

EPLO Review of the Gothenburg Programme

By Catherine Woollard
Executive Director, European Peacebuilding Liaison Office (EPLO)

This discussion paper was prepared at the request of the Hungarian EU Presidency as part of the review of the Gothenburg Programme 2010-2011. It was presented at an academic retreat in Budapest 27-28 January 2011. In the paper, EPLO reviews the implementation of the European Union's Programme for the Prevention of Violent Conflict (2001) (generally known as the "Gothenburg Programme").

Introduction

The review of the Gothenburg Programme covers the following key questions:

1. Is the EU preventing conflict? Has the EU prevented conflict since 2001?
 2. Has the Gothenburg Programme helped the EU to prevent conflict?
 3. Does the EU need a new conflict prevention document, a "new Gothenburg Programme"?
 4. Are there lessons from the implementation of the Gothenburg Programme?
 5. Section by section review of the Gothenburg Programme
 6. Are there lessons from the field of conflict prevention more broadly?
- Annex: Conflict Prevention and the European External Action Service (EEAS)

Discussion questions:

- Throughout the paper you will find questions for discussion in shaded boxes

1. Is the EU preventing conflict? Has the EU prevented conflict since 2001?

EPLO's conclusion is that the EU is preventing conflict but that it could do more, it could do better and it could also both better evaluate and better present what it is doing. EPLO believes that the following steps need to be taken in order for the EU to better prevent conflict:

- 1) Shift strategy from response to prevention
- 2) Increase investment in prevention (financial and especially human resources)
- 3) Improve policy, tools and evaluation mechanisms specifically dedicated to prevention
- 4) Increase the high-level political engagement of the EU in conflicts (as enabled by the Lisbon Treaty)
- 5) Take into account new developments in the field of conflict prevention (which in turn requires the resources to monitor and promote learning on preventive action)
- 6) Institutionalise conflict sensitivity¹: a) apply the Do No Harm principle by better understanding the extent to which the EU's own actions generate conflict; b) look at the potential to prevent conflict inherent in all EU policies
- 7) Use the EU's economic leverage to prevent conflict

¹ EPLO defines conflict sensitivity as follows:

Conflict sensitivity means the ability of your organisation to:

- understand the context in which you operate;
- understand the interaction between your intervention and the context; and
- act upon the understanding of this interaction, in order to avoid negative impacts and maximise positive impacts.

- 8) Make the political case for prevention, including the costs/risks of not preventing conflict, in order to convince senior decision-makers of its value
- 9) Implement EU commitments on gender, peace and security, which cover conflict prevention
- 10) Ensure accountability for inaction through identification of responsibilities for conflict prevention and strengthened reporting on commitments
- 11) Promote an integrated EU approach to conflicts
- 12) Reinforce cooperation with international, regional and non-governmental organisations.

On a political level, if the EU wants to make its mark in global affairs it would be judicious for it focus on conflict prevention where it has the potential to be effective and has comparative advantages.

2. Has the Gothenburg Programme helped the EU to prevent conflict?²

The Gothenburg Programme is a useful document because it contains specific and detailed commitments and it is based on analysis of how the EU could do more to prevent conflict; it is ambitious but not unrealistic. The annual reports on the implementation of the Programme have helped to keep conflict prevention on the political agenda (although assessment shows that few of the reports' recommendations have been fully implemented) but they did not constitute a thorough evaluation of the implementation of the programme, perhaps suffering because of the lack of benchmarks and timelines in the Programme.

From policy to action: the challenge

The Programme has become part of the EU's policy framework, sitting alongside other policies on conflict prevention and peacebuilding.³ Overall, the EU's policy framework on conflict prevention is good, in that it contains strong commitments to prevent conflict, based on norms. The problem is that that policy framework is not the main determinant of action. The actions of EU institutions and individual policy-makers are constrained by a highly complex legal framework and by complicated, sometimes contradictory and sometimes unstated political considerations.⁴

As with other important policies, none of the relevant actors (institutions and individuals) is or has been *compelled* to act according to the Gothenburg Programme commitments. There are no systems to hold them accountable for the lack of implementation of the commitments. The document also suffers because it does not identify the specific actors responsible for the implementation of the commitments. There are some omissions, notably reference to the importance of governance and of gender equality; this could be rectified in a new conflict prevention document.

Lack of investment in conflict prevention

The key reason for a lack of progress in implementing Gothenburg Programme commitments is the lack of staff working specifically on conflict prevention within the EU Institutions. As of December 2010, there were 1.25 people working on conflict prevention across the Institutions (in contrast to

² EPLO uses a conflict transformation perspective according to which:

- Conflict is inevitable and may even be positive. Conflict prevention aims to prevent *violent* conflict
- In this paper – as in the Gothenburg Programme – conflict prevention is taken to mean long-term efforts to tackle the causes of conflict and thus prevent violence developing (or re-emerging) and short-term measures to prevent violence when there is a high risk that it breaks out or escalates
- Peacebuilding covers prevention of violent conflict, measures to tackle the root causes of conflict, actions following the end of violent conflict to prevent its re-emergence or during violence to prevent its escalation.

