non-compliant actors. The distinguishing moment between irregular adversaries and other non-compliant actors is the first's organised recourse to systematic armed violence.

Possible relations between the two groups may include:

- Non-compliant actors may be irregular adversaries

- Non-compliant actors may support irregular adversaries

- Non-compliant actors may cooperate with irregular adversaries

- Non-compliant actors may have a neutral attitude vis-à-vis irregular adversaries

- Non-compliant actors may oppose irregular adversaries

- Non-compliant actors may be the target audience and the potential recruitment base of irregular adversaries

- Non-compliant actors may be victims of irregular adversaries

- Non-compliant actors may turn into irregular adversaries, possibly due to mainly two mobilisation mechanisms: coercion (including use of force or intimidation) or persuasion (including the promotion of insurgent or terrorist ideology and objectives, but also the provision of money, basic social services, or positions of authority) (see also U.S. Government Counterinsurgency Guide (2009): p. 9-11)

- Non-compliant actors may turn into irregular adversaries due to "structural coercion", such as lack of alternatives, neglect by the host nation government etc.

2.4.3 Transitions between the two groups

There are possible transitions between non-compliant actors and irregular adversaries, based on and along above relations and additionally initiated and caused by the same mechanisms responsible for the emergence, deterioration and entrenchment of non-compliance as will be outlined further below. We assume that it is the organised recourse to systematic armed violence that indicates a transition. However, a non-compliant actor should not be considered an irregular adversary at the first use of violence (see also NUPI (2009): p. 17).

It is important to keep in mind that the coalition is in competition with irregular adversaries with view to ensuring the support of the population, including the support of – so far – other non-compliant actors. The coalition is thus targeting the same groups of actors as the irregular adversaries when trying to maintain or increase compliance and mitigate the risk of transition of non-compliant actors into the irregular adversary spectrum. Depending on which mechanisms are at work as to possible transitions of non-compliant actors into the irregular adversary spectrum, strategy rationales on the coalition's side may for example include protection, credibility and reliability (vs. coercion by irregular adversaries); improvement of

living conditions and creation of alternatives (vs. "structural coercion"); strengthening legitimacy and effectiveness of the host nation government (vs. persuasion mechanisms and "structural coercion") etc.

At the same time we assume that there are ways back for irregular adversaries into the compliance spectrum. Our efforts thus should not only be directed at preventing the transition of other non-compliant actors into the irregular adversary spectrum but also be directed at bringing irregular adversaries back into the compliance spectrum.

2.5   Terminology issues and other groups

In chapter 1.2 we have already referred to existing scientific attempts to systematically approach phenomena and actors in (post-)conflict situations which are part of or related to non-compliance and non-compliant actors. In the following the two most widely-used and popular actor groups will be discussed and evaluated in the context of non-compliance and non-compliant actors.

Our objective should be to profit from these existing approaches and explain and document inspiration drawn from these approaches for the development of analysis questions and categories as to NC/NONCAS as well as potential influencing options and strategies for improving compliance and preventing and mitigating non-compliance.

2.5.1   Spoilers

The term "spoilers" has achieved prominence through Stephen Stedman's Article "Spoiler Problems in Peace Processes" in the journal "International Security" (fall 1997 edition). It has since then been most constructively and prominently picked up and elaborated by Ulrich Schneckener in several of his papers and presentations.

Generally speaking, spoilers are conceived as

- Actors who undermine peace processes on different levels by various means (see Stedman (1997).

They may be "armed groups (rebels and non-state armed groups), political parties (opposition and government) or factions within the political parties, administration or security forces, religious or traditional chiefs, radical peoples' movement (for example, ethnic or religious minorities), economic actors, mass media, war veterans and many more" (see FriEnt/DIE Workshop Report (2006): p. 2).

The concept of spoilers, however, is limited to behaviour and actors related to peace processes, which sets the boundaries of the concept. Spoilers and spoiling behaviour may be subsumed into the concept of NC/NONCAS – insofar there is a kind of peace agreement to spoil (or to ignore or obstruct). The concept of spoilers provides many useful thoughts, ideas and approaches that may be applied to the phenomenon of non-compliance and non-compliant actors as a whole or at least contribute to cover significant swathes of the

NC/NONCAS field. This is true for potential types of actors, given explanations (motivations) of spoiling (non-compliant) behaviour and according strategy development and implementation.

Several of Stedman's major findings on spoilers and spoiler management are of a generic nature and directly applicable to NONCAS/NC. Firstly: the choice of appropriate strategies requires the correct diagnosis of the type of spoiler and thoughtful consideration of constraints posed by other parties. Secondly, to make good diagnosis, policymakers must overcome organisational blinders that lead them to misread the actors, i.e. their intentions and motivations. Thirdly, the implementation of a successful strategy depends on the custodian's (peacekeeper's) ability to create an external coalition for peace, the resources that the coalition brings to its responsibility and the consensus that the coalition forms about the legitimacy (or lack thereof) of spoilers (or NONCAS) demands and behaviour (see Stedman (1997): p. 7).

Stedman states that peace processes create spoilers. Spoilers exist only when there is a peace process to undermine (Stedman (1997): p. 7). Something very similar is true for NONCAS. NONCAS and NC only exist when there is a certain order[6] or certain objectives that may either be ignored or actively obstructed. However, in the case of NC/NONCAS, their emergence may be sometimes less of an active reaction than in the case of spoilers. NONCAS/NC may also emerge because the terms of compliance for them may have changed through the imposition or introduction of new objectives, new rules, new procedures, new structures, all in all, a new order by the host nation government supported by external actors, e.g. coalition forces. This is to say, some NONCAS do not explicitly reposition themselves against an existing or new order, but just "happen" to become non-compliant as the context in which they live and act is (re)defined.

The spoiler literature also considers spoiling state actors, both internal and external. While non-compliance has its state actors, both internal and external as well, this Handbook does not have a closer look at state actors of the host country or separate (state) actors external to the host country territory (see chapter 2.3).

2.5.1.1 Types of spoilers

Stedman states that the overall problem and potential coping strategies are affected by what he calls the *type of spoiler* external actors or coalition forces are confronted with. Recent works on how to sustainably end civil wars show a wide range of potential classifications of spoilers and actors in general. The range reaches from explanations focussing on the security dilemma of actors who just do not dare to stop fighting because they do not have a 100 per cent reliable security guarantee by external actors or coalition forces that they will be protected against other groups etc. Such fear based conception of actors hampering peace

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[6] „Order" in the context of this handbook refers to a governance and socio-economic system, normally within the borders of a nation-state.

processes and the achievement of sustainable post war orders would imply a strategy focus on international security guarantees. This of course is not an all over suitable concept for current non-article five interventions of NATO, EU missions or UN or AU or other regional organisations' peace missions as it is often the external stabilisation forces' presence that induces the emergence or entrenchment of NONCAS.

We need to realise that actors have different motivations, contexts and means, which in turn implies that there is no overall explanatory model (neither for spoiler nor for non-compliance) and strategies need to be tailor made. There are, however, according to Stedman, some potential categories into which spoilers may be grouped by types. These categories may inspire our classification efforts in the framework of this Handbook. They include – with view to *goals and commitment*, which are for Stedman central dimensions of an actor (an assessment that this Handbook shares and picks up), *limited, greedy and total* spoilers. "At one end of the spectrum are limited spoilers, who have limited goals – for example recognition and redress of a grievance, a share of power or the exercise of power constrained by a constitution or opposition, and basic security for followers. Limited goals do not imply limited commitment to achieving those goals, however. They can be non-negotiable and hence subject to heavy sacrifice. At the other end of the spectrum are total spoilers, who pursue total power and exclusive recognition of authority and hold immutable preferences: that is, their goals are not subject to change. Total spoilers are led by individuals who see the world in all or nothing terms and often suffer from pathological tendencies that prevent the pragmatism necessary for compromise settlements of conflict. Total spoilers often espouse radical ideologies; total power is a means for achieving such goals as the violent transformation of society." (see Stedman (1997): 10 /11). These categories of commitment and goals and their variations have found entrance in our list of questions designed to classify and to get to grips with NONCAS and NC further below (see chapter 4.3.2).

As to motivational aspects, these include the motivation by *need and grievance*: Actors may show behaviour that negatively affects peace processes because needs have not been or are not being or will not be satisfied and because grievances have not been addressed or are not being or will not be addressed by current structures, procedures and developments. This includes for instance the situation that a certain political group or party still feels disadvantaged because of a freshly negotiated quota-regulation for the distribution of parliamentary seats and resists implementation of the regulation and starts to disturb the daily political business, which may even restart or end up in armed violence. Needs and grievances are assumed to play a significant motivational role as to non-compliance. Needs and grievances may lead to intended resistance to a government that is perceived to be illegitimate as well as resorting to "officially" illegitimate activities (e.g. poppy farming) in order to make one's daily living vis-à-vis a state that does neither provide for formal employment opportunities nor for social benefits. Need and grievance is a central motivational category in a NC/NONCAS context.

Secondly, there may be actors who are not interested in cooperating for the sake of peace or other official goals because they profit from non-cooperation and delaying the achievement of official goals in economic terms (motivation by *"greed"*). Possibilities of profit for these kinds of actors may consist in illegal activities enabled by a lack of a state monopoly of force

or in existing structures and procedures which sustain economic clienteles and corruption. Applied to the phenomenon of non-compliance this means that there exist actors in (post-)conflict countries or regions who intentionally disturb the establishment of a new order and/or a functioning state as this would undermine their profit. This has for instance for long been the case as to a number of rebel groups in the Democratic Republic of Congo, whose obstruction of any effort for achieving peace has enabled them to exploit natural resources for personal profit in the more remote places of this huge country.

Another motivation that has been identified for spoiling behaviour is *"creed"*. This motivation sets in when individuals or groups which define themselves existentially via their religion, culture, history etc. feel marginalised in a given or emerging order and by the predominant actors and their supporters (i.e. government elites and coalition forces supporting their political agenda and ambitions). These individuals or groups may not only refrain from complying with the order which they perceive as unjust and maybe even threatening their very identity, but may also recur to active obstruction of and armed resistance to that order and their (external) supporters. This is partly what we see and have seen both in Afghanistan and in Iraq. The motivation by "creed" is relevant in a NC/NONCAS context and will be picked up in our questions-based approach as outlined further below.

There are also spoilers who have adopted a *culture of violence*, which may be additionally inspired by charismatic leaders, ideologies and other strongly emotional (as opposed to rational) elements. In these cases, exerting violence has taken on a life of its own and incentives promoting a way back to being part of regular society and complying with a regular order may hardly be found. These actors may represent parts of the extreme spectrum of non-compliance that we consider in this Handbook.

In most cases of spoilers, more than one motive needs to be consulted in order to get a picture of the actor's motivation (see Schneckener (2003): p. 10). This, of course, is true for virtually any actor and for NONCAS in particular as well and is a major statement that this Handbook seeks to communicate.

There are some other relevant parameters and attributes of actors addressed to be found in the spoiler literature which are worth considering:

Organisation and set-up

More general insights gained in the context of spoiler research which are also applicable in a NONCAS context include that the design and implementation of strategies against spoilers or NONCAS is rendered more difficult if target groups have networked, only slightly hierarchical structures, are dynamic and amorphous and thus lack continuous points of contact or negotiation partner who also have the power to put through and ensure commitment to agreements made throughout the respective actors group. There always is the danger that such groups will form breakaway factions who continue to not comply with, obstruct or actively fight envisaged or existing agreements, structures, procedures and modes of accommodation (see Schneckener (2003): p. 13). Generally the organisational form and structure may be an important characteristic of an actor which needs to be considered in

order to tailor successful strategies and measures against or for a certain actor (see chapter 4.3.2).

Locus of the spoiler problem

An interesting category identified by Stedman is the so-called "locus of the spoiler problem" (see Stedman (1997): p. 11). Stedman's "locus" question overlaps with research ambitions in the field of Non-state Armed groups (see chapter 2.5.2). It tries to grasp where the actual driver of spoiling/armed violent/non-compliant (group) behaviour is located. The main focus of Stedman in this context lies with a distinction between leaders and followers, implying that – depending on where the locus of the spoiler problem lies – e.g. a simple change in leadership may change the behaviour of a group. The "locus" is an important category to consider as it may provide important insights into potentially major points of leverage and thus for strategy development and strategy implementation (see identification of so-called "key leaders" and their role, chapter 4.3.2.)

Number of actors that need to be dealt with

Stedman states that the number of spoilers (or NONCAS) makes a difference to the overall problem and the strategies to choose. The presence of more than one group of actors or actor that interferes with the achievement of coalition goals creates a compound challenge for the external actors or coalition forces and the host nation government with whom they cooperate. Any strategy that is developed and implemented in order to improve compliance of one group may have side effects or some kind of impact on some or all of the other groups as all actors are part of one system. In addition to Stedman's argument we could even claim that any strategy applied to improve compliance of one non-compliant actor may have side effects on the *compliant actors* within a system. A recent example discussed in the context of Afghanistan is the effects which an amnesty and financially heavily supported reintegration program for Taliban and their supporters may have on communities that have so far been compliant with coalition and the Government of Afghanistan (GoA) objectives (even though this compliance may have only consisted in neutral behaviour). The so far compliant parts of the local populations may start to resist coalition forces and the host nation government and its local authorities in order to profit from the same benefits as the Taliban would. At least, the so far local populations may feel betrayed by the host nation government and the supporting coalition forces because of that change in strategy vis-à-vis the handling of the Taliban threat and may start to lose their commitment to joint GoA and coalition goals and/or to not comply anymore because they did not get any rewards for their behaviour while the "bad guys" would.

2.5.1.2 Strategy options, underlying influencing mechanisms and their effects

For potential strategies against spoilers and spoiling behaviour, according to Schneckener some conclusions may be drawn from above insights into motivational issues and empirical research (see chapter 2.5.1.1), which may be of relevance for the development of strategies against NC/NONCAS or for improved compliance.

Firstly: the more grievance motivated a spoiler is, the easier it may be to change according behaviour through negotiation and compromise (see Schneckener (2003): p. 10). For grievance motivated non-compliant actors (intended NC) this may mean that respective non-compliant behaviour may be turned into compliance through integrative strategies by jointly addressing the grievances together with the aggrieved. The military alone cannot do anything about it. A possible contribution of the military could consist in securing the establishment and maintenance of negotiation platforms in a broad sense and mitigating the security dilemma some (armed) non-compliant actors will feel if looking for peaceful solutions (see also chapter 5 and Annex II).

Secondly: if spoilers attempt to spoil peace processes due to a motivation of economic profit and greed, sustainable solutions usually will be quite costly (see Schneckener (2003): p. 10). Transferred to the phenomenon of non-compliance this observation suggests that if a majority of non-compliant actors profits from obstructing or non-complying with coalition goals and the goals of the host nation government, compliance strategies will probably have to tackle both structural deficits (like poverty or corruption, respectively through poverty reduction measures and institutional reform and the like) and offer (short term) economic and profit opportunities for NONCAS.

Thirdly: the more identity centered a spoiling actor is and the more a spoiler has been entrenched in a culture of violence, the more difficult will it be to change his spoiling behaviour. (Schneckener (2003): p. 10). This is fully applicable to NONCAS/NC in this spectrum.

Different key mechanisms of externally inducing change result in different kinds of behavioural change and effects on the target groups' side. While force and leverage induce *non-sustainable adaption of behaviour* (relying on constant application of force or leverage), bargaining may lead to a *more sustainable adaption and policy and preference changes* in case a shared institutional framework is in place, accepted and used. Persuasion, conceived in a classical constructivist perspective, may lead to *sustainable adaption and not only to preference and policy changes but even identity changes* in the long run (see Schneckener, Spoiler or governance actors (presentation): p. 6).

Schneckener distinguishes between six general strategies for what he calls "spoiler management":

A. *Arguing and convincing.* This strategy option is considered to be a strategy with a very limited range of potential application cases as it would require both very weak motivation and commitment on the addressees side (see Schneckener (2003): p. 11).

B. *Bargaining.* This strategy option may work for spoilers who are motivated both by grievances and needs (political motivations) and greed (power and economic profit) (see Schneckener (2003): p. 11/12). To work, this strategy requires that groups addressed have a hierarchical organisation and an authority which has the power to push through agreements and bargaining results throughout a group and make a group stick to those agreements sustainably.

C. *Coercion.* Meaning sanctions, show of military force or use of force in order to coerce actors to get to negotiate, search for compromises, adopt certain agreements or comply with certain arrangements and rules (see also Schneckener (2003): p. 12). The mechanism underlying the concept of coercion is based on superiority of the coercing actor in the spheres of power applied and on providing a proof of will to resort to means in these power spheres, including armed violence, in order to achieve certain objectives. Mere coercion will hardly ever be a long-term and sustainable solution in the context of NONCAS and probably is not the first choice vis-à-vis non-armed, non-violent NONCAS. However, providing a "proof of will" in a NONCAS context may have the effect of signaling commitment to achieving certain objectives and may thus serve to support trust building between local populations and coalition forces.

D. *Socialisation.* Through embedding actors in institutional arrangements and practices some actors may be changed in a step-by-step way to stick to certain rules and norms of behaviour. These actors may experience collective learning processes and may not only change their behaviour and strategies but maybe even their preferences, sets of goals and self-conception. Socialisation in the context of spoiler management is conceived as a mid- to long-term management strategy. Application of this strategy has only some prospect of success as to limited, grievance and need motivated or greedy spoilers (see Schneckener (2003): p. 12).

E. *Bribing.* We should judge this strategy mentioned in the context of spoiler management as ethically questionable. While it may be of some success as a kick-off incentive to bring non-compliant elements to some kind of "negotiation table" and while it may even be of some more long-term use if it was applied continually, overall it is most probably of rather limited effect in the context of NONCAS/NC. For one thing, there is no way that any host nation government or external actor or coalition forces will be in a (financial) position to sustain a bribing strategy. More importantly though is that in any case it seems that the "compliance" that is bought will never amount to more than a mere instrumental compliance which will dissolve as soon as there is a higher bidder or as soon as the bribes are lifted. We must also be aware that if external actors or coalition forces are involved in bribing they will lose their credibility (especially if the bribing policy is discovered and made public). As credibility, however, is one of the necessary prerequisites that substantial and long-term compliance with an actor's policy and objectives may be achieved, bribing actors to make them comply (instrumentally) may as well be counterproductive to the overall effort.

F. *Containment, control, marginalisation, isolation.* These strategies imply, in a spoiler management context, efforts to split spoiler groups into less effective groups or to separate spoiler groups from their support bases within local populations and other groups (see Schneckener (2003): p. 12). In a NONCAS context, this is a valuable strategy especially with view to groups which acquire and sustain their power and influence via mobilisation strategies. This applies for example to radical Hezbollah in Lebanon, who try to mobilise supporters for their cause through infiltrating local populations' social and religious lives.

Last but not least, a major insight of spoiler research, which is equally applicable in a broader NC/NONCAS context is, that we usually need to apply a dynamic combination of strategies

at one time or sequentially because spoilers or NONCAS have more than one motivation and spoilers and NONCAS may be multiple (see Schneckener (2003): p. 13).

Stedman claims that there exist "total" spoilers (besides spoilers that he calls "limited" or "greedy"), who will never show more than mere tactical compliance with a specific set of objectives, rules and structures (fixed by coalition forces and the respective host nation government) and only for a limited amount of time (see Stedman (1997): p. 11). Their policy resistance has much to do with their lack of cost sensitivity also in a broader sense, which makes them inaccessible to both positive and negative incentives. This lack of cost sensitivity may be e.g. observed in the case of ideology-based, fanatic terrorist groups. These impossible-to-change-actors are also part of our broader non-compliance group of actors.

2.5.2 Non-state armed groups (NSAG)

Most simply, non-state armed groups (NSAG) may be defined as

- Groups whose actions challenge the state's monopoly of force (see FriEnt/DIE Workshop Report (2006): p. 3).

The United Nations (see UN Guidelines on Humanitarian Negotiations with Non-state Armed Groups (2006)) have agreed on and issued a more elaborate working definition of Non-State Armed Groups. According to the UN, NSAG are groups that:

- Have the potential to employ arms in the use of force to achieve

- Political, ideological or economic objectives;

- Are not within the formal military structures of states, state-alliances or intergovernmental organisations; and

- Are not under the control of the state(s) in which they operate.

NSAG are a special subgroup of NONCAS which are characterised in a distinctive manner by their regular resort to armed violence. In fact the use of violence is at the core of the definition of NSAG or whatever they are called (also called, for instance, violent non-state actors: VNSA etc.).[7]

Non-state armed groups encompass such diverse phenomena as guerrilla fighters, rebel groups, liberation armies (which may be subsumed in the groups of "insurgents"), militia warlords, terrorists, organised crime groups, mercenaries, private security or military

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[7] Still, the use and role of violence varies among armed groups. Differences may be of relevance for devising successful NSAG management strategies.

companies (PMC)[8] and others (see FriEnt/DIE Workshop Report (2006): p. 3; see also ISN (2008): p. 8)).

Recent numerous efforts to define non-state armed actors or groups and to frame an according concept reflect the academic as well as practitioner's reality that violent challengers of the state monopoly are increasingly perceived as important actors in contemporary global politics and need to be managed. Those violent challengers have taken on different forms in different parts of the world, yet share certain characteristics.

2.5.2.1 Contextual factors

Like the broader group of non-compliant actors in which non-state armed groups or violent non-state actors (NSAG/VNSA) may be subsumed, NSAG/VNSA have been around for a long time.[9] In the 21st century, however, the International Relations and Security Network (ISN) argues, they have re-merged and gained importance in large part because of the growing weakness of many states, while those actors perpetuate and intensify this weakness at the same time. The concept of weak states suggests a lack of certain qualities that have become widely accepted as critical components of the modern Westphalian state. Different authors emphasise different aspects of the phenomenon of the so-called "weak states" themselves.[10] This Handbook assumes that *weak states suffer from deficits in legitimacy, capacity, provision of public goods and inclusiveness, while in most cases these deficits are mutually reinforcing* (see also ISN (2008): p. 5/6)*.

There is an empirically proven correlation between state weakness and the emergence of NSAG (see for instance ISN), which is an important finding for our search for points of leverage and strategies non-compliance in its different shapes.

States with *low legitimacy* for example are not in a position to create or maintain loyalty or allegiance of its citizens. Repression and coercion used in compensation for a lack of legitimacy in turn may provoke opposition and contribute to the emergence or entrenchment of NSAG. Additionally, states with a *low capacity to care for their citizens* may provoke the emergence of alternative structures including for the provision of security. This is where potentially NSAG come in. At the same time some *elements of globalisation* facilitate and provide force multipliers for NSAG, e.g. global flows of arms (see ISN (2008): p. 6/7). If inadequate governance on the one hand and globalisation effects on the other provide conditions that facilitate the emergence of NSAG, it is widely believed that mobilisation into a

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[8] PMC will not be considered in this handbook, as they are by a significant degree regulated by states and generally act on behalf of states.

[9] The International Relations and Security Network (ISN), which is (only) one of the think tanks and institutions trying to come to grips with the phenomenon of non-state armed groups/actors, contends that even Rome at the height of its power had to deal with roaming criminal bands and maritime pirates (see ISN (2008): p. 5).

[10] Legitimacy, capacity, collective interest, shared identity (inclusiveness rather than exclusiveness) are all important aspects (see ISN (2008): p. 5/6).

NSAG still requires some kind of *transformational process on an individual or group level*. In this context, identity entrepreneurs may act as attractors and sources of inspiration of loyalty and maybe even passion and lend followers a sense of common purpose and self-esteem, while NSAG may function as a *platform and vehicle for psychological empowerment* for the disempowered, marginalised and disenfranchised (see ISN (2008): 7).

From a NONCAS/NC perspective the approach of looking at the history and context of emergence and entrenchment of non-state armed groups provides twofold information and inspiration for the analysis and classification of NONCAS and the design and implementation of strategies against those. Firstly, the approach of looking at contextual factors and conditions (local and global, as well as regional) characterising the emergence and formation of NSAG is a valuable approach in the context of the analysis of NONCAS/NC as well. The questions that we should ask in order to come to grips with what a specific non-compliant actor is all about and what we can do about him, must always and importantly include questions as to potential structural causes of non-compliant behaviour. Secondly, as NSAG are one specific sub-group of non-compliant actors, we can profit from borrowing and further developing categories used to classify NSAG and strategies devised to counter and transform NSAG.

2.5.2.2 Actor parameters

Some key parameters of NSAG/VNSA that serve to characterise a specific NSAG and which also help to understand how NSAG/VNSA differ from one another include:

Motivation and purpose. This is a category that not very surprisingly has already figured large in the context of spoiler analysis and management and in fact is part of any actor analysis.

Strength and scope as measured for instance in size, geographical coverage etc. These categories will be considered in a NONCAS/NC context as well as they may provide some information and clues as to potential impact of a non-compliant actor and for the design and implementation of strategies (see chapter 4.3.2).

Access to resources and funding. This category is for instance important as to attempts to find (indirect) points of leverage to tackle NSAG and also plays a role for NONCAS analysis and respective coping strategies in the sense of sources of power and resources and capabilities of a non-compliant actor (see chapter 4.3.2.3).

Organisational structure. Hierarchical, centralised, networked, distributed and hybrid structures exist, while organisational structures hardly ever are static. Organisational structures and their dynamics may provide useful information and clues as to weaknesses, strengths and potential points of leverage (see also further above: spoilers) of any actor, including NONCAS (for more see chapter 4.3.2.8).

2.5.3   Ideal types in the armed and violent spectrum of NONCAS

Recurring to elements of spoiler and NSAG literature we may assume some ideal types of the armed and violent spectrum of NONCAS. These groups are subgroups of NONCAS.

Insurgencies (rebels and guerrillas). An insurgency is "an organised movement aimed at the overthrow of a constituted government through the use of subversion and armed conflict" (US State Department for Defense). More elaborately, it may be described as an organised, armed political struggle whose goal may be the seizure of power. Insurgents are typically dissatisfied with and hostile to the existing state (examples: Liberation Tigers of Tamil Elam or LTT in Sri Lanka, Taliban in Afghanistan). Insurgents usually operate within a defined territory and seek to deprive the existing government of legitimacy while establishing themselves as a viable and legitimate alternative (see ISN (2008): p. 12). They often use violence, including terror tactics. At the same time their activities may go well beyond these. Typically, they strive to establish parallel forms of governance. Insurgents often provoke the government in order to make it take on harsh measures which further undermine its legitimacy. For funding they often resort to criminal activities. Insurgents also may establish cooperative relations with criminal or terrorist organisations in order to advance their own agenda. (ISN (2008): p. 13). For example the Taliban insurgency in Afghanistan is largely funded by profits from the opium trade. Objectives are mostly territorially-bounded. "Control of the state is the prize." (ISN (2008): p. 13). In some cases an insurgency's goals may be more limited, e.g. separation of a certain area or group within a state or the extraction of limited political concessions (ISN (2008): p. 12; see also Schneckener (2003): p. 6). Motivating issues may stem from differences in values and ideas in relation to the central state and more or less specific political grievances and needs. Insurgencies may vary in structure. More "traditional" insurgencies are usually organised around a core leadership with a degree of hierarchy. However, even these groups are sometimes operationally decentralised. There are some insurgencies, like for example the one(s) in Iraq, which are much more networked and diffused and which may be characterised as a loose, ambiguous, and constantly shifting environment, in which constellations of cells or collections of individuals gravitate toward one another to carry out armed attacks, exchange intelligence, trade weapons, or engage in joint training and then disperse at times never to operate again (Bruce Hoffmann, cited in ISN (2008): p. 13/14). Insurgencies moreover often are very cooperative and reach out for allies in the world of crime or terrorism, e.g. in order to gain expertise etc. For example, the Sunni tribal insurgents in Iraq for some time cooperated with al-Quaida, seeking to advance their own agenda (ISN (2008): p. 14).

Terrorist organisations. Use of indiscriminate violence against civilian targets is central to terrorist organisations' strategy and their defining characteristic. Terrorist groups usually seek political change through the use of violence. Contrary to rebel groups and guerrillas, terrorist groups do not aspire to conquer and hold territory (see Schneckener (2003): p. 6/7). Driven by dissatisfaction with the status quo, terrorist groups do seek to discredit the state and undermine its authority through provoking increasing repression in response to acts of violence. They aspire to mobilise and radicalise supporters on the one hand. On the other hand they strive to frighten civilian population and the political, social and economic "establishment" by exerting psychological violence (often via the exertion of physical,

"symbolic" violence). Terrorist networks often rely on criminal activities for funding. Unlike warlords, militias, insurgencies etc., all of which are nationally based, terrorist organisations, such as those rooted in religious or ideological issues, may have a transnational or global presence. However, the line between terrorists and other groups, particularly insurgent is sometimes very thin (ISN (2008): p. 15). Organisational structures are subject to change, induced by measures taken against an organisation, the dynamics of their support bases, and their planned activities etc. Al-Qaida for example has developed from a concentric network into a more horizontal network of cells, which partly followed a bottom up logic.

Warlords. Warlords usually control certain territories and resources (e.g. precious metal mines, drug cultivation or the like) and thus finance irregular security forces and networks which are supposed to protect them. Their shared characteristics mainly consist in: They command private military forces; they rule a specific territory; they have certain degree of legitimacy; they have a symbiotic economic and military relationship with the local population; they usually participate in the global economic system, engaging in some form of illegal business activity; they challenge, privatise, or supplement state functions in their territory; coercion is widely used, e.g. in order to impose taxes on local populations (see ISN (2008): p. 9; see also Schneckener (2003): p. 7). Contrary to political or e.g. religious motivations of rebel or terrorist groups, warlords (and criminals) are economically motivated or profit oriented. Warlords typically seek power and resources. Power is sought mostly for instrumental purposes, in order to control a certain territory and exploit its resources. Warlords put their individual interests above any notion of collective interest (which is also why alliances among warlords or between warlords and other NSAG are inherently temporary). In terms of relations with the state, warlords are pragmatic. Warlords want to maintain their autonomy and usually oppose any initiatives by the state that seek to curtail this. Occasionally however they ostensibly collaborate with the state in order to determine the future of their relationship and circumscribe state power. In Afghanistan, warlords have used and are using state building and democratisation processes to legitimise and cement their position in and via the official system. Yet support for the central state can at best be only limited, qualified and ambivalent (see ISN (2008): p. 9). Warlords may fulfill several functions for local population which parallel or substitute lacking state functions, such as protection and the like. For reasons of self-interest, warlords usually exercise some restraint in exercising their powers within their territory in order to avoid encouraging those whom they control to seek alternatives or defect. Due to the functions exercised and due to self regulation based on self-interest, warlord governance may form relatively stable systems. As such, those systems run counter to coalition forces' and the host nation government's objectives in the context of a new order and thus are a specific version of non-compliance. In terms of organisational structure, warlords typically exert hierarchical forms of leadership and control. However, they tend to operate through trusted subordinates rather than a formal structure. They are often charismatic leaders. Usually, charismatic leadership qualities are reinforced by patronage systems through which the warlords distribute favors to those who support them (see ISN (2008): p. 9).

Criminal organisations. Contrary to political or e.g. religious motivations of rebel or terrorist groups, criminals are economically motivated or profit oriented. Contrary to warlords, they do

not control territory but act independently from territorial assets or boundaries. They are mainly organised in networks and profit from doing illegal business (e.g. in human or drug trafficking) while using violence or the threat of violence (see Schneckener (2003): p. 7). In terms of power and threats criminal organisations pose to a state, criminal organisations widely vary. Larger criminal organisations typically concentrate on illicit power, challenging or undermining the political and judicial processes. Moreover, the widespread use of corruption by criminal organisations has debilitating effects on the rule of law and on the integrity of state structures. Other activities, such as human trafficking, have serious negative impacts on human security. Violence has a key role in organised crime. For the most part however, violence is focused and selective. Violence (or the threat of it) is mainly used to maintain internal discipline or to protect or enlarge market shares (ISN (2008): p. 16). While organised crime has an interest in weak state structures, it does not have an interest in total collapse, as conditions of chaos usually are not conducive to doing business. It is a widespread phenomenon that in the wake of state collapse, while a semblance of order is being maintained, organised crime flourishes in the emerging space. The aim is to derive as much profit as possible from their activities, within the limits of acceptable risk. Sometimes, higher risks are accepted for higher profits, sometimes risk is avoided and lower profits accepted. Criminal organisations vary enormously in size and scope as well as in their portfolios of activities. Activities include drug business, smuggling, human trafficking, counterfeiting, and extortion. There is no single structure of criminal organisations. Some are hierarchical, others are networked, and some are hybrids. Some criminal organisations remain local, some become transnational.

Militias. A militia can be understood as an irregular armed force (i.e. outside the formal security sector and government command) operating within the territory of a weak and/or failing state (see ISN (2008)). However, as they often come into existence in order to provide security where the host nation government has failed, militias are sometimes considered to be legitimate entities. Militias are particularly prevalent where specific factions or groups (religious, ethnic etc.) feel that they do not receive adequate protection from the state. They may operate under the auspices of a factional leader, clan or ethnic group, or on their own after the break-up of the states' forces. By filling a functional hole left by the state, this in turn further challenges the legitimacy of the state. Militias use force not only for defensive and protective purposes but also in offensive ways, e.g. against the state or rivaling groups. At times, militias start to fill other governance gaps such as in the field of basic needs services provision. Members often come from disadvantaged classes and are young males who are looking for money, resources, power and security. While there are instances where joining a militia is seen as an opportunity and duty, there are also instances where members are forced to join. While mostly members of militias have not received a formal military training they may be practiced unconventional fighters. Militias have a dual role as predators and protectors, as we have seen in Iraq where militias have played a major role ever since the US invasion in 2003 (see ISN (2008): p. 11/12). The potential for conflict with the state and its external supporters (coalition forces) is very real. In terms of strategies against militias, their function and motivation imply that consistent and effective efforts need to be undertaken

in order to establish sufficient security and provide other necessary services so that the militia are no longer necessary.[11]

Youth gangs are another non-compliance phenomenon in the violent and armed spectrum. Those gangs may emerge from prolonged conflict and prosper and feed on a resulting culture of violence and neglect (including a lack of education and job opportunities). They may pose a threat to the state or external coalitions and their objectives due to their ruthlessness and potential involvement and formation of alliances with other NSAG (see ISN (2008): p. 17).

According to the spoiler literature, above violent or armed actors show the whole range of motivation from greed to grievances, often a mixture of it. Often, structural causes are at the root of their motivations. It is only with view to war lords and criminals that we can assume that their behaviour and activities (non-compliance) is motivated by economic considerations to an overwhelming extent. Warlords and criminals consequently are the only actors whose behaviour may be directly changed by economic or financial compensation or incentives. Terrorists mostly show identity based motivation which are the most intractable reasons for non-compliance.

These above ideal types or categories may be of use for our analysis of NC and NONCAS and may be kept in mind for orientation. What we need to keep in mind at the same time is that there exists nothing like clear cut or static categories of actors in this domain. When trying to categorise actors in the groups above, we will often find that there are actors who display characteristics of more than one group; thus categorising an actor into only one group may leave us dissatisfied. Additionally, actors may change over time further complicating a continuously valid and useful categorisation. For instance, a politically motivated rebel group may transform into a mainly profit-oriented group of warlords and criminals (see e.g. Schneckener (2003): p. 7).

Besides the more "prominent" violent or armed NONCAS (NSAG or armed and violent spoiler), some other groups have been identified in the framework of spoiler research, which are of relevance in the light of non-compliance: *Separatists or certain "ethnic" groups*, who see their claims endangered or not realised in an existing or emerging order, yet do not resort to armed violence; r*adical political, religious, social forces*, who are hard to integrate, yet do not resort to armed violence; *refugees and internally displaced persons (IDPs) and other victims of war* who may feel disadvantaged and not adequately considered in the context of objectives of the host nation government and supporting external forces. These

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[11] *Paramilitary forces.* The distinction between militias and paramilitary forces is not entirely clear. We may argue, however, that paramilitary forces are (initially at least) an extension of government forces. Paramilitary forces have been described as armed formations outside regular military and police commands. They may be often poorly trained, lightly equipped, highly fragmented, and frequently reorganised, but politically recruited and operated in order to enable the regime that controls them to hold territory or realise other objective inexpensively (see ISN (2008): p. 12). It frequently happens that those forces become hard to control, run wild, fragment and change their profile into criminal groups (ISN (2008): p. 12).

groups are very easy to mobilise by other (non-compliant) actors (see Schneckener (2003): p. 8).
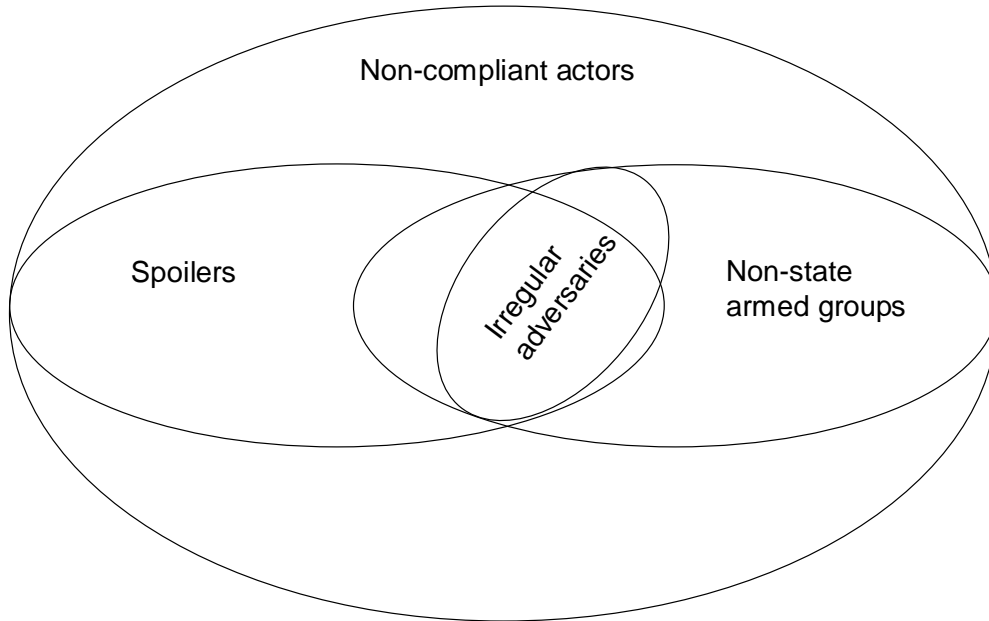
Picture: Non-compliant actors: different groups and their relations

NONCAS, as defined above, can be conceived as including spoilers, non-state armed groups, and irregular adversaries. Spoilers do not always use armed force in order to achieve their objectives but resort to non-violent means as well. However, non-state armed groups may be spoilers or military wings of spoilers. While they may wish to spoil peace processes, they may also have other motivations and ambitions. Irregular adversaries are supposed to regularly recur to armed force in order to achieve their objectives.

3 Starting points and decisive questions: which non-compliance is relevant and who are relevant non-compliant actors from an Operational Commander's perspective?

In order to get a first grip on which behaviour and which actors may be relevant for an Operational Commander in a non-compliance context, two questions may be asked for a start:

1. Which behaviour, which activities and which actors negatively affect the coalition's objectives?

    a. What are the most critical aspects of non-compliance that impact on mission achievement and why?

    b. At which point does non-compliance become critically harmful to mission achievement and which kind and scope of non-compliance is still tolerable?

2. Is there anything that the Operational Commander can do to change the behaviour and activities or actors observed?

    a. Which behaviour/activities/actors may the Commander directly or indirectly influence in his or her scopes of responsibility and competence, how and to which extent?

    b. Which actors other than the military may have responsibilities and capabilities in terms of influencing NONCAS/NC?

Two major spectrums should serve as starting points for any decision-maker in the field:

- *Which is the impact of NC/NONCAS on the achievement of coalition objectives?*

- *How much can I/we influence NC/ NONCAS and who else may contribute to this effort?*

3.1 Which is the impact of NC/NONCAS on the achievement of coalition objectives?

Our aim is to find out whether there is a significant impact and why. The spectrum may range from negligible to critical. The impact can be measured in several dimensions.

To check whether NC/NONCAS have a significant impact on the coalition goals and why, the following questions may be asked, covering some dimensions which in turn determine the impact of NC/NONCAS. The starting point is a clear vision and understanding of the coalition's objectives (see chapter 2.2)

- *Which coalition goals or which elements of the coalition goals are affected by the observed non-compliant actor/NC at first sight?*

To assess the impact of NC/NONCAS, it is important to check which goals or which parts of the goals are affected. These may include the establishment of security; the protection of minorities; supporting the achievement of social and economic development etc.

- *Are the affected coalition goals vital ones? Is the achievement of the affected coalition goals precondition for the achievement of other goals and which other relations exist between the affected coalition goals and other goals or the overarching objective?*

Further developing the preceding question, we need to evaluate which relevance the affected goal(s) have in the context of the achievement of the overarching objective or end state and how the coalition goals depend and interact with each other. It may be that NONCAS/NC which seems to affect only one limited (part of a) goal at first sight has far more serious implications because the affected goal may turn out to be a precondition for achieving progress as to other goals.

- *What does the observed NC/non-compliant actor affect?*

Do NC/NONCAS touch on the elements of a peace agreement; on political norms, rules, and procedures; on social norms; other regulations; etc.?

- *Whom does the observed NC/non-compliant actor affect? Against which stakeholders is NC directed?*

Do NONCAS directly "target" coalition forces? Is it the host nation government, its representatives and agencies that are affected by NC/NONCAS? Is it the local security forces? Is it the local population or certain groups of the local population? Who else is targeted or affected?

- *What is the scope and geographical coverage of the observed NC/NONCAS?*

Does non-compliance take place pervasively or restricted to certain "loci"? Does it take place on a local, regional, national, or maybe cross-border level? Are there certain socio-geographic foci – e.g. rural or urban areas?

- *Who is involved in non-compliance? How many are involved? How powerful are those involved?*

A first estimate on size of the group, their members and supporters and their position and influence within the system are necessary to evaluate the potential impact of the NC/non-compliant actor observed.

- *Which is the intensity and frequency of NC? Are there any changes in intensity and frequency over time?*

A first overview as to how often and how intense NC is performed and a first perspective on dynamics will also enhance the understanding of the (potential) impact of NC/NONCAS.

Looking for answers to above questions may help to come to a first assessment of the impact of NONCAS/NC, which in turn may help to achieve a first judgment of the (potential)

relevance of the observed NC/NONCAS in the context of achieving the coalition goals, i.e. whether there is need for action.

3.2   How can the coalition influence NONCAS/NC?

The following questions should help to achieve an idea whether the Operational Commander has a role in preventing or countering the observed NC/NONCAS and who else may play a role in mitigating NC. They should also sensitise the Operational Commander about desired behaviour of actors in the area of operations in relation to own (coalition) goals. Moreover, they should inspire some first reflections on the character of the NC/NONCAS perceived and potential successes of coalition forces to mitigate the observed NC/NONCAS (first rough guesses). They are also meant to trigger some preliminary ideas on ways and means of influence on NC/NONCAS.