³ European Consensus on Development (2005), EC communication on security and development (2007), EC communication on situations of fragility (2007)

⁴ A range of political considerations lead to or prevent action, varying from case to case. Analysis of these political considerations is beyond the scope of this paper but the broader review of the Gothenburg Programme should certainly take into account the specific political obstacles to preventive action and look at strategies for addressing them (rather than referring to the nebulous and unhelpful concept of political will, for example).

+200 working on crisis management). The situation is in transition following the establishment of the EEAS and within it the Directorate for Conflict Prevention and Security Policy (see Annex). Of course, there are many EU officials and EU policy-makers who are or could be playing a role in conflict prevention, including those working on development policy, crisis management, investment policy, trade, energy, climate change, and environment etc. In order for this to happen, there need to be sufficient numbers of dedicated conflict experts with appropriate status and responsibilities. EPLO recommends:

- Adequate staffing of the Directorate for Conflict Prevention and Security Policy
- Creation of conflict advisor positions – a role now established in many EU member states
- Leadership for conflict prevention – the existence of the Gothenburg Programme itself demonstrates that a political leader, in this case Anna Lindh, with moral convictions and political savvy can make a difference if they decide to act.

Discussion questions:

- What obstacles inhibit EU action to prevent conflict?
- What resources (human, financial, institutional) does the EU need to effectively prevent conflict?

3. Does the EU need a new document on conflict prevention, a “new Gothenburg Programme”?

In EPLO’s view, yes, a new policy document on conflict prevention is necessary, however it should:

- tackle the peculiar aspect of EU policy-making described above: policy has limited impact on action
- be accompanied by the legal mechanisms to ensure action
- be linked to resources for implementation
- be supported by strategies to remove the political obstacles to action
- specify which actions are to be taken and by whom
- not duplicate existing policy documents (such as the European Security Strategy).

In addition, the EU’s mid-level strategies (e.g. regional policies such as Enlargement Policy, European Neighbourhood Policy or the Joint Africa-EU Strategy and Country Strategy Papers) and its legal standards (such as regulations governing the Instruments) need to reinforce the commitments to conflict prevention that appear in policy documents.

The creation of the European External Action Service (EEAS) is an opportunity for the EU to address shortcomings in its response to conflict; it also means that the Gothenburg Programme has at the very least to be updated in order to be relevant to the new institutional set-up.

4. Are there lessons from the implementation of the Gothenburg Programme?

The extensive evaluation of European Commission support for conflict prevention and peacebuilding which is currently underway will provide invaluable information on the EU’s response to conflict when it reports in June 2011.⁵ It is essential that the findings of this evaluation be used to inform the development of policy on conflict prevention. Here, EPLO provides its overview of the implementation of the Gothenburg Programme.

⁵ http://ec.europa.eu/europeaid/how/evaluation/evaluation_reports/reports/2009/1266_pst_vol1_en.pdf

5. Section by section review of Gothenburg Programme

The Gothenburg Programme has four sections as set out below. For each section, a summary of the most important points and progress made is presented. In some cases, additional analysis is included.

- SECTION 1: Political priorities for preventive actions
- SECTION 2: Early warning, action and policy coherence
- SECTION 3: EU instruments for long- and short-term prevention
- SECTION 4: Co-operation and partnerships

GP SECTION 1: Political priorities for preventive actions

The Gothenburg Programme commitments:

- Review of potential conflict areas
- Pursue coherent and comprehensive preventive strategies
- Joint monitoring of implementation of comprehensive preventive strategies
- For the European Commission: mainstream conflict prevention in Country Strategy Papers

What was done:

- Since 2001, there has been an increasing commitment to crisis management and conflict prevention across the institutions as demonstrated by analysis of Council actions and demarches, the subjects covered in political dialogue and the funding allocated explicitly to conflict prevention (notably the creation of the Instrument for Stability)
- Annual reports on the implementation of the Gothenburg Programme have been prepared by the General Secretariat of the Council
- The EU Situation Centre (SitCen) produces analysis for the EU Member State representatives on countries at risk of conflict
- Although the policy framework on conflict prevention was/is quite good, there was no comprehensive framework or guidelines for EU *action* on prevention. At times, guidelines and plans for action were not integrating or even competing (e.g. possible conflict between short-term crisis management and investment in longer-term preventive action)
- Specific 'coherent and comprehensive' preventive strategies have not been developed
- Crisis management has been prioritised over conflict prevention
- Conflict prevention has not been mainstreamed into Country Strategy Papers. Many CSPs do not consider conflict; the use of the root causes of conflict checklist is not compulsory and it seems that they were rarely used. (The process for preparing country strategies will be decided by the EEAS)
- iQSG Fiche might have been a helpful tool but the evidence is not yet available to demonstrate this
- There have been high profile cases of crises where the EU (and other states and organisations) failed to act: Sudan, Chad, DRC, Georgia (decided not to support Russia-Georgia Dialogue in 2005-2006)
- The fragmentation of EU policy has been a key problem since 2001 with different Institutions

pursuing different objectives and acting separately to meet them.