- *Which fields of action does the NC/NONCAS observed affect generally?*

    For instance: security; good governance; election preparations; rule of law; others?

    Asking this question may generate first hints about which of the players active in the fields affected by NC/NONCAS need to be consulted and may need to take action.

- *What may the Operational Commander do about NC/NONCAS? What could he/she possibly do within own means and competence? What is beyond own means and competence and where may cooperation with others be needed?*

    A first check needs to be done whether the Operational Commander is in a position to influence the NC/NONCAS observed vis-à-vis his own means and competences and if yes, what he/she could possibly do. We also need to check where he/she needs cooperation with and support from other actors of the coalition and whether, and where and for which reasons other coalition actors may take the lead in mitigating non-compliance and where the Operational Commander could in turn take on a supportive role.

- *Who else may play a role in mitigating the observed non-compliance?*

    This question refers to both international/regional and local players. International/regional players may include certain international, regional or non-governmental organisations or private economic actors etc. Local actors may include the host nation government or specific representatives, key political, religious, social leaders, (parts of) the local civil society and other local groups or individuals.

- *Which and how much compliance do we need?*

    Is compliance needed by all of the non-compliant groups or individuals concerned? Is compliance of key actors sufficient? Is it mere acceptance of (neutral compliance) or commitment to (active support) that will help to achieve coalition goals?

These questions need to be asked in order to reflect on the own level of ambition in terms of compliance. It also serves to reflect and outline thresholds that need to be reached in terms of compliance.

- *To which extent may we possibly mitigate non-compliance? What may we change: the behaviour of actors? The motivation or objectives of actors? The actors themselves (and as a result the behaviour)?*

These questions are meant to induce first ideas or educated guesses on whether at all, to which extent and how the non-compliant actor observed may be changed.

- *Will the actor react to possible influencing attempts? What could potential reactions look like?*

These questions are meant to induce first guesses along a spectrum of possibilities: 1. attempts to influence will remain most probably without success; 2. behaviour may be changed towards compliance with great or some effort; 3. commitment (implying a change of actor or his motivation, not only a change of behaviour) may be achieved with great or some effort.

- *What about possible options to mitigate the effects of the observed non-compliant behaviour and activities?*

4   A framework for analysis

4.1   Level of ambition

In order to be in a position to act effectively, an Operational Commander needs to develop and have an understanding of the problem he/she is to tackle. A framework for analysis is supposed to provide orientation when approaching the challenge of understanding non-compliance/non-compliant actors. In fact, a comprehensive actor analysis is prerequisite to developing effective strategies (see e.g. FriEnt/DIE Workshop Report (2006), p. 3; see also Williams/Ricigliano (2005)). It means getting beyond mere information on to developing a deeper knowing and more thorough and pervasive awareness of their motivation, self-conception, perceptions and dynamics (see also Williams/Ricigliano (2005)). This kind of understanding requires a systemic view of the area of operation, including its actors, yet also structural factors and factors related to the coalition itself, which becomes part of the system of the area of operation, as well as the dynamics of the system.

Generally speaking, a framework for analysis should allow for an orientation that helps coping with the environment. This orientation may be achieved via a list of questions that may be asked to generate a better understanding of the issues, actors and interrelationships or causal links in question.

Bearing that in mind, the framework of analysis that this Handbook offers must not be understood as an automatic, static and unfailing tool but serves to guide and structure the analytical approach and own thinking about the challenges posed by non-compliance and non-compliant actors in an area of operation. The proposed framework will offer a set of guiding questions and sub-questions pertaining to important parameters of the operational environment and non-compliance/non-compliant actors.

We need to keep in mind that identifying and universally using clear-cut, definite and unequivocal categories vis-à-vis a complex reality is not possible. Actors may play different roles and may have various motives and objectives at the same time. From one perspective some actors may be put in the same category, from another, they show significant differences that may impact on potential coping strategies. Moreover, actors are bound to change over time. This means that the analysis of non-compliance/non-compliant actors needs to be understood as a continuous effort and that we need to regularly reiterate our analysis of non-compliance/non-compliant actors in order to keep up with the dynamics of reality. Last but not least we need to practice some caution when we identify and categorise non-compliant actor, because "(b)y hastily categorising certain actors as hostile we may inadvertently propagate or even exacerbate non-compliant behaviour" (NUPI: 2009, p. 24) (see also chapter 2.2).

Questions may show some similarities with already existing (conflict analysis) frameworks (e.g. WB-CAF, PCA etc.) in some aspects, i.e. concerning the structural factors in the area of operations. We recommend to additionally have a closer look – where and when deemed

appropriate – at frameworks for situation (conflict) and impact analysis of other, civilian actors, which have been drafted upon decades of experience by agencies working in the field in (pre-/post-) conflict situations. Consulting those frameworks may enhance own perspectives on and understanding of the operational environment and may generate a better understanding of the civilian players within the coalition.

In this context it shall be reiterated and underlined that communication, coordination and cooperation among the "blue" actors in an area of operations, starting from the analysis phase, is prerequisite to ever better understanding NC/NONCAS in a certain area of operation. It is also a prerequisite to devise the right strategies and act in concert among the "blue forces" in an area of operations. It may take various forms, including joint analysis sessions, information exchange, integrated planning systems etc.

4.2   Some methodological cornerstones for NC/NONCAS analysis

Take on a systemic view.

The problem space, area of operation, need to be conceived as a complex, dynamic system, the elements of which interact and influence each other. This is the assumption which needs to frame our data collection, collation and analysis efforts. We need to identify the boundaries of the system, identify the main actors, their interests and objectives, other relevant issues and elements and their interactions in a first step and develop some preliminary hypothesis as to the above. Based upon this first sketch of the area of operation we need to further deepen our knowledge of actors (capabilities, activities, motivations, interaction, patterns and strategies; see chapters 4.3.1, 4.3.2) dig deeper into potential links and interactions and develop models of the actors and causal relations, in order to come closer to potential answers to the question how to best prevent and mitigate non-compliance.

Environmental factors must not be neglected.

When trying to analyse NC/NONCAS in order to find ways to prevent and counter NC/NONCAS, we need to take into consideration environmental factors within the system "area of operation". We need to understand the genesis and mechanisms of non-compliance. Environmental factors often are root-causes of NC/NONCAS and may be keys to such an understanding. A comprehensive understanding in turn will contribute to avoid strategies and activities that may merely seek to cure the symptoms, may not be sustainable and which may even backfire or have unintended negative side effects.

Conceive the coalition or coalition forces as part of the system.

Everything the coalition or coalition forces do or don't do has an impact on the system. Coalition-related factors may be triggers and may even become root-causes of NC/NONCAS. A meaningful assessment of coalition-related factors requires self-reflection and the capability for self-critique.

A thorough actor analysis is challenging yet essential.

The process of gathering information and analysing non-compliant behaviour might not be easy as there is a lot of "hidden" information. Especially in the domain of motivation, we often cannot achieve more than assumptions for a start. Actors may only partly know about their motivation themselves or may only reveal parts of the true motivations. A meaningful actors analysis is a not easy to achieve. Although many features an actor may display are directly observable, some crucial aspects such as knowledge, attitudes, orientations, experiences, expectations and decision-making processes are hardly directly observable, yet must be preliminarily deducted from empirical observation of other features and activities. (see also AUT study, p. 25).

Take on local perspectives.

It is a must that we strive to include local knowledge and consider local perspectives. So-called analytical empathy is a prerequisite in order to achieve actionable knowledge in a NC/NONCAS context. This "implies understanding their positions and needs (…) and at the same time challenging their positions and strategies" (FriEnt/DIE Workshop Report (2006): p. 13). Working with local partners may be of great use to gain a deeper understanding of local perspectives (see also FriEnt/DIE Workshop Report (2006): p. 14).

Analysis is a continuous and iterative process.

A major feature of today's complex operational environment and of NC and NONCAS is their dynamics (see also DIE (2007): p. 29). Against this background it is essential to conceive data collection and analysis as a continuous and iterative task.

There are different sets or levels of causes: root causes, triggers and motivations.

Non-compliance is a multi-causal phenomenon (see also chapters 2.5.1 and 2.5.2.) The search for causes and causality is a central theme in all social sciences, deriving from the inherent need to understand the occurrence of particular phenomena. Moreover, in dealing with undesirable occurrences, we seek to understand the 'why' and 'how' in order to develop appropriate counter measures. Unfortunately, these questions seldom lend themselves to clear answers. One can, however, often distinguish different sets or levels of causes: Firstly, *root causes* (or preconditions), which may be considered as the factors that set the stage for non-compliance over the long run. Secondly, so-called *trigger causes* (or precipitants) which are specific events, constellations etc. that immediately precede the occurrence of non-compliance or set off non-compliance. Furthermore, the *motivations* of the acting entities form a third causal layer. Motivations, however, are not only to be considered as causes but also as a function of root causes or precipitants and serve as the essential link between root-causes and triggers on the one hand and actual action and behaviour in reaction to these causes on the other.

4.3 Analysis questions

There are several factors at work which cause and shape non-compliance and non-compliant actors.

They may be grouped into:

- *Environmental factors;*

- *Actors-related factors;*

- *Coalition-related factors.*

Against this background we search for parameters which are helpful in our effort to describe and analyse non-compliance and non-compliant actors. These parameters must at the same time be helpful to evaluate the power and the potential impact of non-compliant actors relative to causing negative effects on the achievement of coalition objectives as well as – most importantly – inform us about possibilities and options to change NC/NONCAS.

4.3.1 Environmental factors

Why do we need to have a look at these structural (environmental) factors?

- *The operational environment (OE) may include root causes and triggers of non-compliance and influences the characteristics of NC/NONCAS, especially motivational aspects!*

- *And the operational environment influences interaction potential and possibilities of external actors!*

The operational environment of the NC/NONCAS that we aspire to analyse and tackle in the framework of this Handbook is usually characterised by a lack of functioning or legitimate state structures and a monopoly of force or the attempt to rebuild such, which is mostly the case in (post-) war/conflict countries (see e.g. also chapter 2.5.2.1). The lack of functioning and/or legitimate state structures and the lack of a real monopoly of power is one of the reasons why NONCAS, including the specific subgroup of NSAG, emerge and proliferate. And it is this kind of environment which influences and shapes the characteristics of the behaviour of those actors (see also DIE (2007): p. 48/49).

Two kinds of factors are relevant in the context of the environment for NC/NONCAS according to Schneckener (2004): Firstly, what may be called *"structural factors"*. These may be conceived as rather constant economic, ecological, political conditions which are usually not subject to short term change. They are often *„root causes"* for violent conflict and subsequent non-compliance. Secondly, there are factors of a more dynamic nature, which we may call *"process factors"*. These may reflect the processes the erosion of state power or transformation, i.e. attempts to re-establish a functioning and/or legitimate government and

monopoly of force. Empirically, NSAG for instance most frequently flourish in situations where state power is eroding or has already eroded or has not yet been successfully reinstalled or regained (see DIE (2007): p. 51).[12]

Environmental factors play a role with view to the categorisation of specific behaviour of actors as they may help to explain why a certain actor may tend to exhibit a certain kind of attitude and behaviour in a certain environment. Actors develop their characteristics in reaction to the challenges they confront in their "operational environment". Grävingholt et al. support our argument that a major characteristic that is influenced by environmental factors is the motivation of an actor or actors group, including e.g. greed or (political) grievances and needs (see DIE (2007): p. 52 ff).

The *character of the state* plays a huge role in determining non-compliant actors' character (see also DIE (2007): p. 63). In most cases we have the situation of *eroding or eroded effectiveness of the state*. More often than not the performance of the host nation government to deliver its functions (either due to a lack of will or a lack of capacity) is dissatisfactory (see DIE (2007): p. 63). According to Ghani et al. (2005) there are ten core functions that a state must perform in the modern world and which may serve as a checklist for evaluating effectiveness of a state in the search of causes and motivation for NC and NONCAS (see table below).

Ten core functions that a state must perform in the modern world:

1. legitimate monopoly on the means of violence

2. administrative control

3. management of public finances

4. investment in human capital

5. delineation of citizenship rights and duties

6. provision of infrastructure services

7. formation of the market

8. management of the state's assets (including the environment, natural resources, and cultural assets)

9. international relations (including entering into international contracts and public borrowing)

10. rule of law

From: Ghani, Ashraf/Lockhart, Clare/Carnahan, Michael: Closing the Sovereignty Gap: an Approach to State-Building. Overseas Development Institute, London, September 2005.

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[12] For more detailed information see for example DIE (2007), p. 50.

In many cases we also (or alternatively) have the situation that the *legitimacy of the governing elite is questioned* by (parts of) the population. Reasons for decline of legitimacy of a host nation government, which may serve as root causes for non-compliance in an area of operation and should be considered in the context of analysing NC/NONCAS include: *Illegitimate colonial or occupying power*; *repression and exploitation*; *lack of competence (including corruption); lack of representation of population (ethnic groups, ideologies etc.); local government representatives are not considered legitimate.*

Please note that a lack of effectiveness may contribute to the erosion of legitimacy.

The ineffectiveness and illegitimacy of the host nation government may be a root cause for alienation of the local populations and for non-compliance.

In our context, with view to potential influence of certain conditions on human behaviour, a *lack of physical and economic security* and a *lack of participation in the politics and society* may be the most central deficits that influence the emergence, deterioration and entrenchment of NC/NONCAS. E.g. in Afghanistan, according to the ISAF Commander's Counterinsurgency Guidance, "unemployment, illiteracy, widespread political and social disaffection all play a major role with view to the success (or not) of coalition S & R efforts and the success (or not) of the insurgency.

In the following, some important framework conditions existing in an area of operations are listed and further operationalised by selected questions which are deemed important in the context of non-compliance.

The framework conditions selected include:

- The security situation

- The political set up and politics

- The economic situation

- Provision with basic goods and services and social-well-being

- The socio-cultural context

- The level of participation and inclusiveness in the political, social, cultural and economic domains

- A potential history of conflict and instability

- Perceptions and attitudes of the local population.

Please note that this listing and the respective supportive questions may not be exhaustive for every single case under consideration. The following listing is meant to sensitise the Operational Commander and his staff for environmental factors that may be conducive to non-compliance, the emergence and/or entrenchment of non-compliant actors and shall put the Operational Commander and his staff in a position to more comprehensively understand the operational environment and those actors whose behaviour and activities may have negative effects on the achievement of coalition goals. The listing and respective supportive

questions may be supplemented by conflict analysis frameworks such as for instance the Peace and Conflict Assessment (GTZ), the World Bank Conflict Analysis Framework or conflict analysis frameworks used by regional actors.

A. The security situation (safe and secure environment)

Some important aspects in the context of NC/NONCAS may include:

- *Are people able to conduct their daily lives without fear or systematic or large scale violence? Has large scale violence ceased? Is the physical security of population ensured against perpetrators (non-state, state, coalition forces)? Is security of property ensured? Are populations safe from human rights violations? Is there impunity for violations of security, property or human rights? Etc.*

If the state does not provide for security and safety throughout its territory, citizens may start to regard the state as less legitimate (as it does not fulfill its core functions), may start to look for alternatives for protection (self-help or militias etc.), or succumb to irregular combatants' and violent or armed actors' threats. In the case of Sri Lanka, for instance, insecurity and fear has been a major driver for spoiling behaviour (see FriEnt/DIE Workshop Report (2006): p. 7).

B. Political set up, politics and governance

Some important aspects in the context of NC/NONCAS may include:

- *What about the legitimacy of the host nation government? Are there democratic institutions, norms, rules and procedures and do they function/are they applied? How inclusive is the political system and politics? Are certain groups/individuals discriminated against or excluded from power or participation? Does there exist any meaningful opposition and the possibility for fair political competition? Is there a possibility for the population to meaningfully participate in democratic decision-making processes and to influence the political environment? Are fundamental freedoms, including the freedom of expression, being protected? What about the rule of law, government accountability and political moderation? Etc.*

For example if the system is repressive or excludes significant groups from political power (e.g. who have traditionally played a role), those repressed or excluded may not comply with the host nation government's rules and with the objectives of those supportive of this government (coalition).

C. Economic situation

Some important aspects in the context of NC/NONCAS may include:

- *What about the shape and stability of the macroeconomic situation, e.g. the per capita*

GDP? What about the distribution of wealth in the country? What about the (un)employment situation? Etc.

If for instance the distribution of wealth is perceived to be unfair (clienteles, corruption etc.) this may contribute to an ever bigger inclination to look for alternatives outside the given (perceived unfair) framework or may even contribute to an inclination to want to actively fight the given framework. Widespread and entrenched unemployment, especially among male youth, creates recruitment bases for non-state armed groups or other spoiling or non-compliant groups.

D. Provision of basic goods and services and social well-being

Some important aspects in the context of NC/NONCAS may include:

- *What about the coverage of the population with basic goods and services? What about the access of the population to basic goods and services? Is the goods and services provision reliable and adequate? What does the situation look like in the field of health? What does the situation look like in the field of education? Etc.*

  If indicators of human development are dire this may mean less room for self-improvement and self-destination of the local populations concerned which in turn may e.g. contribute to their inclination or proneness to join or get captivated by non-state armed groups such as warlords or rebels.

E. Socio-cultural context

- *Are there any specific relevant social, cultural or socio-cultural features of the society under consideration that may possibly favor NC/NONCAS?*

  Besides country specific features, some general cultural dimensions (see e.g. Hofstede: 1997) may be scrutinised in the context of NC/NONCAS. For example a collectivist oriented society may imply a stronger proneness for clienteles and corruption fostering exclusion of other groups. It may also imply a specific importance of group identity and belonging which may be the cause for an individual proneness to join strong groups (in dissociation from others).

F. Level of participation and inclusiveness in the political, social, cultural and economic domains.

- *This dimension has a cross cutting quality which may develop an influence and dynamics of its own because it has much to do with justice and equality as well as with the human need of participation (not only absolute but also relative) and belonging. It also has much to do with ownership. The lesser e.g. the ownership of political processes and institutions or social processes etc., the bigger the risk of instability and potential disrespect or active rebellion against the given structures, processes and framework conditions. An*

abundance of disadvantaged groups (e.g. refugees and IDPs) may have effects on the strength of NSAG, spoilers and NONCAS in general as they form a either vulnerable or willing basis for mobilisation and recruitment. Strategies in this context would need to address not the NONCAS themselves but the structural problems, i.e. security, land rights etc. in a country in order to mitigate NC challenges.

G. History of conflict and instability

- *For instance: Are there any traditional or entrenched conflict lines? Which are they? Does the country have a history of internal armed strife? Has the country or part of it been involved in any regional conflicts? Etc.*

  If a country has a long history of instability and/or of internal conflicts and/or is part of a regional conflict pattern, resistance, lawlessness, use of violence, ethnic, religious etc. hatred and a self-help-mentality may be entrenched and may favor non-compliant tendencies of local populations.

H. Perceptions and attitudes

- *Such as e.g. abandonment or mistrust, which results from above conditions, may be a major obstacle to compliance in an area of operation.*

4.3.2   Actors-related factors

Three overarching questions in the context of the analysis of actors-related factors are

- *Who?*

- *What/How?*

- *Why?*

Within this spectrum, some parameter of actors have been identified which are helpful to classify and evaluate NC/NONCAS and which have direct implications for strategy development for improving compliance and preventing and countering non-compliance.

These characteristics include

- Basic parameters of NONCAS, such as size of the group or whether we talk about a group or individual(s)

- Position of the actor in the overall system, e.g. at the core and closely interlinked with or maybe even supported by others

- Resources and capabilities of the actor (in the PMESII spectrum and beyond)

- Forms and patterns of non-compliant activities and behaviour, with the main distinguishing line consisting in whether NC is armed and violent or unarmed and

non-violent

- Objectives, interests and commitment of the non-compliant actor, e.g. whether the non-compliant actor pursues global, strategic aims or local tactical

- Motivation of NC/NONCAS, which is probably the major category to look at if we want to understand NC/NONCAS

- Perceptions and self-conception

- Organisational parameters

- Dynamics of the actor

4.3.2.1 Basic actor parameters

In order to clarify some basic parameters of NONCAS, the following questions may be asked:

- *Is it an individual/individuals or group(s)?*

    Whether we confront an individual, very few individual persons, many individuals or groups that engage in non-compliant behaviour and activities makes a difference. Numbers and organisation/cohesion as an impact on the means and scope of influence the non-compliant actor(s) can exert and may be correlated to the impact that NONCAS/NC may have on the achievement of coalition goals. Options for external influence also vary in dependence of number and nature of the actor/actors.

- *Which is the size of the group(s) and proportion relative to overall local actors and the local population?*

    Size and proportion may give some clue as to the potential clout and the pervasiveness of non-compliance. According to a recent RAND study on "How terrorist groups end", the size of a group should be taken into account when choosing strategies. Most importantly, empirical studies have revealed that hardly ever a small group has been defeated militarily, while transformational efforts have been of more success. With bigger terrorist groups, military approaches have shown greater effects.

- *Who are members of the group(s) and what is the composition of group(s)?*

    This question aims to clarify which social strata (ethnic groups, tribes, clans, communities, generations, classes etc.) is involved and how pervasive and appealing the issue(s) are, around which the respective persons or groups are rallying. We should also learn more about the degree of homogeneity or heterogeneity of groups and thus about potential cohesiveness.

- *Are there clearly defined borders of the group(s) or are group borders oscillating or not clear?*

Is the membership/support base fluctuating and/or are there grey zones or overlaps with other groups?

- *Are there key leaders, which is their influence and who are they?*

Key leaders may be important drivers of non-compliance/non-compliant groups, i.e. they may be the "locus" of the problem (see chapter 2.5.1.1). Depending on how strong their position and influence are in their respective organisation and whether organisational forms and procedures or their charisma allow for their ideas and orders and instructions to be straightly transported into and implemented throughout the group, key leaders may offer pivotal leverage points for external actors or coalition forces.

4.3.2.2 Position of NONCAS in the overall system

- *Is the non-compliant actor at the centre of the system, strongly integrated in the system or rather located in the periphery?*

The location and degrees and ways of integration determine the non-compliant actor's influencing possibilities within the system. From an external coalition's perspective the non-compliant actor's location and integration within the system determines whether strategies of exclusion or inclusion are more promising. We assume the potential success of containment, isolation and marginalisation strategies partly depends on the location and integration of an actor in the system.

- *Which are NONCAS relations with other relevant groups, individuals, the local population, the national government and coalition forces and agencies?*

- *Does the NONCAS have any allies and supporters or enemies?*

- *On what are partnerships or alliances built? Do partnerships or alliances build on common objectives or are they partnerships or alliances of convenience?*

- *Are there any significant NONCAS support bases? Which are they?*

- *Are there any significant dependencies of the non-compliant actor in question within the system (from other actors or certain items)?*

- *Are NONCAS considered as legitimate actors by a significant portion of other groups or individuals in the local population and why?*

- *Which are NONCAS spheres and scopes of influence?*

- *Which is the relationship vis-à-vis the host nation government? Openly hostile; not openly hostile; ready to adhere to certain rules, etc.?*

- *Which is the relationship vis-à-vis civil society? Responsive to public opinion; serving certain clienteles; hostile and negative?*

4.3.2.3 Resources and capabilities

Resources and capabilities are understood as sources of power of NONCAS, i.e. in the following domains.

- *Political?* Do the NONCAS have experience in the political domain? Do they have connections and allies in the political domain? Do they and their "programme" have some kind of political appeal; etc.?

- *Military?* What about NONCAS military/fighting manpower, hardware capabilities and systems, their training and morale, etc.?

- *Economic and financial?* Which is the size and reliability of the economic and financial basis of the NONCAS? Are their economic/financial means large/abundant/small/stable/instable? Where do their means come from? Do they come from taxation; supporting networks (diaspora); looting; diversion of aid; violence based/black/grey economy; illegal exploitation of natural resources; criminal activities or illegal business, etc.?

- *Social?* Are the NONCAS involved in the provision of social and basic services? Can we observe any infiltration of social and cultural live by the NONCAS, including e.g. religion and education? Etc. ISN suggests that service provision may even be a form of "warfare through welfare": "First, the creation of a social welfare infrastructure highlights the failure of the state to fulfill its side of the social contract, thereby challenging the legitimacy of the state. Second, non-state social welfare organisations offer the population an alternative entity in which to place their loyalty. Third, a group that gains the loyalty of the populace commands a steady stream of resources with which it can wage battle against the regime." (ISN (2008): p. 11/12).

- *Information and communication domain?* What about strategic communication capabilities and activities of the NONCAS? Which are their messages, and their means and ways of delivery of messages, including technical skills and facilities? Do the NONCAS have influence on any kind of media/are they supported by some media?

- *Infrastructure?* What about NONCAS resources and capabilities in the infrastructure domain, including communication means and transport and mobility means?

- *What about the NONCAS' (perceived) legitimacy? Why do they have a certain degree of legitimacy/are they considered to be illegitimate and to which effect?*

- *Do the NONCAS control territory? How do they control it and to which effect?*

- *Do the NONCAS have strong alliances and partnerships? To which effect?*

- *What about their support bases, access to manpower, human resources?* Do they pursue active mobilisation and/or "recruitment" strategies? Which are respective patterns of mobilisation and/or recruitment? Which are their target groups? Which are sources of appeal (i.e. charismatic leadership, traditional authority; ideology; political or other success)?

4.3.2.4 Strategies, methods, means and tactics

Strategies, methods, means and tactics applied by NONCAS have a direct influence on interaction possibilities and potential of external actors to influence the NONCAS.

It is important to find out:

- *Which are underlying tactics and possible patterns of NC/NONCAS?*

- *Are the NONCAS seeking support or expansion?*

- *Are there any changes of over time? Which ones?*

In order to get some ideas about the forms and kinds of non-compliance performed and in order to better classify the non-compliance observed, some more specific questions may be asked which may shed light on possible patterns and underlying tactics.

The first question that we need to ask in this context is:

- *Is NC/the non-compliant actor regularly resorting to armed violence?*

This distinction is one that can be quite easily made (as it is about obvious behaviour and activities). The resort to violence is at the same time assumed to be an essential distinguishing feature in the context of the design and application of strategies.

Use of violence

With view to the aspect of use of violence, some further distinction may be drawn as to the use and role of violence by NSAG (and armed violent spoilers) as a specific subgroup of NONCAS, which may give some important information as to potential strategies against these actors (see for example DIE (2007), p. 6; see also see NUPI (2009): p. 17). Please note: There are often grey zones between NSAG/violent insurgents and other NONCAS which may occasionally show limited (levels of) violence (see also NUPI: 2009, p. 7).

- *How is violence used?* Do NONCAS resort to violence systematically and in directed/planned ways (which may also include the use of "random" violence as a tactic)? Or do they not pursue any detectable strategy?

- *Which are the scale, intensity and frequency of violence?*

- *Which are instruments, means, methods and assets in the context of the use of violence?* Are there large scale military operations? Systematic murder? Ethnic cleansing? Revenge killings? Destruction and devastation of specific areas (physical, economic, psychological)? Do NONCAS use guerrilla tactics? Do they resort to limited armed violence activities in order to set own rules and order? Which role do threats of force play?

- *Which are the main targets of violence?* Is it the host nation government, the coalition forces, other non-state groups, the local population or certain groups of the local population etc.?

- *To which purpose is violence used?* Is violence used to disrupt government/administrative, social or economic structures? To discredit the host nation government? To eliminate certain individuals and enemies? To intimidate and coerce the local population or parts of the local population? Is violence used as a means of competition among different rivaling groups? Is violence used for "symbolic" purposes? As a show of force?

- *Which are the obvious effects of the use of violence?*

- *Is the use of violence the only, a major or a minor pillar of NONCAS activities*?

Please note: We may distinguish between intended non-compliance (directed non-compliance) and unintended non-compliance (see chapter 2). We may assume that violent and armed non-compliance is always intended non-compliance, while non-violent and unarmed non-compliance may also be unintended.

Non-violent strategies, behaviour and activities

- *Is non-compliant behaviour or activity systematic and directed? Or does non-compliance show no detectable strategy?*

- *Which are the scale, intensity and frequency of non-compliance?*

- *Is no-compliance performed openly or by stealth?*

- *Which are the fundamental modes and methods of non-compliance?* Manipulation; blockade; obstruction and sabotage; violation of law, rules and norms; disobedience; building countervailing power ; confrontation; non-cooperation; inactivity; etc.; e.g. mobilisation of support against certain aspects of an objective or order (see e.g. Schneckener (2003): p. 7; see also FriEnt/DIE Workshop Report (2006): p. 2)

- *What and who is affected by non-compliance?* E.g. the fields of rule of law or security etc.; e.g. the host nation government, tge coalition forces, other non-state groups, the population etc.

- *Which are obvious effects of non-compliant behaviour or activity?*

- *Which are mechanisms for mobilising support or expansion?* Do the NONCAS use campaigns, social work and provision of services, coercion, intimidation or do they instrumentalise ethnic or other categories or possible default lines within a country or society?

- *Is the non-compliance observed intended at all? Or is non-compliance a by-product of daily activities?*

4.3.2.5 Objectives, interests and commitment

The nature of objectives (and their domains) as well as the commitment to these objectives are inspired – among others - by environmental factors, actors' motivations, and the means and resources at disposal. They effect on kinds and forms of behaviour and activity. Objectives, interests and commitment play a great role in strategy development for improved compliance and for preventing or countering non-compliance. For example, mitigating non-compliance that has been motivated by a broad range of fundamental issues in several domains which moreover inspire total commitment may be more difficult and complex and may take longer time before success (if at all) shows. NONCAS with limited objectives and commitment may be more easily brought to compliance by strategies such as persuasion.

- *What is the nature of NONCAS objectives?* Are they located on a strategic and/or operational and/or tactical level? What is the scope and scale of objectives (local, regional, national, transnational, global)? Are objectives of a limited nature or do they reflect total ambitions? Do objectives concern fundamental issues? Do objectives concern selected/single issue(s) or a broad range of issues? Are they negotiable or non-negotiable? Do objectives reflect personal level goals or group-level interests and ambitions?

- *In which domain(s) are NONCAS objectives located?* Is it the political and/or economic and/or identity domain etc.?

- *What about the history, genesis and development of NONCAS objectives?*

- *What about the commitment to the (different) objectives?* Is it limited, greedy or total? How much is the NONCAS willing to invest and also to risk in order to achieving the objectives? Is there anything which may undermine the commitment?

4.3.2.6 Motivation

Motivation activates and directs behaviour and determines why groups and individuals do what they do, even if they do not wish to or cannot explain it themselves (see "What motivates potential adversaries", p. 1).

Assumptions and initial thoughts

There have been numerous attempts to explain what drives people to act as they do. To further and in more detail describe, categorise and analyse human motivation, a wide array of models has been developed by psychologists, sociologists, economists etc., yet no particular single "model" or theory can expect to encompass all the complexities of motivation. The models and theories rather highlight illustrative aspects that can help to understand the subject (see "What motivates potential adversaries", p. 4). We assume that actors are rational actors. Human beings expect certain results and consequences of their actions and assess whether those are positive or negative. However, humans may pursue

different kinds of rationality according to their own logic and that of their context. It is noteworthy that the origin of motivation has been attributed to biology as well as shared and personal experience. The latter two origins of motivation give a hint where to start in order to influence an (non-compliant) actor's motivation and his subsequent behaviour and actions: a person's or a group's (daily) experience (see chapter 5.6.13, socialisation).

A specific behaviour or action, for example non-compliance, usually has multiple underlying motives, sometimes even contradictory of conflicting ones (see "What motivates potential adversaries": p. 4). For strategy development against non-compliance/non-compliant actors that means that a strategy taking into account and tackling one or several of the underlying motivations may not lead to improved compliance if some important issue or motivation is missed. Against this background, it is important to identify or at least make an assumption about the most decisive motive within a cluster (see Metz (2009): p. 14). We also need to be aware of the fact and take into account that motives of an individual or a group can change and evolve over time (see "What motivates potential adversaries": p. 4; Metz (2009): p. 15). E.g. while idealism may have been a motive for joining a certain group, the motivation to stay with a group may change from idealism into fear of what will happen when leaving a certain group; or political motivation may lead to a desire for personal gain etc. Some underlying motivations may not be obvious even to the subjects themselves, meaning that people may be unable to explain their real motives to others and that for external observers it is very difficult to identify motivation of an individual or group. What individuals or groups say about their motives may only partially reflect their real motives (see "What motivates potential adversaries": p. 4).

> *"The people in the audience watch, listen, and make rational choices based on who can better protect them, provide for their needs, respect their dignity and their community and offer opportunities for the future. Ideology can influence the outcome, but is usually subordinate to the more practical considerations of survival and everyday life."*
>
> (HQ ISAF, Kabul, AFG: ISAF Commander's Counterinsurgency Guidance, p. 3)

Motivation has a significant influence for example on tactics, methods and means of NONCAS. From an external actor's perspective, the motivation underlying non-compliance has implications for the potential for interaction and influence (see also DIE (2007): p. 56) and may even be the most important parameter and point of leverage for external strategies to prevent or mitigate non-compliance, mitigate the transition of (non-compliant) actors into the irregular adversary spectrum, and improve compliance.

Spheres and domains of motivation

Keeping above generic assumptions in mind, we may now look for potential spheres of motivation. Please note: we need to be aware that what counts in terms of the following spheres of motivation is not only "objective" reality but subjective perceptions of injustice and

inequality, profit, threats to identity and existence and power. For that reason, subjective perspectives of concerned individuals or groups need to be integrated in the analysis.

Inspired by what the spoiler and NSAG literature offers, the following spheres of motivation and issues may play a role with view to NONCAS (see chapters 2.5.1.1, 2.5.2.1, 2.5.3):

Political needs and grievances? In conflict theory, so-called grievances are understood to result from relative deprivation of actors and may lead to conflict, especially if horizontal inequality among different groups is high. Political needs or grievances as conceived in this Handbook may comprise for instance representation and participation issues in the political set up and politics; a desire for more autonomy or independence (see also DIE (2007): p. 54f); and any other perceived inequalities and neglect, often resulting in de-alienation from the state.

Economic motivation or greed? Economic motivations may include greed on the one hand. Yet it also includes, on the other hand, the motivation or necessity to earn one's daily living, often in dire economic circumstances. One of the most often cited examples is the Afghan poppy farmer who has negative effects on the achievement of coalition objectives and sustainable peace. We may also consider children, passing on information to insurgents for the reward of a few sweets, or poor village inhabitants passing on information for a few "dollars" (see NUPI (2009): p. 36). For example in Afghanistan which has 40-60 per cent unemployment and widespread poverty it is unsurprising that civilians will do whatever they can to support themselves (and their families) and increase their standard of living (see NUPI (2009): p. 36). Often, in structurally weak regions, joining an armed group seems to be the only possibility to make a reasonable living (see Metz (2009): p. 7). In such contexts, the lines between greed on the one hand and non-compliance for reasons of economic survival may be blurred.

"Creed" or identity issues? This motivational sphere comprises issues which are often of a supra-rational or emotional nature such as e.g. ethnic group belonging; religious beliefs; ideologies. Creed and identity issues may be the most intractable motivational issues.

Fear (coercion)? The interviews conducted for a NUPI study (2009) show that in the case of Afghanistan the single clearest definable factor contributing to non-compliant behaviour there is fear. Local populations do not dare to cooperate with coalition actors and forces due to the active presence and threats of the Taliban or other anti-government forces (see NUPI (2009): p. 27). "Night letters" by insurgents which threaten local civilians and warn them of cooperating with international peace and stability actors are just one example how fear (as a disincentive in fact) may be generated. Due to such threats or fear of repercussions, local individuals and populations pass on information on coalition actors' or forces' plans and whereabouts to insurgent groups (see NUPI (2009): p. 28). In Sierra Leone, for instance, almost half of the "insurgents" who joined the Revolutionary United Front (RUF) did so because they feared to what would happen to them if they did not (see Metz (2009): p. 7). Non-compliant behaviour due to fear is favored by an operational environment which is characterised by lack of an effective monopoly of force and a lack of trust in the official government authorities. It may also additionally result from a lack of trust in coalition forces, for example due to a repeated policy of clearing certain areas from irregular adversaries and

insurgents etc. without subsequently performing the necessary holding and building functions. Discussions about fixed exit dates, troop reductions and withdrawals moreover contribute significantly to the preponderance of fear of the irregular adversaries and insurgents and the behaviour and activity of local populations. The perception of NATO/ISAF and US troops as casualty averse may potentially worsen non-compliance as local actors don't believe they are prepared to do all that is needed to defeat insurgent groups. Furthermore, they may doubt that the "coalition" has the political will to maintain its fight against the Taliban and other anti-government forces" (see NUPI (2009): p. 27) (implications for strategy see chapters 5.4, 5.6.1, and 5.6.2). Moreover, some insurgents are forced to join a movement or armed group. This is the case for example for almost 90 per cent of RUF members, who were abducted as children to serve the rebel group (see Metz (2009): p. 7).

Frustration (of expectations)? A local individual may choose to become non-compliant out of unmet expectations and frustration with progress and non-delivery of government services and functions of any kind, and vis-à-vis perceived corruption and illegitimacy of the government etc. (also see e.g. FriEnt/DIE Workshop Report (2006): p. 15; NUPI (2009): p. 29). This is to say that ineffectiveness and illegitimacy may be causes of non-compliance. Two recent examples in the Afghanistan context are the Afghan national police which the local populations tend to perceive as to "exploit and extort" rather than to "serve and protect" the Afghan citizens (see NUPI (2009): p. 28). Secondly, frustration with the slowness of the Disbandment of Illegal Armed Groups (DIAG) process has led Commanders and their groups, who had started to participate in this process, to restart opposition to the Government of Afghanistan (see Higashi (2008): p. 2). The latter example additionally illustrates that the creation of over-expectation in combination with a lack of communication (in this case explanation about slow implementation of a project), contributes to eroding the legitimacy of the domestic government and supporting international actors (see Higashi (2008): p. 3). For coalition forces the problem is that if they are perceived to work together with a corrupt and malfunctioning government, their legitimacy will be undermined as well, which in turn means that coalition forces and their objectives become objects of non-compliance (see NUPI (2009): p. 28).

Habit (see Bhatia/Sedra (2008): p. 94, cited in NUPI (2009): p. 16), *or traditions, and social obligations and allegiances (*e.g. vis-à-vis elders, community chiefs, tribal leaders etc)*?* When the rules, norms, procedures and institutions change in the framework of an emerging order and new objectives (coalition and host nation government official objectives), actors may become non-compliant just because they continue to act as they have done before – with the difference that before there may have been no point of reference for wrong or right of their behaviour, while coalition objective set an explicit framework. The notion of social obligation operates in tribal societies where the traditional power structure remains important. In Afghanistan, for example, in areas where the tribal structures have not yet been destroyed, local leaders see the growing power of the national government as a threat to their power and prerogative and their own group's cultural identity. To defend against this, some of them have formed alliances with Taliban insurgents and provided fighters (see Metz (2009): p. 6).

In his study on "Psychology of Participation in Insurgency", Stephen Metz argues that the true essence of *insurgency,* as specific case of non-compliance, may be less political

objectives than unmet psychological needs (Metz (2009): p. 2). He has identified five major categories of motives that inspire individuals to consider association with an insurgency, associate with it, or actually join: Fulfillment, empowerment, enrichment, social obligation and survival. In fact, this is just another perspective of looking at the motivations mentioned above.

Are some NC/NONCAS less illegitimate than others?

There seem to be differences in terms of perceived (il)legitimacy of non-compliance (see also NUPI (2009): p. 17). Among coalition partners there may be hesitation to put actors who resort to non-compliant behaviour because their demands and needs are ignored on the one hand and those who exhibit NC based e.g. on (personal) greed on the other hand in the same "bad guy" box. Dwelling on the assumption that we obviously can distinguish between legitimate and non-legitimate non-compliant behaviour, some considerations may be of relevance. Firstly, our distinction between illegitimate and less illegitimate may not be merely based on distinction criteria such as the use of violent means or not, or the impact of non-compliance for the achievement of coalition goals. What is more or less legitimate is subject to subjective perception. Secondly, we also need to be aware that less illegitimacy of NC does not imply less negative impact on the achievement of coalition objectives. Thirdly, with view to strategy development we may take into account that if non-compliance has legitimate concerns as a cause, such as structural deficits (see mostly chapter 2.5.2.1; e.g. illegitimate government, inefficient government, strife for survival), strategies will necessarily have to tackle the structural root causes. For the Operational Commander that may mean that this kind of non-compliance may be mitigated to a lesser extent by his/her coalition forces alone. Eventual use of force against these NONCAS is prone to exacerbate the NC problem.

The issue of intention

Some actors may not be aware of committing non-compliant acts (unintended non-compliance). Non-compliant behaviour may be a by-product of complex circumstances characterised by fear, poverty, and alienation and/or of everyday activity (see further above; see also NUPI (2009): p. 43). Moreover, non-compliant behaviour is not always intended to undermine international peace and stability operations, but may e.g. be reflective of actors trying to influence power structures, and their interests within them (see also NUPI (2009): p. 16). Whether non-compliance is intentional or not only is important with respect to the fact that we possibly may have to tackle the specific NC/NONCAS differently. Unintended NC may be as harmful to the achievement of coalition objectives as intended NC. It also may be a hint for us to adapt our coalition objectives and strategies and we may ask ourselves: why is someone not complying if there is no intent underlying his behaviour or activity? Unintended non-compliance will most probably always be non-violent. Unintended non-compliance may overwhelmingly need indirect strategies (see chapters 5.6.3, 5.6.4, 5.6.5). Finally, we must not mix up motivation and intention: not having a specific non-compliant

intention does not imply that an actor does not have a motivation for his non-compliant behaviour.

4.3.2.7 Perceptions and self-conception of NONCAS

- *What is the moral and rational basis for NONCAS aspirations and activity and what is the NONCAS focus of communication and argumentation (internally and externally)?* Is it about legitimacy, tradition, culture, or ideology? What are patterns of motivation of group members? Which role do charismatic leaders play?

- *Are there self-set limits and which are they?* Do exist certain codes of conduct or honour or certain no-go areas, etc.?

4.3.2.8 Organisational parameters

Questions on organisational parameters further look into what has been already started with a first rough overview of basic actor parameters in chapter 4.3.2.1.

- *What about the size of the NONCAS?* Size has a direct impact on cohesiveness. Small groups are inherently cohesive because of the small span of control. Interdependencies of members and commonalities additionally strengthen group cohesion. Cohesiveness may influence strength and clout of the groups (impact of non-compliance).

- *What about the degree of homogeneity/heterogeneity of the NONCAS?* Whether a group is homogenous or heterogenous may also have a direct impact on cohesiveness.