Policy → action

The purpose of section one was to encourage EU Member States to review countries at risk of conflict and to decide on priorities for action. Member States do decide *de facto* on priorities for action in that in some cases actions occur and in others they do not; political priorities are demonstrated in funding allocated to different third countries (funds available and staff resources) and attention paid to countries (e.g. the times they appear on the Council agenda, the number of demarches etc). The decision to act and how to do so is made according to complicated political and financial considerations, the former being a combination of perceived national interest and humanitarian concerns. The balance varies from country to country, depending on many factors, including the government in power.

Country Strategy Papers⁶

Many country strategy papers do not refer to conflict, for example those for Uganda or Lebanon. This hampers EU support for conflict prevention work in those countries, particularly at Delegation level where the Country Strategy Paper is supposed to guide action.

The process of preparing Country Strategy Papers has previously included a review of all EU policies in the country in question. However, policies are not reviewed in terms of their potential to generate or to prevent conflict. Any new document should include measures to ensure that this happens, for instance, by indicating who is responsible for doing this and at what stage in the preparation of a Country (or regional) Strategy Paper this should be done, as well as building in the legal mechanisms to ensure that this takes place (through adaptation of the regulations governing relevant funding instruments, for example).

Crisis response versus conflict prevention: imbalance

For the Council, the focus has been on crisis response, which has meant that most visible EU actions have been crisis management missions under Common Security and Defence Policy (CSDP). There is a certain irony here because the EU is potentially far more adept at longer term conflict prevention than shorter term response to crises because of the complexity of its decision-making procedures⁷ and its limited resources. In particular, the EU has struggled to put in place resources it can deploy quickly within either civilian or military missions. EPLO has long argued that “crisis response needs to be embedded as *one* aspect of an integrated approach towards peacebuilding rather than being a distinct operation.”⁸

Discussion questions:

- How should the EU decide on priorities for preventive action?
- How should the EU ensure that a country or regional strategy includes conflict prevention?

GP SECTION 2: Early warning, action and policy coherence

⁶ A Country Strategy Paper is a tool: the EU needs to have a common strategy towards countries and regions. The EEAS will be responsible for developing strategies but the process by which it does so and the specific EU actors involved has yet to be decided.

⁷ Generally decisions under CFSP require all member states to agree to go ahead with a mission although there is a provision in the Lisbon Treaty whereby groups of member states can act separately it would be politically difficult for this to happen in practice

⁸ See Five Years After Göteborg: The EU and its conflict prevention potential (EPLO: 2006)

What the Gothenburg Programme says:

- Ensure coherence inside the EU on early warning, analysis, planning, decision-making, implementation and evaluation
- Use information from field-based UN, OSCE, and NGO personnel
- Exchange of information between Commission and Council
- Exchange of information between Commission and EU Member States

What has been done since 2001:

- Monitoring of countries at risk of conflict is carried out through the European Commission check-list and Council country watch-list; analysis of countries, regions and issues has been provided by SitCen and the Commission's Crisis Room
- New "joint needs assessment" tools have been developed
- A joint policy framework for SSR and a joint concept on DDR have been developed
- The Instrument for Stability has been created
- Early warning analysis has been provided by SitCen and the Commission's Crisis Room
- Above all, the creation of the European External Action Service (see Annex).

Policy coherence: integration not coordination

"Policy coherence" is an EU term used to mean consistency across policy areas or across EU bodies. A frequent criticism levelled at the EU and recognised as valid by many within the Institutions is that the EU lacks coherence, meaning that policies are not consistent and that they may contradict and undermine each other. Clearly, this is not a challenge that is unique to the EU: for many countries, development policy is undermined by trade policy, for example; the UN has recognised and attempted to deal with the problem of the proliferation of UN agencies active in a particular context by developing mechanisms – such as assigning a lead agency – to promote integrated action.

For the EU, the problem is compounded by (1) the division of policies between different institutions and primarily the separation of Commission and Council, pillar one and pillar two activities (the problem has been particularly marked in the case of conflict prevention) (2) the fragmentation within policy areas with responsibilities given to different bodies, e.g. the separation of development policy programming and implementation, with responsibilities divided between DG Development and DG AIDCO.