- *What about the internal cohesion (and external coherence) of the NONCAS?* What are reasons, mechanisms and instruments for group cohesion?

- *What is the organisational form and structure of the NONCASS?* How stable and how flexible is the specific organisational form/structure? Is it complex, bureaucratic, hierarchical, horizontal, networked organised in cells etc.?

- *What about the relationship between the leadership level on the hand and the "followers" on the other?* How big/small is the distance? What is the basis of allegiance? E.g. the leadership of a group is in a much weaker position to control members if those have only joined the group for economic or financial reasons (see DIE (2007): p. 58).

- *What about the organisational degree and level of organisation of NONCAS?* Are NONCAS formally organised, informally or semi-organised, or not collaborating/interacting loosely (individuals or changing group compositions)?

- *What about respective NONCAS organisational and collaborative procedures?* Are they highly formalised, semi-formalised, not formalised at all, based on consensus, based on majority rule, or based on strong leaders opinion and authority?

- *What are the group dynamics with view to certain NONCAS?* If we talk about groups we may not neglect the effect of group dynamics. These may play a role in motivational phenomena and development. Group think impacts on potential behaviour and action. It favors and fosters and illusion of invulnerability, collective rationalisation, unquestioned morality, excessive negative stereotyping, strong conformity pressure, illusion of unanimity, self-appointed mind-guards (see "What motivates potential adversaries?": p. 16)

Organisational structure often reflects the motivation on which the group is based. It may also reflect environmental factors, such as the character of the state, geographic size or history. Organisational structure has effects on the effectiveness and impact of a non-compliant actor. It has also important effects on which strategies may work against or respectively work to transform those actors. It is absolutely necessary for external actors to know about the organisational set-up of a group in order to find the right contact persons (see e.g. DIE (2007): p. 56). Moreover, organisational structure may have a direct influence on the reliability of the respective group in interaction with external actors. E.g. the organisational structure and set-up determine whether agreements, decisions or action plans can be "forced" to be adopted and implemented throughout the whole group (see DIE (2007): p. 56). If the leadership's control over the basis is very tight (e.g. Liberation Tigers of Tamil Elam), this often goes hand in hand with initiation rituals and proving that the newcomer's loyalty has completely shifted to his new "family". What does it mean for external actors?: The more tight and strict and hierarchical the organisational structure and the tighter the system of internal and social control is knit, the more important are the leaders or elites of a group, and the more efficient would be a strategy of addressing and transforming the (key) leaders (see DIE (2007): p. 57). Loose organisational forms and horizontal structure may on the contrary be prone to fragmentation and may offer themselves to strategies of divide and rule (see chapter 5.6.10).

4.3.2.9 Dynamics of the actor

- *Are there changes in composition, members, leadership over time?*

- *Are there changes in behaviour, activities, strategies, and tactics over time?*

- *Are there changes in objectives and interests over time?*

- *Are there changes in motivations over time?*

- *Are there changes in organisation and rules over time?*

- *Are there changes in capabilities and resources over time?*

- *Do/did NONCAS adapt vis-à-vis countering strategies over time and if yes, how?*

- *Have there been any previous occasions or is there a history of adaption?* In which directions do/did changes and adaptations point: towards improved compliance?

Towards modifications of own behaviour, organisation etc. in order to evade counter-NC strategies?

- *Are there any previous success stories or stories of failure in terms of compliance strategies?* Do we know about any best practices and/or strategies that did not work?

4.3.2.10 Summary and evaluation

- *Are there any other specific features of relevance?*

- *Taking into account above features, which are strengths and weaknesses of the actor as to its capability to continue non-compliance and to negatively affect coalition objectives?*

- *What about the cost sensitiveness of NONCAS?*

- *What is the Centre of Gravity of the actor?*

- *What are potential courses of action, taking into consideration the above features?*

- *What may be the actor's disposition to comply; i.e. readiness to dialogue and to engage constructively in the stabilisation process?*

- *What is the actor's capacity to comply?*

4.3.3   Coalition-related factors

The underlying assumption of this Handbook is that external actors may be able to improve compliance. That means that coalition forces are assumed to be in a position to proactively prevent, mitigate or counter non-compliance and non-compliant actors. At the same time, external actors or coalition forces may exacerbate non-compliance or even are the cause or trigger for non-compliance: As coalition forces become part of the system of conflict and conflict regulation they incite changes within this system. Non-compliance and NONCAS may emerge, increase or deteriorate as unintended side-effects of coalition forces' (in fact any external actors') presence, strategies and activities or behaviour.

For instance in the case of Afghanistan, NATO/ISAF and US forces may have played a significant role of in exacerbating non-compliance. At the core of this may be civilian casualties caused by military operations. These cause widespread anger and disenchantment, perpetuate negative perceptions of foreign troops and undermine support for the presence of international peace and stability operations. This will almost necessarily lead to non-compliance (see NUPI (2009): p. 29/30). Statistics highlight that e.g. airstrikes can significantly affect non-compliant behaviour (see NUPI (2009): p. 31). Convoys also play a major role in creating negative perceptions of foreign forces and thus contribute to non-compliance; convoys often drive through urban areas at high speed and cause civilian casualties (see NUPI (2009, p. 31); the ISAF Commander's COIN Guidance already takes this into account and makes cautious driving a practical priority (see HQ ISAF, Kabul, AFG,

ISAF Commander's Counterinsurgency Guidance: p. 1). Other issues causing non-compliance may be connected to neglecting the interests of civilians in certain circumstances in the interest of security, e.g. night flights, closure of roads, placement of international bases in the centre of Kabul which leads to significant civilian (e.g. traffic) disruptions due to security measures etc. (see NUPI (2009): p. 32).

Generally, strategies, behaviour and activities that may cause or increase NC/NONCAS may include:

- Excessive use of force

- Disproportionate use of force

- Not keeping promises

- Underperformance with view to assigned or declared tasks and objectives, especially the protection of the population and improvement of living standards

- (Display of) lack of commitment (e.g. due political considerations in home countries and crumbling home fronts)

- Display of weakness and fear; e.g. in Afghanistan Western security standards and restrictive rules of engagement are misunderstood as fear

- Reinforcement of existing conflict lines and cementation of perceived injustices (e.g. by supporting certain local actors without having checked whether they deserve support – especially in relation to other actors)

- Misbehaviour or misdemeanor of single elements (individual soldiers etc.) of coalition forces.

Intercultural insensivities and injuring cultural and societal norms and trespassing borders (e.g. Iraq: house-searches, disrespectful treatment of women or elders) equally contribute to the emergence and/or entrenchment of non-compliance. Human rights violations and using double standard (e.g. treatment of prisoners in Abu Ghraib) may also be a coalition-related cause for non-compliance.

We have mentioned before that perceptions matter very much. For the coalition in the context of NONCAS, the centre of gravity may be its legitimacy and credibility.

Please note: Making "mistakes" on a tactical level in the above mentioned dimensions may cause strategic and political consequences with view to the disenchantment of local actors and ensuing non-compliance. We also need to note that many of the issues that can contribute to non-compliance are not just related to the military forces and security services, but to the role of other "blue" actors, including development and aid organisations and the national and local government authorities (see NUPI (2009): p. 44). Keys to avoiding above mistakes lie with – among others – adequate mandate design, adequate force composition and size, adequate military capabilities; training and mission preparation

Coalition forces (and other external actors) may have an indirect, negative side effect which may contribute to the non-compliance challenge: Wilson argues, that "(a) large foreign

military presence or occupation force in any country undermines the legitimacy of the host nation government in the eyes of its citizens." (Wilson (2006): p. 3). If legitimacy of the host nation government is a major precondition to achieve broad compliance, such a large foreign military presence, at least if protracted, may rather contribute to fuel and entrench NC than contribute to mitigate it.

4.4 Looking for pivotal points of leverage

We assume that there are some pivotal points of leverage which result from a thorough analysis and a systemic understanding of the operational environment as suggested above.

With view to NONCAS parameters we assume that in general some parameters may be more important for designing a strategy to cope with, i.e. improve compliance and prevent (non-compliant) actors from passing on into the irregular adversary spectrum. The motivation of an actor seems to be a central docking point for strategy development (see also chapter 4.3.2.6). Fundamental mechanisms for improving compliance seem to be naturally related to the motivational issues for non-compliance as explained above. Respective strategies need to identify the relevant mechanisms for improving compliance in dependency of the motivational issue(s), while taking into consideration and into account the other attributes and parameters of an actor covered by the above analysis questions (as well as of course structural conditions). For practical reasons for example, the "form" of non-compliance, i.e. armed and violent or unarmed, is a very important parameter to take into account, as it defines the necessity of certain components of a strategy against non-compliance, e.g. in this case DDR activities.

5   Coping with non-compliance

5.1   Level of ambition

The challenge of non-compliance is complex. As a rule it will require complex answers. To find the right answer for every case of NC/NONCAS is not trivial. In most cases it will be tailored combinations of different kinds of strategic approaches and measures (parallel or sequentially)[13] and it may be the involvement of different (external) actors playing different roles on different levels that may allow NC/NONCAS to be overcome (see also FriEnt/DIE Workshop Report (2006): p. 3).

Our ambition in this chapter is not to develop a tailored strategy for every single possible form of NC/NONCAS. Neither do we aspire to offer a one size fits all solution to mitigate non-compliance. Each mission and each operational environment differs and each single situation where coalition forces are confronted with NC/NONCAS is different (see also FriEnt/DIE Workshop Report (2006): p. 15).

The sheer diversity of NC/NONCAS forbids either. As we have seen further above (chapter 4.3.2), non-compliance may have many causes and may take on many forms. Non-compliant actors may be non-compliant for a multitude of reasons and motivations, which moreover may change over time. To classify NONCAS, we have suggested several parameters that characterise any non-compliant actor in one way or another. These comprise:

- Basic parameters of NONCAS

- Position of the actor in the overall system

- Resources and capabilities of the actor (in the PMESII spectrum and beyond)

- Forms and patterns of non-compliant activities and behaviour

- Objectives, interests and commitment of NONCAS

- Motivation of NC/NONCAS

- Perceptions and self-conception

- Organisational parameters

- Dynamics of the actor.

Each of these parameters can take on a variety of shapes, while the number of possible combinations of the nine suggested parameters in their various shapes is very high. Thus we may be confronted with an extremely broad range of possible actors. Due to the fact that some of the parameters are interdependent and are causally interlinked with each other in

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[13] The underlying principle may be compared to that of a construction kit.

one way or another some combinations are certainly more probable and widespread. For example the possible objective of a non-compliant actor to overthrow the existing order in his home country, (objective on the strategic level and of national scope) will rather go hand in hand with systematic armed violent forms of non-compliance than with selective civil disobedience. We do not aspire to dig deeper into potential linkages in the framework of this Handbook but would like to point to the ideal types of violent and armed NONCAS (NSAG) which have already been empirically revealed (see chapter 2.5.3).

Rather, this chapter has the following ambition:

Firstly, point out relevant starting points and some ideas about suitable proceedings for coping with non-compliance or developing strategies for improved compliance/against non-compliance (see chapter 5.2). The pervasive idea is that there may be one or several core leverage points for each form of NC and each non-compliant actor that we need to find out and that we need to tackle (see also chapter 4.4). Secondly, sensitise the Handbook user about limits and challenges of external influence on NC/NONCAS. What coalition actors and coalition forces can really do is always subject to certain framework conditions related to their intervention (see chapter 5.3). Moreover, the Handbook user shall be sensitised that there may be a number of fundamental preconditions that need to be met in order to enable compliance and explicit compliance strategies and strategies to prevent or counter non-compliance, and the fulfillment of which may amount to veritable compliance strategies (see chapter 5.4).

Different types of strategies will be introduced and explained. Underlying and key influencing mechanisms will also be introduced and explained. A pool of potential strategy possibilities collected from theoretical literature about NONCAS and similar problems and/or observed in real life situations and operations are presented and assessed An attempt will be made to link influencing mechanisms and strategies to selected shapes that the main NC/NONCAS analytical categories may take (see chapters 5.5, 5.6. and Annex II).

Having in mind the NONCAS/NC spectrum as it may be captured and grasped through the application of above questions (see chapter □), we may conclude that compliance strategies generally may take three major directions: Firstly, to *prevent the emergence of non-compliance and non-compliant actors and create a basis and favourable conditions for (better) compliance*. Secondly, to *counter non-compliance and non-compliant actors, stabilise actors which obstruct achievement of coalition goals and improve compliance*). Thirdly, to *prevent or mitigate the entrenchment and deterioration of non-compliance and non-compliant actors, i.e. the transition of other non-compliant actors into the irregular adversary spectrum*, including the limitation of recruitment and support basis for (aims and activities of) irregular adversaries.

In terms of mindset, this Handbook claims that we in general should rather look for strategies "for improving compliance" than strategies "against NC/NONCAS". The wording and conception may make a mental and practical difference to our efforts.

Last but not least we need to be aware that effects of strategies may change the framework conditions and the dynamics of a system and thus may in turn create new non-compliance and new non-compliant actors (see e.g. FriEnt/DIE Workshop Report (2006): p. 6).

5.2 Starting points and general approach

We assume that a thorough analysis of NC/NONCAS and the operational environment (see chapter 4) is already half the way to the finish line.

In addition to such a thorough analysis (as outlined in chapter 4), we need to take into account and perform five more steps in order to successfully cope with NC/NONCAS.

1. Define objective(s)/end state with view to compliance/NC/NONCAS

Develop an idea of which levels of compliance by which actors are needed and which we aspire to and why, as already shortly mentioned in chapter 0, and ideally refine these ideas during the course of the analysis of the operational environment and NC/NONCAS.

2. Analyse and evaluate own possibilities

Which measures we should take and which we can successfully take depends on own framework conditions and means. In this context, scrutinise limits and impact of own role and find out which are own strengths and weaknesses and the Centre of Gravity.

3. Communicate, coordinate and cooperate with other "blue" and "green" actors

Some aspects may be beyond own means and competences and other actors may be in a position to make valuable contributions or may even need to take the lead to prevent or mitigate non-compliance or improve compliance. Against this background we need to communicate, coordinate and cooperate with other "blue" and "green" actors from an early stage.

4. Define and implement strategies, tasks and resources to achieve objectives

Refine ideas about potential influencing options and develop lines of operations. Think about possible courses of action and try to anticipate possible consequences of own action, identify the possible problems that would prevent or impede success. Identify means to support activities.

5. Evaluate and assess effects of own action and adapt strategy if necessary

Evaluate and assess outcomes and output of action and results. Identify and learn lessons.[14]

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[14] Evaluation and assessment of compliance strategies are just one specific application of, and builds on the general rules, knowledge and toolkit of how to make success of a certain strategy or operation measurable and of how to follow-up, evaluate and assess a strategy/an operation and implement the

Please note that these steps need to be conceived as an iterative rather than a one-time sequential process. Flexibility and adaptability may be prerequisites for success.

5.3 Possible roles of external stakeholders: challenges, limits, options

As mentioned before, coalition forces (coalition actors) become part of the system into which they intervene (to a certain extent). However, their actions, and thus their impact, are limited by mainly three accompanying conditions which influence on their range of options to improve compliance and prevent and counter non-compliance: Firstly, the time framework of an external coalition and especially of coalition forces is always limited. External interventions are always temporary and at some point of time the forces will be bound to leave (especially if sent by Western democracies which are accountable to their electorates and subject to election cycles). A notion may come to prevail in some parts of the local population that the coalition will be leaving anyway soon and may be hassled out of the country by obstructing their mission. Moreover, if the assumption of the local population is that the insurgents are there to stay while the coalition forces will leave any time soon, they may come to the conclusion that it is better to co-operate with the insurgents as soon there will not be anyone around to help them against the insurgents (see e.g. Kuehl (2009): p. 77). Secondly, external forces are always strangers to the country where they intervene (especially in cultural terms). Coalition forces or external actors in general are confronted with differently culturally framed mindsets of the players on the ground. Thirdly, resources and means, including manpower and expertise, that may be invested in an intervention are finite.

Yet we assume that the coalition and coalition forces may still impact on environmental factors (see chapter 4.3.1) and actors-related factors (see chapter 4.3.2), while they have a direct bearing on coalition-related factors (4.3.3). All three groups of factors may contain factors that are alterable more easily or more quickly by the coalition or coalition forces than others. If the display of quick impact is deemed to be essential to achieve coalition goals, it is advisable to go for the "low hanging fruit" first, while not forgetting to tackle the more intractable problems in the mid and long run.

We have to be aware that non-compliance may need to be considered as a hint and indicator that something may be wrong with the host nation government's and/or our own strategy. Rather than rush into fighting non-compliance, we need to check our partnering host nation government's strategy and doings as well as our own strategy or doings. These may be the cause for non-compliance and may need to be adapted, where suitable and where possible.

As external interventions, especially the military component, are always limited in terms of time (as well as in terms of resources and understanding), it is almost imperative that

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findings into further planning and action. For that reason, the Handbook does not explicitly dwell on evaluation and assessment of compliance strategies.

interventions are designed to reinforce and respect local ownership, and prepare transitions in all relevant fields of action (see also FriEnt/DIE Workshop Report (2006): p. 21). Keeping this imperative of local ownership in mind, we may assume that coalition actors, including coalition forces, may mainly play constructive support roles grounded in their leverage, resources or expertise.

5.4   Preconditions for compliance

In chapter 4.3.1 we have argued that non-compliance may have structural causes that we need to analyse and take into account if we want to improve compliance and successfully counter non-compliance. NC/NONCAS may emerge, deteriorate or get entrenched, among others, due to a lack of security, a lack of political, economic, and social participation and a lack of fairness and equality, a lack of economic possibilities and the denial of basic goods and services, and deficits in human development and human security in general. Most of these root causes may be attributed to or may be perceived to amount to a lack of effectiveness and/or a lack of legitimacy of the host nation government. Supporting the host nation government, coalition forces may be seen in the same light and may be (partly) blamed for these very deficits of the host nation government.

Drawing conclusions from these findings and learning the lessons from Iraq, Afghanistan, Sudan, Aceh etc. we are led to believe that there may be several basic preconditions in an area of operation that have a preventive character vis-à-vis non-compliance. This Handbook claims that these preconditions need to be met and sustained if explicit strategies to prevent and mitigate compliance are to be successful in a sustainable way. They form an almost indispensable basis for compliance. In turn, again, we may argue that if these preconditions are not met to a tangible degree and over significant periods of time, the very lack of those may be causes for non-compliance.

As a lesson from the OEF-Philippines, for example, Wilson states that "(t)he security of the people must be assured as a basic need, along with food, water, shelter, health care and means of living." and: "The failure of COIN and the root cause of insurgencies themselves can often be traced to government disregard of these basic rights." (Wilson (2006): p. 6). In the same vein, in a recent study RAND has identified good (local) governance as one of the three major factors responsible for the success of S&R operations including a COIN dimension (from a sample from 90 insurgencies in history) (see Jones (2008)).

Such preconditions include:

- A minimum degree of legitimacy of the host nation government that is being supported

- A minimum degree of effectiveness of the host nation government that is being supported

- A minimum degree of security throughout a significant part of the country.

This Handbook assumes that meeting and sustaining these preconditions are a major contribution to possible solutions to the non-compliance challenge in areas of operation. It postulates that meeting and sustaining these preconditions translate into a genuine approach to prevent and mitigate non-compliance and be taken into consideration in a cross-cutting way when formulating and implementing strategies to counter non-compliance.

To cite Wilson's experience in the framework of OEF-Philippines once again: Participants in OEF-Philippines reported that where once people supported rebels and extremists because they felt neglected and oppressed by the government, the delivery of their basic needs like health and nutrition services, construction of infrastructure and impact projects, the strengthening security in their community changed their attitudes and loyalty. As residents began to experience better living conditions, they withdrew support from the militants (see Wilson (2006): p. 6).

Closely related to above mentioned prerequisites for compliance, there is another fundamental field of action that needs to be tilled if we want to prevent non-compliance and mitigate non-compliance in our area of operation.

- It is the *legitimacy, credibility and commitment of coalition forces themselves.*

Having shortly elaborated on coalition-related factors of non-compliance in chapter 4.3.3 of this Handbook, we may in reverse argue that meeting a certain level of legitimacy, credibility and commitment may most effectively prevent and mitigate non-compliance.

- This implies *sticking to certain rules and living up to a minimum code of conduct and style of operations.*

This Handbook postulates that if above preconditions are fulfilled we may significantly reduce resistance against the coalition or coalition forces and their pursuit of their objectives.

This is to say that implicit and indirect strategies (see chapter 5.5) are assumed to play a central role in preventing and mitigating non-compliance, which is not to be underestimated.

5.4.1   Minimum of legitimacy of the host nation government

Legitimacy may be defined as power to pull compliance in a voluntary mode, not by coercion (see Higashi (2008): p. 1).

(Post-) war, newly created governments face severe challenges and difficulties to obtain legitimacy in the eyes of local people (see Higashi (2009): p. 11). Domestic governments suffer from mistrust, hostility or even hatred from different domestic groups and actors who fought war (or still continue to do so). They may have to compete for legitimacy with other domestic actors, contesting the legitimacy of the host nation government (and/or the coalition forces). The more legitimacy a challenger of the host nation government has, gains and shows (e.g. through successful anti-government action), the more decreases the government's legitimacy. Or to put it the other way round: the less (perceived) legitimacy a government has, the easier it is for (would-be) challengers to present themselves and to succeed as legitimate actors.

The legitimacy of a government has much to do with its genesis and its coming into existence, its composition and rules, and its performance. In his study on Afghanistan, Higashi (2008) more specifically found that the legitimacy of the order that is being established in a (post-)war/peace-building environment is determined by the role which the intervening actor ("custodian") plays, inclusiveness of the process and the system, local ownership, resource distribution, and the use of force (by national authorities and coalition forces). Supporting the argument of this Handbook, he assumes that these five factors influence the compliance or non-compliance with key political developments, such as elections, constitutions, and disarmament of military factions, that is to say the very key components in the peace-building process. All of these factors may be largely influenced by international actors who are involved in peace-building activities (see Higashi (2008): p. 1)).

If the host nation government is widely perceived as not legitimate by the local population, non-compliance will persist. In terms of strategy it is an imperative for coalition forces both to improve legitimacy of the host nation government (and decrease legitimacy of illegitimate entities (see also PRT Handbook: p. 47)) and to foster and show its own legitimacy (for more see chapter 5.4.4).

5.4.2 Minimum of host nation government effectiveness

Government effectiveness is about a government's capability to perform tasks and services that a government may be rightfully expected to perform by its citizens, including, above all protection and the provision of basic goods and services to an acceptable degree and in due time. The implied lack of monopoly of power and force results in deficits in human security and human development and in turn in the disaffection and alienation of local populations from their government. Other actors may profit from this situation and substitute or challenge the state in its core functions. As we have seen for example in chapter 2.5.2.1, a lack of effective government and monopoly of force and resulting alienation may be a major cause of non-compliance.

There are close causal links between government legitimacy and government effectiveness. Effectively performing the tasks and services that a government should is a major factor that contributes to the perceived legitimacy of a government. In reverse, a government which is not being perceived as legitimate may run into obstacles when trying to perform its duties throughout the country.

In terms of strategy this means that maintaining or increasing the effectiveness of legitimate authorities must form a central endeavour in any case. McChrystal's call to improve local governance points in that direction.

5.4.3 Minimum of security and protection

Fear and frustration with expectations and promises not kept as to security and protection have been cited as causes of non-compliance further above (chapter 4.3.2.6). Against this background, a minimum of security and protection is essential to prevent and mitigate non-compliance (see also NUPI (2009): p. 43). In the context of COIN (also applicable to S&R

with a COIN dimension) Galula argues that a minority hostile to the insurgent will not emerge as long as the threat has not been reasonably reduced. He goes on to argue that even if such a minority does emerge, it will not be able to rally the rest of the population unless they are convinced that the counterinsurgent has the will, means and ability to win (see Kuehl (2009): p. 77). This latter issue will be taken up in chapter 5.4.4.

Without a minimum of security, compliance with the coalition's goals and government regulations and objectives is naturally undermined: A government that cannot uphold and exert its monopoly of force and ensure a minimum degree of security throughout its territory, and coalition forces that cannot effectively protect the population lose credibility and legitimacy. A lack of legitimacy and credibility will make in turn non-compliance more probable and exacerbate NC/NONCAS. Moreover, under conditions of insecurity compliance with specific objectives or regulations is a secondary concern for local population.

A minimum of security is not only a direct precondition for compliance. It is also an enabler for the successful implementation of any coalition or host country strategy against non-compliance or for improving compliance. Especially in the context of devising and implementing inclusive strategies against non-compliance/for compliance, like for instance political negotiations or institutional reform, ensuring a minimum of security may be the essential task for the military component of a coalition effort. Generally security and protection are not only a task for coalition forces but also of national security forces which need to be made fit to effectively take over these tasks in the mid- to long term (see also chapters 5.6.4 and 5.6.5).

5.4.4 Legitimacy and credibility of coalition forces

In chapter 4.3.3 we have argued that the coalition forces' centre of gravity may be their legitimacy and credibility. At least, their legitimacy and credibility may be major points of leverage for the coalition forces in an area of operations to achieve objectives without inducing too much resistance or non-compliance.

International peace-builders face the risk that their intervention may be perceived as quasi-colonial actions or simply as supporting the wrong side. The legitimacy of an external coalition formally has much to do with a proper UN mandate. However, legitimacy is an inherently subjective concept. While members of the coalition additionally see their legitimacy enhanced for example by a so-called just or a humanitarian cause, a significant number of participating states, or strong support by their home bases etc., actors in the host nation may have different ideas of legitimacy. These differences may even concern the UN mandate itself – which may already be perceived as imperial, colonial, Western, white etc. – biased.

Still, legitimacy and credibility are essential preconditions for compliance and essential to successfully mitigate non-compliance, while potential negative effects of the limited timeframe of any external (military) intervention need to be compensated (see chapter 5.3). Credibility all in all has much to do with convincing the population that coalition forces can and will deliver on promises made. Obvious commitment to achieve the coalition goals and obvious prospects of success are essential. This is especially important for any promises or

commitments given in relation to the populations' security. The population needs to be convinced that the coalition is going to succeed in its mission, i.e. through visible successes and visible presence. Moreover, words and deeds of the coalition forces must be tangibly and perceptibly cohesive. Moreover, according to Higashi, the "credibility as impartial" of the peace-builders is essentially conducive to compliance and a necessity if compliance is to be achieved. For example, when domestic factions perceive that peace-builders are credible, fair, and impartial, it is more likely that domestic factions will participate in elections and accept their results, as they can perceive that their participation will be treated impartially, and their political rights will be protected even if they lose elections. Establishing credibility as impartial peace-builders would be also crucial for disarmament of military factions (see Higashi (2008): p. 1).

5.4.5   Adequate mission conduct and code of conduct

As mentioned in chapter 4.3.3, the coalition itself may be a cause, trigger or driver for non-compliance. Living up to the rules as listed in chapter 4.3.3 (avoid civilian casualties, restraint of use of force, proportionate use of force, no use of excessive force, exercise and show cross-cultural awareness and intercultural competences and treat locals with dignity and respect etc.) are a prerequisite for compliance and are needed to enable additional proactive strategies to improve compliance and to mitigate non-compliance to succeed at all. Active achievement and implementation of an adequate style of operation and an adequate code of conduct are part of coping strategies with NC/NONCAS.

5.5   Some thoughts on general options and types of strategies

There are different ways to categorise strategies in a NC/NONCAS context, for instance:

Explicit – implicit, highlighting a distinction between strategies which proactively tackle NC/NONCAS and require specific tailored action on the one hand and strategies which may be rather described as a systematic do-no-harm or structural approach on the other hand.

Explicit strategies refer to strategies which are explicitly designed to tackle non-compliance/improve compliance or prevent the transition of other non-compliant actors into the irregular adversary spectrum. Imposing negative or positive sanctions, negotiations aiming at revised power-sharing agreements which are designed and implemented in order to influence on the cost-benefit calculation or to address specific political grievances of NONCAS are explicit strategies. Implicit strategies mostly refer to approaches and measures in the context of a systematic attempt to do no harm through the (military) action that is taken in order to achieve coalition goals in a specific area of operation. Systematically avoiding civilian casualties or systematically showing cultural respect in the framework of any action taken to achieve mission goals may be called implicit strategies. The latter have an overwhelmingly preventive dimension, yet also need to accompany any explicit strategy when trying to improve compliance/counter non-compliance and prevent the transition of other non-compliant actors into the irregular adversary spectrum.

Direct – indirect, highlighting a distinction between strategies that directly address NONCAS on the one hand and strategies which rather address the structural causes that lead to NC/NONCAS on the other.

A strategy to improve compliance may not need to address the non-compliant actor in a direct way. Instead, a strategy may rather address the structural causes that lead to NC. Take for example an Afghan individual who seeks justice through government courts, but achieves nothing due to government corruption and nepotism. Thus disenchanted and disappointed he may turn to the Taliban in order to seek justice and thus starts to get involved in supporting them (example taken from NUPI study). An effective strategy in this case will have much to do with improving the rule of law, this is to say improve structural conditions (i.e. governance and the legitimacy and effectiveness of the host nation government) and less with directly addressing the non-compliant actor, e.g. coercing or trying to convince him to try his luck via the same way again. We can also cite the example of an Afghani poppy farmer: "His key interest may be having a stable life, with enough material goods to sustain himself and his family. In other words – basic human needs. Poppy farming is and most profitable crop available so it is a natural choice. However, the revenues from poppy farming inevitably help sustain the Taliban, and enable them to continue their insurgency." (NUPI (2009): p. 23/24). An effective strategy in this case will have much to do with offering and sustaining alternatives to poppy farming.

Inclusive – exclusive strategies, highlighting a distinction between strategies which try to change behaviour and attitudes through integration (and maybe thus also mitigate structural deficits such as lack of participation) on the one hand, and strategies which weaken, marginalise, criminalise or fight certain actors in order to weaken these actors and/or protect the rest of the society (see also FriEnt/DIE Workshop Report (2006): p. 3).

Inclusive strategies can hardly ever be performed by external actors or coalition forces alone. The relevant arenas of meaningful inclusion are always the monopoly of the host nation. What external actors can do is to initiate or support inclusive processes, such as peace negotiations, institutional reforms, security sector reforms (e.g. integrated armies) etc. If the actor addressed is violent and armed and belongs to an extreme end of a spectrum, inclusive strategies may bear some risks for the external actor: He may be prone to physical threats, he may risk being manipulated by the non-compliant actor, he may risk legitimising the non-compliant actor, may risk to send out the wrong signals, and there may also be negative effects on relations with the official host nation government and its representatives (see FriEnt/DIE Workshop Report (2006): p. 3/4).

A crucial question: fight or transform (support transitions of) NONCAS?

There are no all-inclusive empirical studies how non-compliance ends or may be brought to an end. RAND however has conducted a study on how terrorist groups end. It is worth noting that regardless the size of the respective groups, almost half of such groups seem to end by finally deciding to participate in the regular processes and structures. Quite a number of groups seem to have been defeated by police and security services means. With regard to

small terrorist groups, less than a tenth of those have ever been defeated militarily. However, if a group has a certain size, military means seem to show better effects in fighting such. Of course, some groups simply end because they have achieved victory Taking into account that most groups end because they re-enter the regular processes and structures, we may conclude that the best point of leverage at least to end (armed) resistance may be to support transformation processes and platforms for reintegration of such actors in order to make possible their peaceful participation in politics, security and society.

But how does this change come about and can it be supported externally and if yes, how?

- External factors, such a pressure, support

- Environmental factors such as natural disasters. E.g. the flood in Aceh opened a window for opportunity for ending armed conflict

- If non-compliance is an organised group phenomenon, it may be leadership and organisational dynamic of the actor in question

- Role, strategies and interactions of the government of the host nation and other actors within the national/regional political system/constellations

- Social factors such as mobilisation.

The question for external actors in this context is, which of the possible tipping points are they able to influence to which extent, in which direction and how?

Throughout different sciences and different practical examples of peace-building efforts and other real life situations you may find a wide range of general possibilities to influence a person's or a group's activities, behaviour and attitudes, and according approaches and measures. The following options have been derived from the current state of art in spoiler and NSAG as well as peace-building literature, from lessons from past and current S&R and COIN operations and they have been deducted from the findings contained in the generic NC/NONCAS analysis part as well as the pervasive concept of preconditions as well as pivotal points of leverage. The following options represent a pool of potential possibilities. The ambition of the Handbook is to shortly explain and assess these options, and give some indications as to their areas of employment. Their order roughly corresponds to the types introduced further above and depicted in the picture below:

Picture: Rough overview and classification of options to prevent and mitigate non-compliance and to improve compliance

5.6 Strategies to promote compliance and mitigate non-compliance

5.6.1 Establish conditions to secure the population[15] and provide protection

As has been shown e.g. in chapters 2.5.2.1 and 4.3.1, NC/NONCAS may emerge and may get entrenched and other NONCAS may move on into the irregular adversary spectrum because the host nation government and the coalition forces cannot protect their lives and property from armed groups' infringements and from each other. Local populations' fear of retaliation by those armed groups in case they support the host nation government and/or coalition forces may be a cause of non-compliance. Disappointment and frustration vis-à-vis unfulfilled expectations and promises especially in terms of protection and security have also been identified as potential triggers and drivers of non-compliance (see e.g. chapter 4.3.3).

Against this background, a minimum of security and protection throughout the bigger part of a country is a precondition for compliance and an enabler for strategies to prevent and counter non-compliance. Securing the population and protecting them from intimidation, violence and abuse (see also e.g. HQ ISAF, Kabul, AFG: ISAF Commander's Counterinsurgency Guidance) thus is of paramount importance if non-compliance and the transition of actors into the irregular adversary spectrum is to be prevented and mitigated. Providing security is a key military task. Performing this task effectively may be a major contribution to preventing and mitigating non-compliance. The use of force can provide security, but only if applied with care. Restraint – not hurting the wrong people – is the key to success.

The purpose of this Handbook is not to teach the Operational Commander about possibilities and means how to best establish and maintain a safe and secure environment and protect local populations. Still, this Handbook would like to emphasise that firstly, in a situation, where armed groups, i.e. insurgents are still active - partly due to a still ineffective monopoly of force of the host nation government, it has proven essential to *separate population from insurgents and other armed groups*, i.e. deny the insurgents and other armed groups influence and access to local populations (see also HQ ISAF, Kabul, AFG: ISAF Commander's Counterinsurgency Guidance, p. 3). Methods to achieve this separation in a military perspective include e.g.:

- The establishment of (physically) cohesive barriers against insurgent and armed groups movements around neighborhoods, denying the flow of arms, ammunition and explosives and other illegal activities;

- Curfews, bans on vehicular movements and the like (see e.g. Kuehl (2009): p. 76);

- So-called human terrain mapping. Developing a human terrain map may be crucial to simultaneously clearing out the enemy and driving a wedge between the insurgents and the population (see Marr et al (2008), p. 19/20). "By developing a human terrain map, a

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[15] See Kuehl (2009): p.73.

unit can acquire a greater sensitivity to and deeper understandings of its Area of Operations, enabling it to leverage the complex human relationships that make COIN succeed or fail. But the goodness of a human terrain map lies not just in the "having"; the "doing" offers perhaps even greater dividends. Building the necessary human relations with the population you secure is not hard – it just takes time and effort (see Marr et al (2008), p. 24).[16]

Secondly, S&R operations with a COIN dimension (i.e. Afghanistan, Iraq) have shown that stay-behind forces are crucial (when the clearing forces are gone). Their task would be to hold the area and provide security to the local population, and assist in re-establishing an effective government presence (reconstruction projects to build infrastructure, government capacity, and the local economy etc. may follow).

The provision of security and protection has preventive character yet may not be neglected throughout the entire mission. For some NONCAS, i.e. those who may be drawn to armed groups or support irregular adversaries out of fear and thus negatively affect and even obstruct the achievement of coalition goals, protection may be a major stepping stone towards compliance (in conjunction with credibility, legitimacy and trust of coalition forces, see below).

5.6.2 Build and uphold credibility, legitimacy and trust

A lack of trust vis-à-vis coalition or any intervening forces is a major factor for non-compliance. Building credibility, legitimacy and trust with local populations has much to do with effectively providing security. It also hinges on keeping promises, not frustrating expectations, reliability, commitment and the showing to such, as well as adequate conduct (in fact of each individual soldier) in the mission area. We have identified legitimacy and trust as a major precondition and enabler for compliance and successful counter-NC/NONCAS strategies.

According to Lynn (2005), an intervening power may do well simply to gain willing compliance with its policy. To speak of "winning hearts and minds" may be misleading, as winning people over to new beliefs is at best a long process and a notably difficult task for outside forces coming from different cultures and speaking different languages. He claims, however, that providing security goes a long way towards earning allegiance and compliance (see also: Lynn (2005), p. 24). According to McChrystal, we additionally need to convince the people of a "winning proposition". He also talks about the need to "embrace the people, build connections and relationships, earn the trust and foster local ownership" (see HQ ISAF, Kabul, AFG: ISAF Commander's Counterinsurgency Guidance, p. 3). In fact, trust building is a major strategic element of all (inclusive) processes. We need, however, take into account that it needs a long term vision and long term commitment, which we may lack for reasons mentioned further above (see e.g. also FriEnt/DIE Workshop Report (2006) p. 21).

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[16] For example the US Department of Defense is working on the subject of Human Terrain Mapping at present. A Human Terrain Mapping Team participated in MNE 6 Objective 4.3. events.

Expectation management is another proactive and cross-cutting task that needs to be performed in the context of building and maintaining credibility, legitimacy and trust. Local populations sometimes tend to have unrealistic expectations towards the host nation government and external actors or coalition forces (see e.g. Debiel et al (2005): p. 7). We may need to correct unrealistic ideas, relying on dialogue and listening and avoid frustrating (rightful) expectations which may lead in turn to non-compliance.

What we can do and should always do is to systematically live up to the " Do's and Don'ts" as mentioned in chapter 4.3.3).

- Do no not make excessive or disproportionate use of force

- Keep promises

- Live up to assigned or declared tasks and objectives, especially the protection of the population and improvement of living standards

- Show commitment, strengths, decisiveness and self-confidence

- Prevent misbehaviour or misdemeanor of single elements of coalition forces

- Do not injure cultural and societal norms or trespass borders and show respect

- Do not apply double standards for own actors on the one hand and local actors on the other

- Do not reinforce existing conflict lines or cement of perceived injustices through your action ("do no harm").

All of this serves to minimise coalition-induced alienation. All kinetic operations, particularly those that result in civilian deaths, wounding or property destruction, tend to alienate the local population and reduce their support for the coalition. While this does not mean that all kinetic operations must be avoided (in fact they may be an essential part), Commanders need to seek to understand the effects of their operations, and in fact of anything they do or say or don't do or say on public perceptions and act to minimise resultant alienation (see also further below: 5.6.15, strategic communication). We also need to be aware that alienation is a cumulative process, that is to say repeated acts contributing to the alienation of the population cumulate into ever greater alienation (contrary to common assumptions that alienation subsides some time after the act in question). Focused, heavily intelligence-based operations may have to prevail over large scale operations to kill or capture militants, which carries a significant risk of causing civilian casualties and collateral damage" (HQ ISAF, Kabul, AFG: ISAF Commander's Counterinsurgency Guidance, p. 3).

Keeping in mind that a lack of trust and delegitimising behaviour may cause or aggravate non-compliance and even contribute to the transition of actors into the irregular adversary spectrum, building credibility, legitimacy and trust needs to be part of the S&R approach from the very beginning. It is a strategy that needs to be conscientiously conceived as such and needs to be proactively thought through, planned for and implemented. Yet practically it is a cross-cutting quality of mission execution. It is an implicit strategy that has a preventive character and needs to be followed and upheld throughout the entire mission. It is assumed

to have positive effects on most NONCAS, while for some types (e.g. certain types of non-state armed groups or spoilers) it may not be enough.

5.6.3   Improve living conditions and local development

Having argued that deficits in living conditions and local development may promote non-compliance we consequently need to conceive the improvement of living conditions and local development as a suitable strategy to contribute to the improvement of compliance and the prevention and countering of non-compliance, if the root causes of the NC/NONCAS in question (partly) lies within structural conditions as outlined further above.

Such strategies may be called indirect. In fact, they indirectly and mainly address the motivation sphere of the non-compliant actor. Improving living conditions and local development may contribute to successfully mitigate NC driven by economic motivations (earn a living or greed) and political grievances (which are often interconnected). The improvement of living conditions and local development especially contain suitable strategies and measures with which unintended or undirected non-compliance can be addressed. For example the provision of locals with alternatives in economic, yet also social and socio-psychological terms (see also Kuehl: 2009, p. 77) has proven to be a most effective strategy against non-compliance and i.e. the transition into the irregular adversary spectrum throughout the world (if the motivation is not political, ideological or creed-inspired). This may include the build-up of local production capacities as part of the regular economic activities and needs of the country in question. Economic development and the creation of jobs, employment opportunities and the creation of viable local alternatives to insurgency in general has been frequently emphasised as a central strategy against non-compliance on the whole spectrum up to insurgency and to improve compliance (see e.g. NUPI (2009), p. 37; Higashi (2008): p. 6; HQ ISAF, Kabul, AFG: ISAF Commander's Counterinsurgency Guidance: p. 4). Restoring essential services which are likely missed by the local population will have more impact than giving them a service they have not known before. Operational commanders have access – among others – to medical units and/or engineer units to contribute to this effort.

Local development and living conditions moreover have a crucial causal link to the legitimacy of the emerging order. According to Higashi there is a unified voice on how critical it is to improve living conditions in the first six months after peace-building starts. But the international community tends to focus on political dimensions and forget about the importance of economic and social improvements in the initial stage, which may be critical for constructing domestic legitimacy (see Higashi (2008): p. 8). A top official of UN agency is reported to have said, "Legitimacy of the government comes from electricity, not from only elections in this fragile state [Afghanistan]!" (see Higashi (2008): p. 7).

5.6.4 Improve governance capacity

A minimum of government effectiveness is a long term precondition for compliance (in order that citizens are provided with the basic goods and services that they may rightly expect from their government). Recent data suggests and proves that improved government service provision reduces insurgency (see Berman/Shapiro/Felter (2008)). Frustration with ineffective administrations and corrupt officials, and a perception of neglect and abandonment as well as anger at injustice and inequality resulting from bad governance all lead to alienation of local populations from the host nation government. This alienation may as well be projected on the coalition forces supporting that government. If justice is to be considered a basic service and if the rule of law is an essential expression of the (re-)establishment of a functioning monopoly of force, the establishment of rule of law is among the immediate key requirements of creating and consolidating sustainable stability, peace and development and also of preventing and mitigating non-compliance out of sheer frustration or for reasons of impunity.

Capacity building measures include measures in a wide range of fields from institution-building and institutional reform to recruitment and training of leadership and staff, anti-corruption programs etc.

Building governance capacity has much to do with promoting and supporting leadership that serves the people (see HQ ISAF, Kabul, AFG: ISAF Commander's Counterinsurgency Guidance: p. 6). Building leadership capacities, e.g. through key leader training, has in recent years become a focus of nation-building efforts. Leadership personnel and key leaders may act as multipliers and guardians of good governance and have the authority to punish bad governance within their field of administration. Last but not least authority (based on performance) may inspire respect, compliance and allegiance. The improvement of government capacity moreover has long-term effects as the rules and norms are increasingly internalised through role models and daily practice in a functioning government institution or administration.

Moreover, security sector reform is of paramount relevance for improving compliance and mitigating non-compliance. For one thing, functioning and legitimate security forces are required to protect and serve the local populations from perpetrators in the field of security and law and thus prevent self-help constellation or the emergence and adherence to alternative security providers, and secondly to effectively fight or to re-engage exactly these armed violent NONCAS. This Handbook does not aspire to give comprehensive guidance on security sector reform but simply underlines its importance in the context of mitigating non-compliance and improving compliance. For further guidance, for instance OECD-DAC publications and guidelines on the subject are recommended.

The improvement of governance capacity is an indirect strategy. While area-wide effects may rather be expected in the long run, there are examples from areas of operation where the selected improvement of local governance has brought quick results in the respective area. While the improvement of governance has a general preventive character and should be maintained throughout the entire mission (and actually beyond), it is especially suitable to prevent (other non-compliant) actors from moving on into the irregular adversary spectrum,

and would even get irregular adversaries back into the compliance spectrum, so long as those are not motivated ideologically or creed-driven or motivated by hard-core economic greed. Even political grievances may be partly mitigated by good governance yet will in most cases require more than that (see further below: bargaining, negotiation, incentives (i.e. political participation) and sanctions).

5.6.5 Promote local ownership

Vis-à-vis the constraints that external coalitions and especially coalition forces are subject to, the promotion of local ownership is not only a strategic option but a necessity. Local ownership must not be understood as a tactic to be used for certain limited objectives. Rather it needs to be understood as an underlying principle of any successful intervention, transition and exit strategy and as a natural aim of any external temporal interference as well as of any host nation. This inherent need for local ownership at least in the mid- and long run needs to be taken into account from the very beginning and already when devising strategies even during initial phases of an intervention. Besides the need to take into account the requirement of local ownership, the promotion of local ownership may be considered a strategy for improved compliance/against non-compliance in its own right, by decreasing alienation.

To support transitioning competency, responsibility and authority to local structures and forces, (transitional) hybrid structures may be useful instruments. They may also create trust between the population of the host country and the external actors or coalition forces. Hybrid structures may also help to roll back deficits endemic to host country structures such as for instance corruption and thus mitigate major root causes for non-compliance. This may be achieved by continuous „peer-reviewing" and socialisation through cooperation. The other side of the coin is that hybrid structures may – if the host nation government shows major characteristics contributing to non-compliance – further contribute to non-compliance directed at external actors or coalition forces.

Capacity-building and key leader training have already been mentioned in the context of improving government capacity (see above), yet may be also conceived as supportive measures for local ownership. Besides promoting local "elite" ownership, promoting grass roots local ownership has proven to be helpful for a positive mobilisation of local populations and preventing or reducing non-compliance or the effects of non-compliant actors. McChrystal for example postulates: „We must get people involved as active participants in the success of their communities". In a counterinsurgency context he claims that "(m)obilising the community to participate actively for their safety, stability, and success is the crux of counterinsurgency at local levels – and create circumstances to end insurgent influence permanently." (see HQ ISAF, Kabul, AFG: ISAF Commander's Counterinsurgency Guidance: p. 4).

Measures such as community policing, implying close cooperation between security forces and local authorities with the local population e.g. in the field of crime prevention, on the basis of jointly agreed, shared or integrated structures, procedures, and institutions may

further promote local ownership and increase positive identification of local populations with their state and/or coalition forces. External actors or coalition forces may at best play a short term initiating, promoting, fostering, or advising role vis-à-vis such measures.

5.6.6 Inducement: incentives, positive sanctions, rewards

This strategic approach may recur to any factor that enables or motivates a particular course of action, or counts as a reason for preferring one choice to the alternatives. Incentives/positive sanctions/rewards have direct effects on the expected benefit of non-compliance on the non-compliant actor's side and it is in fact the expectation that encourages behaving in a certain way or not to behave or act in a certain way. They may be material (financial or economic) or immaterial (political influence, social prestige etc.).

Remunerative incentives are said to exist where an agent can expect some form of material reward — especially money — in exchange for acting in a particular way.[17] Higashi for instance reports that economic programs have become a big incentive for commanders to surrender weapons in Afghanistan (see Higashi (2008): p. 2). Generally, NONCAS who have a primarily economic motivation or act out of structural constraints or habit and social obligations may be influenced in their behaviour and their attitudes through providing positive sanctions, i.e. rewards if they change their behaviour and attitudes. In fact, positive sanctions and rewards may even be a strategy to get irregular adversaries back into the compliance spectrum, as long as they are no hard-core ideology or creed-driven actors. To illustrate this, Afghanistan may serve as an example: While core members of the Taliban seem to have no incentive to make substantial concessions to the Afghan government, due to their ideological structure as well as their gaining territorial control, the main target for reconciliation in the current situation is low- and middle-level soldiers who fight for the Taliban because of their economic and social needs; actually, they are the majority of the insurgency. A provincial council member from Tagab district (insurgency-active district) said that if there are 420 Taliban soldiers in Tagab, 400 are working for the Taliban to obtain 100 USD per month; they are not ideologically driven (see Higashi 2008, p. 4).[18]

For example, amnesties or exile offers make use of this influencing mechanism. The actor is offered amnesty or exile as a reward for stopping doing something or not doing something.

Inducement is supposed to generally work for actors with an economic motivation (maybe short of severe greed), and political grievances. Inducement may, however, work mostly for actors ("spoilers") with a rather limited degree of commitment (see Stedman). While the

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[17] These incentives must not be conceived and handled as "bribes".

[18] Recently, there have been discussions in Germany and other NATO countries whether die Taliban may be tamed through financial strategies, i.e. by providing a fund of money which should be used to finance the reintegration of Taliban fighter into civil society. Measures would include offers for education, training and employment. The target group would be individuals who occasionally support Taliban by providing shelter and sanctuary and those who are occasionally involved in attacks (for which they are paid) (see Financial Times, January 25th 2010, p. 5; Die Welt, January 25th 2010, p. 12; Süddeutsche Zeitung, January 25th, p. 5).

strategy of inducement needs to be carefully chosen in dependency of goals, commitment and motivation of the actor, the selection of the reward/positive sanction/incentive needs to carefully tailored according to goals, commitment and motivation of the actor in question as well. The recent example of the incentive put forward to notorious Afghan armed groups to delete their names from the United Nations terrorist list if resistance is stopped may rather not work for ideologically motivated actors with global objectives and total commitment, which are among those addressed.

Incentives may be social or moral of nature where a particular choice is widely regarded as the right thing to do, or as particularly admirable, or where the failure to act in a certain way is condemned as indecent. A person acting on such an incentive can expect a sense of self-esteem, and approval or even admiration from his community; a person acting against a moral incentive can expect a sense of guilt, and condemnation or even ostracism from the community.

5.6.7   Negative sanctions and punishment

Negative sanctions or punishment have direct effects on the expected benefit of non-compliance on the non-compliant actor's side and may be material or immaterial. They may have a deterrent effect and a coercive dimension, as a certain behaviour or activity is (expected) to be punished and to cause disadvantages to the actor performing this behaviour or activity. Besides their deterrent and coercive character, negative sanctions may also have the effect to contain NONCAS by limiting their scope of activity or access and use of their sources of power. Negative sanctions and punishment require certain cost sensitiveness on the addressed actors' side, i.e. the NONCAS should be need and grievances or greed motivated. Creed-motivated actors (yet depending on their degree of commitment) may be less responsive to negative sanctions.

5.6.8   Bargaining and negotiation

Bargaining and negotiation with those who do not comply may lead to their participation and reintegration into "regular" politics, "regular" economics, "regular" society, if the participation or reintegration is expected to leave the NONCAS concerned better off than continued non-compliance. Bargaining and negotiations make use of other influencing mechanisms as described further above, such as incentives and sanctions. Even coercion (e.g. the threat of use of force) may be employed. Negotiations also inadvertently initialise and increase a certain ownership in the order that is being built and the respective processes. Bargaining and negotiation may in consequence even affect structural conditions and environmental factors, for example if the political set-up is (partly) adjusted in order to get certain groups on board the peace-building process. As we have already seen in chapter 2.5.1.2, this strategy option may work for actors who are motivated by grievances and needs (political motivations) and/or greed (power and economic profit). To work, this strategy requires that the groups addressed have a hierarchical organisation and a key authoritative figure which has the

power to push through agreements and bargaining results throughout a group and make a group stick to those agreements sustainably. In some complex African scenarios, such as the Democratic Republic of Congo negotiations and bargaining promoted and sustained by external international actors have contributed to regulating and fencing in of non-compliant groups.

5.6.9 Persuasion

Persuasion is a form of social influence and may be conceived as the process of guiding someone toward the adoption of an idea, attitude, or action by rational and symbolic (though not always logical) means.

Arguing and convincing can be one way to persuade an actor to do or not do something. As mentioned further above, this strategy option requires both weak motivation and commitment on the addressees' side in order to be successful (see Schneckener (2003): p. 11). Persuasion may also recur to incentives/inducement or disincentives threats (so-called "coercive persuasion"). Other persuasion methods, tactics or strategies (so-called "weapons of influence" according to Robert Cialdini)) may include for example "social proof", relying on the human tendency that people do things that they see other people are doing, resulting in imitation. The imitation mechanism may be used when trying to prevent the emergence of non-compliance. The reverse effect however may also set in if people see other people not comply with certain regulations and objectives; they may imitate them as well. Authority has a persuasive character as well. People will tend to obey authority figures. This is what local ownership and key leader capacity building partly relies on for long term effects. A local leader in general has more authority than an external actor and may have stronger convincing effects and inspire more compliance and allegiance than an outsider. Against this background, persuasion of NONCAS to not act in a certain way or to act in a certain way may be more effective if administered by local political, social, religious or traditional authorities. Against this background, "persuading" local leaders within a society and achieving their acceptance and support of host nation and coalition objectives may be a most effective way to "win over the population" as well,

The mobilisation of the population, for instance, as mentioned above via credible, accepted local leaders acting as multipliers, may be one of the aspired effects of persuasion. Efforts to mobilise the population in favor of coalition and host nation government objectives generally tend to be more effective and sustainable if not only focussing on the negative elements (how to fight NC/NONCAS) but actually at least as much on the positive elements (how to build on and strengthen compliance and compliant actors) and make use of the compliant parts of local populations and authorities. In a COIN context, "producing" an active minority has been identified as a very helpful means and vehicle to win over the trust of the neutral majority (see Kuehl (2009): p. 75).

5.6.10 Marginalisation, isolation, containment

Marginalisation, isolation and containment aim to weaken an actor in his power and spheres of influence and limit his fields of action, activities, reach and scope, audience and impact of his doings and at least prevent him from further spreading. Cutting off an actor from sources of power or his spheres of influence is a major option in this context. In the long run, if followed by more integrative strategies, marginalisation/isolation/containment may also provide a starting point for transformation of NONCAS. Marginalisation, isolation and containment may recur to strategies of negative sanctions and/or coercion. Marginalisation, isolation and containment of NONCAS may also be promoted by the protection of the other population groups and explicit integration of potential support and recruitment bases of the NONCAS in question through local ownership, persuasion, dialogue and listening and the like. The marginalisation, containment and isolation of NONCAS may also be supported by improving living conditions, local development and governance. Splitting NONCAS (i.e. spoiler) groups into less effective groups may be another specific way to implement containment or marginalisation (divide and rule). Loose, horizontal organisations may be more prone to splits. The parallel existence of (also informal) key leaders is another indication for this strategy. Yet before engaging in such we need to know whether fragmentation of a group may bear the risk of multiplying the problem rather than reduce it. The separation of NONCAS from their support bases within local populations and from other groups is a valuable approach especially with view to groups which acquire and sustain their power and influence primarily via mobilisation strategies. This applies for example to radical Hezbollah in Lebanon, who try to mobilise supporters for their cause through penetrating local populations' social and religious lives. Marginalisation and isolation may also be achieved through what is widely known as naming and shaming (or stigmatisation).

5.6.11 Coercion

Coercion implies actual use of force or threat of force (physical, economic, political, moral etc.) to compel a person to do something, or to abstain from doing something.

Coercion in fact implies that a person or a group is forced to act in a certain way or forced to not do something against the person's or the group's will. While the behaviour may be adapted for the period of time where the coercive power is exercised and maintained, the motivation to pursue a certain goal or act in the way originally planned or foreseen remains unchanged.

If applied as the only strategy, coercion may achieve instrumental or tactical compliance yet rarely has sustainable effects. If the coercive power is suspended or lifted (i.e. if the coalition forces leave), non-compliance will most probably set in again and endanger the maintenance of the stable end-state that should have been achieved. For that reason, the application of coercive (military) force alone is a severely limited approach. Empirical evidence has shown that this is true even in the case of the NONCAS-subgroup of NSAG. The use of armed coercion so far has hardly ever proven to be an adequate means to sustainably stop non-state armed groups from obstructing host nation government's and coalition goals when the

conditions that gave rise to (armed) violence (negatively affecting coalition and host nation government's goals) remain unchanged.

If coercion is used in combination with other strategies, e.g. to force a NONCAS into a longer term, integrative process of negotiation and inducement, results may look different. Coercion may be a necessary element ("initial energy") to make actors look for alternatives to continued non-compliance (i.e. armed non-compliance).

5.6.12 Deterrence

Strategies of deterrence are closely related to strategies of coercion and negative sanctions. Using the term deterrence/deterrent to describe a strategy in fact mostly just expresses a difference in perspectives, which in turn manifests itself semantically: While coercion and negative sanctions describe mechanisms of influence, deterrence rather refers to the aspired/resulting effects of a strategy. Deterrence may be achieved through actual, show of or threatened force (physical, moral etc.) or through a system of disincentives, i.e. negative sanctions or punishment both in a material and immaterial way.

5.6.13 Socialisation

This strategy aims at the internalisation of aims, norms, rules etc. Through embedding actors in institutional (governmental, social, economic) arrangements and practices some actors may be changed in a step-by-step way to stick to certain rules and norms of behaviour. These actors may experience collective learning processes and may not only change their behaviour and strategies but maybe even their preferences, sets of goals and self-conception. Socialisation in the context of spoiler management is conceived as a mid- to long-term management strategy. According to Schneckener, application of this strategy only has some prospect of success as to limited, grievance and need or greed motivated spoilers (see Schneckener (2003): p. 12).

5.6.14 Reconciliation

In two ways, reconciliation may be explored as a strategy for improved compliance. The first way has been already partly explored as part of achieving a stable, sustainable peace in conflict and crisis regions. It refers to reconciling former adversaries of a civil war, in order to build a more stable and peaceful society in the long run. The second, not yet explored concept of reconciliation might refer to "reconciling" an external coalition and parts of the society which oppose or do not comply with the coalition's and host nation government's objectives.

Reconciliation is a rather new concept in the field of conflict resolution. There is no standard definition that all scholars and practitioners rely on. However, almost everyone acknowledges

that it includes at least four critical components - truth, justice, mercy, and peace. It refers to a large number of activities that help turn the temporary peace of an agreement which ends the fighting into a lasting end to the conflict itself. Through reconciliation and the related processes of restorative and/or transitional justice, parties to the dispute explore and overcome the mutual fear and anger and the pain brought on during the conflict, and, more importantly, to begin building bridges of trust between them. Conflict resolution professionals use a number of techniques to try to foster reconciliation. By far the most famous of them is South Africa's Truth and Reconciliation Commission (TRC) that held hearings into the human rights abuses during the apartheid era and held out the possibility of amnesty to people who showed genuine remorse for their actions.[19] There is at least one common denominator to all approaches to reconciliation. They all are designed to lead individual men and women to change the way they think about their (historical) adversaries. At the most basic level, reconciliation is all about individuals and is normally a long and laborious process. It cannot be forced on people. They have to decide on their own whether to forgive and reconcile with their one-time adversaries. By its very nature, reconciliation is a "bottom up" process and thus cannot be imposed by the state or any other institution. However, as the South African example shows, governments can in fact make significant contributions to promote reconciliation and provide opportunities for people to come to grips with the past. The TRC's success and the publicity surrounding it have led new regimes in such diverse countries as East Timor and Yugoslavia to form truth commissions of one sort or another. The idea of restorative justice, in general, is gaining more widespread support, especially following the creation of the International Criminal Court. It is probably even harder for outsiders to spark reconciliation than it is for governments. Most successful efforts at reconciliation have, in fact, been led by teams of "locals" from both sides of the divide. The one exception to this rule is the role that NGOs can play in peace building (see Hauss: 2003).

5.6.15 Strategic Communication[20]

Impact, effectiveness, credibility, as well as efficiency and sustainability of effort in crisis management require the continuous consideration of the information factor throughout analysis, planning, execution/management and assessment/evaluation of operations. We need to be aware that all behaviour is a kind of communication. Actions often convey far more meaning and have a greater impact on people's perception than words or imagery alone ever could. All actors are communicators, wittingly or not. Everything the coalition and its partners say, do, or fail to do and say, has intended and unintended consequences. Therefore, leaders must consider the many possible communication outcomes of their actions. The commander needs to remain cognisant at all times of the impact his/her actions

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[19] Since the TRC was created in 1995, as many as 20 other such commissions have been created in other countries, which experienced intense domestic strife.

[20] Strategic communication is defined as a function to integrate coalition internal and external communication processes at all levels in order to promote the cohesion and coherence of the coalition, and advance coalition interests and objectives.

on all audiences in an outside theatre, whether they are compliant, non-compliant, sceptical, neutral etc. This is to say that the focus of communication efforts must not be restricted to non-compliant actors in theatre. Rather, a comprehensive awareness of communication effects is required. Commanders are role models for the members of their organisation. At the same time, external actors perceive them as main representatives of the organisation. Therefore, Strategic Communication is a strategic management function to harmonise the internal and external roles of leadership, and positively impact the perception of internal and external audiences.

Opportunities, constraints, risks and challenges to prevent non-compliance and to mitigate non-compliance or improve compliance through effective strategic communication need to be thoroughly explored.

Some selected tasks in the context of preventing and mitigating non-compliance and improving compliance may include: actively communicate own issues to and with the local population and actively communicate successes and explicitly attribute them to coalition forces and host nation government; increase outreach (see e.g. also NUPI (2009): p. 40); involve local authorities as vehicles for messages where suitable and possible (see persuasion methods as mentioned further above); counter insurgent propaganda and narratives.

For further inspiration in this field, please see objectives 2.1. and 2.2 (Multinational Strategic Communication; Understanding the Information Environment) as tackled in the MNE 6 context.

5.7   Cross-cutting implementation issues

When tailoring and implementing "strategies" for improved compliance, against NC/NONCAS, some issues may need to be additionally taken into account (see next page).
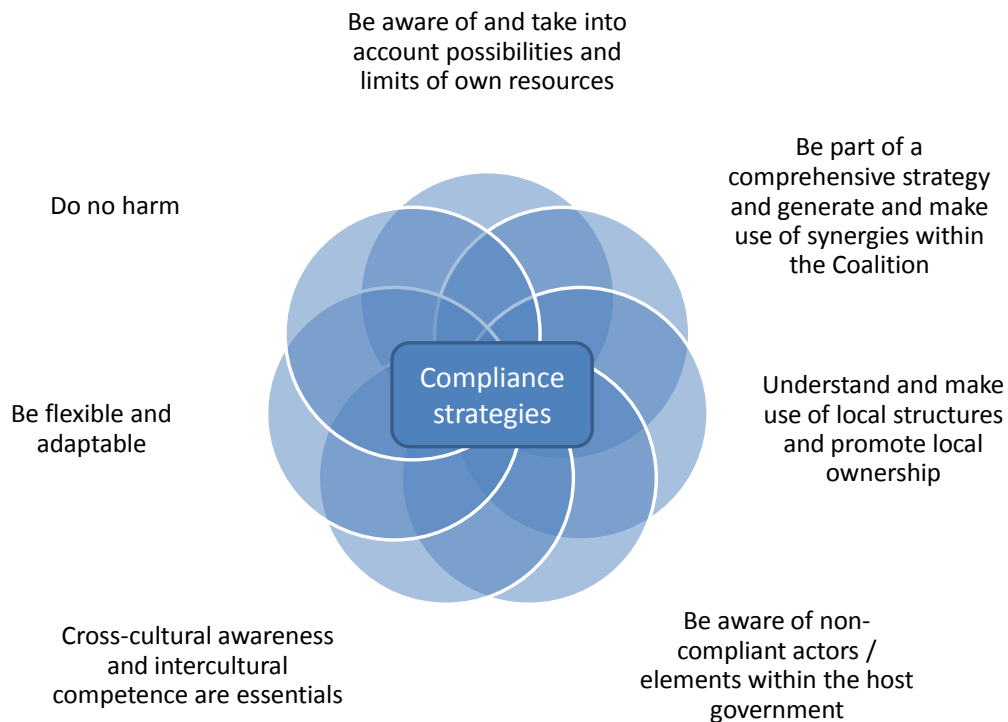
Picture: General implementation issues

Be aware of and take into account possibilities and limits of resources available

This issue has been shortly touched upon in chapter 5.3. Most obviously, the assigned role, mandate and legal framework determine the boundaries in which action can take place.

Moreover, time is an important framework condition and resource in S&R operations and in the field of NC/NONCAS. Time is of essence – long-term engagement is necessary (no quick fixes and quick-impact-projects-only strategies usually work). The limited timeframe of any external intervention and accompanying challenges have been mentioned before. Other resources at disposition, including manpower, competences and expertise, organisational capacities and processes, systems, weapon technologies, financial means etc. need to be evaluated carefully in the context of defining goals and developing strategies (see chapter 5.2) ; see also e.g. FriEnt/DIE Workshop Report (2006): p. 19). Moreover, if the actor is a coalition, the degree of consensus and homogeneity need to be taken into account as influencing own possibilities (see also Stedman (1997): p. 16). Limitations need to be taken into account as well as specific strengths. In the context of checking own possibilities and limitations we need to check which other actors may have responsibilities, capabilities and stakes in the overarching effort to improve compliance.

Political will may also be considered as a resource in our context. As Stedman has correctly warned in his article on "spoiler problems in peace processes", policymakers often have concerns other than a specific conflict at hand. A strategy that may be the best option from a perspective of solely managing the conflict may not be the best option for a policymaker considering a range of interests. This is certainly true when it comes to conflict resolution and post-conflict peace-building in countries considered to be rather "unimportant". The optimal strategy to sustainably achieve peace may be too costly or too risky for external actors. In this context, Stedman quotes an official saying: "One should not confuse what is needed to end these conflicts with what [our country] is prepared to do". (see Stedman (1997): p. 16).

Be part of a comprehensive strategy and generate and make use of synergies within the coalition to prevent and mitigate non-compliance and improve compliance

Given the subjectivity of non-compliant behaviour, the matter of non-compliance of local actors should be an issue of ongoing communication within the coalition, in order to overcome interpretational gaps. Communication should start to take place early in the mission process and should be as inclusive as possible. Goal of the communication would be a shared understanding and a similar assessment of the socio-cultural and political environment the mission operates in. The coalition should evaluate and agree on if an actor is „non-compliant enough" to deserve attention, if yes, how to deal with him, which instruments and methods should be used, and which actors within the coalition are best suited to apply these instruments. To promote cohesion and coherence, basic operating guidelines, summing up mission aims and the code of conduct in a leaflet, have proven to be a valuable add-on (example: Nepal).

Leverage may be immensely increased through cooperation and coordinated action with other coalition actors (see e.g. FriEnt/DIE Workshop Report (2006): p. 4). Different types of actors have different comparative advantages and may complement each other (FriEnt/DIE Workshop Report (2006): p. 24)

Understand and make use of local structures and conditions and promote local ownership

Firstly, functioning and supportive systems and structures within the host nation government need to be identified, made use of and built upon (see DCD-DAC (2007)). Cooperation with local actors should follow mainly two selection questions: Which is the (degree of) legitimacy of the actor within the population? Will the actor in question support nation-building in the mid and long run or not? (see Debiel et al (2005): p. 7). Relevant persons, groups or existing structures need to be identified and empowered. Secondly, it is important to find out about and address key persons (leaders or nodes) or so-called "individual change agents", as they may be entry points for wider change (see FriEnt/DIE Workshop Report (2006): p. 21; see also chapters 4.3.2.1 and 4.3.2.8). Non-coalition, local actors need to be integrated in the endeavour to promote compliance (the official authorities, local NGOs etc.). It is important for external actors or coalition forces to build trusted networks and thereby creating local allies, who share common interests with coalition forces and are prepared to act in support of

coalition objectives while actively or passively opposing insurgent or otherwise non-compliant forces or elements (Small Units Guide: p. 34; see also McCary (2009): p. 45ff). Generally, we need to understand local networks within the at-risk society. Such networks include kinship ties, educational networks, economic linkages, patronage and influence networks, political party alignments, traditional trading or smuggling networks, criminal networks, ethnic and cultural groupings, religious networks and official government and state structures, among others. Commanders should enter their areas with a basic mental model of these network structures, and a general plan to build upon them in order to achieve compliance and to prevent non-compliance (see e.g. Small Units Guide: p. 34). As a rule of thumb, it is recommended to rather apply local solutions to local problems wherever possible and suitable (see Kilcullen, Accidental guerrilla (2008): p. XVI).

Be aware of non-compliant actors and elements within the host nation government

We have already seen e.g. in chapters 4.3.1, 5.4.1 and 5.4.2 that the host nation government may be part of the problem, i.e. due to a lack of effectiveness and/or legitimacy. In chapter 2.3 we have excluded non-compliant elements within the host nation government from the non-compliance and the non-compliant actors considered in this Handbook. However, we would like to underline that elements within the host nation government may be not or only partly willing and capable to cooperate with the coalition forces in the spirit of coalition objectives. This means that (elements of) the host nation government may in fact be non-compliant with view to the coalition's objectives as well (due to different objectives or just different interpretations or due to a lack of capacity or sheer inactivity, or because some actors may be double-faced). Corrupt officials or double-hatted government agents (e.g. police chiefs which are at the same time closely cooperating with a local warlord or rebel chief) are just two examples of these kinds. Non-compliance from within the host nation government may lead to paradox situations, contradictions and complications that require additional efforts and consume much of the efforts of the overall stabilisation and reconstruction and COIN endeavour of coalition forces and non-military partners in an international coalition. It may be a major cause for the loss of credibility of coalition forces and may significantly undermine the success of the joint endeavour.

Cross-cultural awareness and intercultural competence are essentials

Cultural distances and misfits between the intervening and the host nation(s) may be a serious complicating factor and a major pitfall with view to successful strategy design and implementation in the field of preventing and countering NC/NONCAS. A lack of cross-cultural awareness, intercultural competence and specific knowledge of the host culture(s) may negatively affect understanding of and interaction with the NONCAS to be addressed, it may negatively affect interaction with compliant or neutral local populations, and it may negatively affect cooperation and coordination with local authorities and structures.

Preventing and mitigating non-compliance requires (cross-)cultural awareness, intercultural competence and specific cultural knowledge as crosscutting capabilities. We need to

understand local structures, norms and rules, customs and mindsets in order to locate potential sources for non-compliance and points of leverage for improving compliance. Understanding moreover often is the key to respect, while a lack of understanding often leads to frustration, mistrust or disdain, which in turn may have negative effects on sticking to a certain code of mission conduct, especially on an individual level.

Living up to these frequently identified lessons, however, seems to be still beyond reach. This may be due to a lack of training or mission preparation training in this respect, due to the coalition forces' relative segregation from local population, individual disinterest, and frequent rotation of troops and thus an institutionalised loss of knowledge, relations and trust.

Be flexible and adaptable

The system that we are trying to influence is dynamic, and NC/NONCAS are dynamic as well. We need to keep track of changes and developments and follow up changes induced by our strategies and take them into account in our further action. We need to build up and retain our ability to react fast and according to specific local circumstances (see also: FriEnt/DIE Workshop Report (2006): p. 4). This applies to potential deteriorations but also for possible windows of opportunity which may open up for a certain period of time and which we may need to use quickly.

Do no harm

We must generally avoid aggravating non-compliance or other issues and aspects harmful to the achievement of sustainable peace and development in the country in question. A thorough systemic analysis of the operational environment and NC/NONCAS will help to avoid unintended harmful side-effects of our compliance strategies. Dialogue and listening with local populations and stakeholders may contribute much to better understand the system that we are trying to influence.

6   Conclusions

From a practitioner's perspective, non-compliance is a daily and pervasive challenge in today's complex "battlefields" and missions. NC/NONCAS have negative effects on S&R efforts and prevent the coalition from achieving their objectives together with the host nation government.

Non-compliance can take on many forms and may include a broad spectrum of behaviour and activity and may involve a variety of groups/individual actors depending on the perspective of the respective beholder.

Coalition planners, decision-makers and operative personnel in general, and Operational Commanders need to get a better understanding about origins and mechanisms of non-compliance in the respective operations area. This understanding is the basis for preventing and/or countering non-compliance and improving compliance in a systematic and/or cross-cutting way. To achieve such understanding, the operational environment needs to be considered as a system and coalition actors and coalition forces as part/parts of this system. Being confronted with non-compliance, the strategy and activities of coalition forces need to be carefully scrutinised in a self-reflective and continuous manner: what is the potential role of coalition forces in causing, entrenching or exacerbating non-compliance in the respective areas of operation? Do, for instance, lack of cultural awareness, disproportionate use of force or a failure to meet promises vis-à-vis the local population play a role in non-compliance and the emergence/growth of non-compliance actors? Moreover, potential structural causes/environmental factors in the context of NC/NONCAS, including e.g. host nation government legitimacy and effectiveness, living conditions and the level of inclusion and participation of the local population in society, politics and as to economic benefits need to be scrutinized. Non-compliant actors themselves have to be carefully and continuously analysed with view to a number of relevant parameters, above all with respect to their motivation and objectives, as these are a major starting point for developing adequate compliance strategies. Other actor parameters that need to be taken into consideration to better understand non-compliance and to find out about potential strategies, methods and means to improve compliance and prevent and/or counter non-compliance include e.g. the NONCAS position within the system under consideration, their strategies, tactics and underlying patterns of behavior and activity, their organisational form and structures and their composition, their perceptions and self-conception etc.

A thorough and comprehensive analysis of the situation on the ground and the NC/NONCAS through asking the right questions will form the basis for developing strategies. We need to keep in mind, however, that the identification and universal use or application of clear-cut, definite and unequivocal categories of NONCAS vis-à-vis a complex reality is not possible. However, complexity must not be a showstopper. The effects of dynamics and uncertainty inherent to any complex system, such as an operational environment, and complex phenomena, such as non-compliance, may be mitigated to a certain extent by the continuity of analysis. They can also be mitigated by including coalition and local partners in the analysis of NC/NONCAS and planning activities from the very beginning.

Strategies to improve compliance and to prevent or mitigate non-compliance will in most

cases consist of several different elements that need to take into account the conundrum of structural/environmental factors, actor-related factors and coalition-related factors influencing the emergence, development and nature of NC/NONCAS. Such strategies will naturally involve more than one coalition actor and more than the coalition forces only.

Depending on the nature of non-compliance or the non-compliant actor the coalition confronts, there are several generic possibilities of managing NC/NONCAS.

There are explicit and implicit strategies, that is to say strategies which proactively tackle NC/NONCAS and require specific tailored action on the one hand and strategies which may be rather described as a systematic do-no-harm or structural approach on the other hand. Explicit strategies refer to strategies which are explicitly designed to tackle non-compliance/improve compliance or prevent the transition of other non-compliant actors into the irregular adversary spectrum. Imposing negative or positive sanctions, negotiations aiming at revising power-sharing agreements which are designed and implemented in order to influence on the cost-benefit calculation or to address specific political grievances of NONCAS are explicit strategies. Implicit strategies mostly refer to approaches and measures in the context of a systematic attempt to do no harm through the (military) action that is taken in order to achieve coalition goals in a specific area of operation. Systematically avoiding civilian casualties or systematically showing cultural respect in the framework of any action taken to achieve mission goals may be called implicit strategies. The latter have an overwhelmingly preventive dimension, yet also need to accompany any explicit strategy when trying to improve compliance/counter non-compliance and prevent the transition of other non-compliant actors into the irregular adversary spectrum.

There are direct and indirect strategies, that is to say strategies that directly address NONCAS on the one hand and strategies which rather address the structural causes that lead to NC/NONCAS on the other. A strategy to improve compliance may not need to address the non-compliant actor in a direct way. Instead, a strategy may rather address the structural causes that lead to NC. An Afghan individual for instance, who seeks justice through government courts, but achieves nothing due to government corruption and nepotism and disappointedly turns to the Taliban in order to seek justice and thus starts to get involved in supporting them will hardly be won back by coercing or trying to convince him to try his luck via the same way again (i.e. by directly addressing the non-compliant actor). An effective strategy in this case will rather have much to do with improving the rule of law, this is to say improve structural conditions (i.e. governance and the legitimacy and effectiveness of the host nation government).

There are inclusive and exclusive strategies. Inclusive strategies try to change behaviour and attitudes through bargaining, negotiation, persuasion or integration (and maybe thus also mitigate structural deficits such as lack of participation). Inclusive strategies can hardly ever be performed by external actors or coalition forces alone, as the relevant arenas of meaningful inclusion are always the monopoly of the host nation government. What external actors can do is to initiate or support inclusive processes, such as peace negotiations, institutional reforms, security sector reforms (e.g. integrated armies) etc. If the actor addressed is violent and armed and belongs to an extreme end of a spectrum, inclusive strategies may bear some risks for the external actor, e.g. physical threats or manipulation by

the non-compliant actor, or unintended legitimisation of the non-compliant actor. Exclusive strategies on the contrary aim to weaken or fight certain actors or force them to (stop to) behave/act in a certain way. Exclusive strategies may consist in marginalisation, split and fragment strategies, containment, coercion, deterrence, intimidation, use of force or show of force.

We contend that indirect and implicit strategies may already contribute very much to the prevention/mitigation of non-compliance and improvement of compliance. This applies especially to the provision of security and the protection of the local population. Providing security is a key military task. Performing this task effectively may be a major contribution to preventing and mitigating non-compliance.

One-size-fits all solutions for non-compliance do not exist. Neither can specific prescriptions how to tackle one specific non-compliant actor/group be developed post hoc for easy implementation without second thoughts. However, certain NC/NONCAS parameters as discussed in the analysis part of this Handbook may at least roughly indicate possibilities of influence for coalition forces/actors and potential strategy options, as depicted in the summarising table below.

NONCAS parameters and factors	Indications for strategy options	Possible strategy/strategy elements
Basic parameters	*Size of a group*	The size of a group may for instance determine whether marginalisation and exclusion may work or not. The bigger a group, the more difficult and less fruitful and sustainable the application of only exclusive strategies may be.
		RAND has found out in a recent study on "How terrorist groups end" that in the case of violent/armed groups (more specifically, terrorist groups) size matters and needs be taken into account when choosing strategies. Most importantly, empirical studies have revealed that small groups have hardly ever been defeated militarily, while transformational efforts have been of the greatest relative success. With bigger terrorist groups, military approaches have shown greater effects.

NONCAS parameters and factors	Indications for strategy options	Possible strategy/strategy elements
	Power and authority of key leaders	Depending on how powerful and authoritative key leaders are in their respective organisation and whether organisational forms and procedures allow for their ideas, orders and instructions to be straightly transported into and implemented throughout the group, they may offer pivotal leverage points for external actors/coalition forces. Depending on motivation, objectives and capabilities of the key leader in question, bargaining and negotiation, including the use of positive and negative sanctions may be promising strategies.
Position in the overall system	*Strong integration*	From an external coalition's perspective the NONCAS' integration within the system determines whether strategies of exclusion or inclusion are more promising. Alliances with many/strong other actors and the existence of a powerful support base will probably mean that strategies of exclusion and marginalisation are hardly feasible. It also means that more than one group may have to be considered in a strategy for improved compliance/counter-NC.
	Legitimacy	Indirect strategies, i.e. strengthening legitimacy and effectiveness of the host nation government may be of great use if NONCAS enjoy a high degree of legitimacy versus widespread negative perceptions of the host nation government.
Resources and capabilities (in the PMESII spectrum and beyond)	*NONCAS' clout and obstructive effects build on sources of power in the political domain (such as political experience, influence, a political programme etc.)*	E.g. bargaining and negotiation, persuasion and inclusive strategies may bear fruit. NONCAS with resources and capabilities in the political domain usually have experienced some socialisation in a system and at least some capacity for negotiation.
	Main sources of power lie within in the economic domain	E.g. economic sanctions may be considered.

NONCAS parameters and factors	Indications for strategy options	Possible strategy/strategy elements
	Sources of power consist in social engagement and pervasiveness of the NONCAS (e.g. through the provision of basic and social services and the like)	Strategies may consist in cutting off (also physically) the NONCAS from their social power bases while at the same time providing the services needed and supporting the host nation government to properly fulfil the required functions in order to increase its legitimacy and acceptance with the respective local population to the detriment of NONCAS legitimacy.
Forms and patterns of non-compliant activities and behaviour (main distinguishing line consists in whether NC is armed/violent or unarmed/non-violent)	*Armed violence as the means of choice*	A minimum of security needs to be established and maintained. The protection of civilians and the targets in question forms a main part of the strategy in this case. Protection in this context is also a strategy to prevent other (non-compliant) actors to support the violent/armed NONCAS or join them out of fear. Improvement of governance capacity of the host nation government plays an important role in that: functioning and legitimate security forces are required to effectively protect local population from violent/armed perpetrators and thus prevent the emergence of self-help constellations or (forced) support for or adherence to the violent/armed NONCAS. Depending on the purpose and underlying motivation of the use of violence, different strategies may be started in parallel to the protection strategy. Strategies may include initial coercion combined with incentives, e.g. to make violent non-compliant actors look for alternatives to continuing non-compliance and/or "force" violent/armed NONCAS to the negotiation table, if their motivation is political grievances or need.
Objectives, interests and commitment	*Negotiable objectives*	Bargaining and negotiation, persuasion and the use of incentives may form (at least parts of) suitable strategies to improve compliance.
	Limited or greedy commitment	If the commitment is limited or greedy, we need to find out what and how much the NONCAS are willing to invest/risk in order to achieve their objective(s) and use incentives or sanctions, accompanied by other inclusive or coercive strategy elements to improve compliance.

NONCAS parameters and factors	Indications for strategy options	Possible strategy/strategy elements
Motivation (which is probably the major category to look at if we want to understand NC/NONCAS)	*Motivation is (political) needs and grievances*	Inclusive strategies should usually be part of the search for solutions in this case. Bargaining and negotiation, incentives and disincentives may be promising. Moreover, if the motivation has structural causes, such as lack of legitimacy or effectiveness of the host nation government, indirect strategies to improve structural strategies must be adopted in parallel. A possible contribution of the military could consist in securing the establishment and maintenance of negotiation platforms in a broad sense and mitigating the security dilemma some (armed) non-compliant actors will feel if looking for peaceful solutions.
	Motivation is economic (to gain means for living; greed)	Economic incentives and addressing structural deficits in terms of human development, access to basic goods and services and employment opportunities may be of use. Bargaining and negotiation while employing negative sanctions or economic incentives should be considered. In fact, compliance strategies will have to tackle probably both: structural deficits (like poverty or corruption, respectively through poverty reduction measures and institutional reform and the like) and offer short term economic/profit opportunities for the NONCAS.
	Motivation is "creed"	Containment, marginalisation, isolation may be suitable (first) strategic steps to control these actors and their spread.
	Motivation is fear	Sustained protection and commitment may be part of the solution in this case.
	Motivation is frustration of expectations	A preventive strategy in this case should consist in proactive cross-cutting/mainstreamed expectation management (which may be part of strategic communication). Quick impact projects may help in this case, yet only if improvements will realistically be sustained.

NONCAS parameters and factors	Indications for strategy options	Possible strategy/strategy elements
Perceptions and self-conception	*Tradition* *Ideology*	If the non-compliant actor/NONCAS is compromised/challenged if he is seen to cooperate or to engage with the coalition, negotiation, persuasion or other directly inclusive strategies may hardly work. Incentives, indirect/implicit or coercive/deterrent measures may have to be applied.
Organisational parameters	*Formalised and hierarchical organisation*	Find out about formal leaders, their standing, processes and rules/procedures and make use of them. The degree of "compliance" within a formalised and hierarchical group is assumed to be rather high. If leaders/important fora can be influenced by persuasion/bargaining/incentives etc., the prospects for implementation of according agreements are generally good.
	Networked strucuture	Nodes within a network must be found out and addressed and influenced via the same means as mentioned above. Moreover, if the organisation is prone to splits, a policy of fragmentation may be pursued, addressing several nodes/leaders in parallel (persuasion, bargaining, and incentives).
	Tight (social) control of leadership over members	If (social) control of leadership over members is tight, the key leaders/elites are the ones to be addressed by compliance strategies (see "*formalised and hierarchical organisation*")
Dynamics	*Changes in the above other parameters*	Continuous analysis, adaptivity and flexibility of strategies are a must. Lessons may be learnt from reactions of the actor addressed for future design and implementation of compliance strategies/strategies to prevent/counter NC/NONCAS.

Abbreviations

AFG	Afghanistan
AU	African Union
COIN	Counter-Insurgency
DDR	Disarmament, Demobilisation and Reintegration
DIE	Deutsches Institut für Entwicklungspolitik
EU	European Union
FriEnt	Gruppe Friedensentwicklung
GDP	Gross Domestic Product
GoA	Government of Afghanistan
GTZ	Gesellschaft für Technische Zusammenarbeit
HQ	Head Quarter
IDP	Internal Displaced Person
ISAF	International Security Assistance Force
ISN	International Relations and Security Network
MNE	Multinational Experiment
NATO	North Atlantic Treaty Organization
NC	Non-compliance
NGO	Non-Governmental Organisation
NONCAS	Non-Compliant actors
NSAG	Non-State Armed Groups
NUPI	Norwegian Institute of International Affairs
OE	Operational Environment
OECD	Organisation for Economic Cooperation and Development
OEF	Operation Enduring Freedom
PCA	Peace and Conflict Assessment
PMC	Private Security or Military Companies
PRT	Provincial Reconstruction Team
RAND	RAND Corporation
RUF	Revolutionary United Front
S&R	Stabilisation and Reconstruction
TRC	Truth and Reconciliation Commission
UN	United Nation
VNSA	Violent Non-State Actors
WB-CAF	Worldbank Conflict Assessment Framework

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