Does the EEAS help to overcome the coherence problem? "Yes and No"

The establishment of the EEAS was supposed to help the EU to overcome some of its coherence problems. EPLO has argued for the integration into the EEAS of as many EU bodies, policy areas and responsibilities as possible. The final result is not ideal:

- Key policies remain outside the EEAS even though they are at least in part, "external actions", including trade, energy and climate change
- Other policies are partly in the Service and partly outside it, notably development and enlargement
- The fate of the Instrument for Stability is as yet uncertain, with the Commission attempting to keep key staff members outside the EEAS.

The Gothenburg Programme is not very ambitious on this point, referring to exchange of information rather than integrated action. It has been demonstrated that exchange of information alone is not

enough to overcome the “coherence” problem. EPLO recommends that a new conflict prevention document takes a stronger stance than the Gothenburg Programme; it should contain commitments to integration not coordination – common EU strategy towards third countries whereby all relevant EU bodies decide on and pursue common objectives and act jointly (albeit with division of tasks as relevant), rather than setting separate objectives, acting separately and sharing information (a coordination model).

The extent to which other EU policies have provoked conflict is not well-documented but there is certainly potential for them to do so. This can include obvious cases, such as trade or investment, as well as less obvious cases such as fisheries, and cases where there is reluctance to accept links to conflict, such as internal affairs, including response to terrorism and asylum and migration policies.

Conflict prevention and development: not yet integrated

At the time of preparation of the Gothenburg Programme, the need for conflict-sensitive development was well-known and this was recognised by the Programme. Ten years later, the same arguments are being made and progress has been limited. Development policy and conflict prevention have remained separate for a number of reasons, including the “ECOWAS court case” (see below), fears about the instrumentalisation and “politicisation” of development policy, reluctance to accept the political nature of development policy, etc

A new document should take as its starting point the OECD-DAC guidelines which specify that conflict prevention and peacebuilding are eligible uses of development assistance. The political nature of development needs to be reflected in the new document, along with the basic fact that if it is not conflict-sensitive, development policy may generate conflict and that development funding does not automatically contribute to the prevention of conflict.

The quality of EU analysis and other sources of analysis

From outside the Institutions it is hard to judge either the quality of the early warning analysis developed by the EU or the extent to which it has influenced policy – much of the analysis provided is classified and is then discussed in closed fora. An evaluation of SitCen in which EU Member States were consulted, indicated that the latter are pleased with the information which it provides. In turn, SitCen relies on EU Member States to provide information (as well as using open source intelligence) and it may be the case that they do not provide all the relevant information that they have. SitCen does have approximately 120 staff members, which gives rise to questions about its price-performance ratio. On the European Commission side, the Crisis Room analysis has not systematically, if at all, informed the country strategies. Despite the resources, it has been used more like a hub and an information exchange/coordination cell rather than a body dedicated to provide regular, systematic and appropriate conflict analysis for the other EC services. In addition to that and as mentioned above, the EC check list for the root causes of conflict which was established in order to systematise political reports from the Delegation and eventually inform the drafting of Regional and Country Strategy papers has been abandoned after 3 years of pilot testing. The EU should take advantage of the Gothenburg review and the establishment of the EEAS to seriously review how these EW capacities work in order to maximize their contribution to CP, which, at the moment, appears to be limited.

The Gothenburg Programme recognises the need to use the information of the UN, OSCE and “field-based” NGO personnel. This section should be reiterated in a new conflict prevention document. It recognises that for most conflict situations, there is plentiful analysis available. The challenge is collecting, presenting and collating existing information and then using it to inform the design and delivery of programmes. The Conflict Prevention and Security Policy Directorate needs to have the resources to play this role and constructive co-operation needs to be established with international, regional, and non-governmental organisations.

Discussion questions:

- How can a new conflict prevention document help to ensure that preventive action takes place? What details need to be specified in the document (e.g. responsibilities)? What accompanying measures are needed (e.g. legal measures, financial or human resources)?
- What decisions are required for the EEAS to enable the EU to take an integrated approach to conflicts? See Annex 1: Conflict Prevention and the EEAS
- How can the EU ensure that it has the conflict analysis it needs to make policy?
- How can it then ensure the systematic use of conflict analysis in the design and development and then evaluation of country strategies?

GP SECTION 3: EU instruments for long- and short-term prevention

What the Gothenburg Programme says:

- Conflict prevention should be “mainstreamed” throughout EU policies
- EU development policy should be conflict-sensitive
- Political dialogue should be used as a tool for conflict prevention
- Develop tools for electoral assistance & SSR
- Develop instruments for human rights, democracy, DDR, fact-finding missions, demining
- Support to the fight against SALW
- Work on natural resources & conflicts
- More effective diplomatic instruments (EUSR)
- More effective crisis management capabilities

What was done:

- The Instrument for Stability was established (2007), providing significant funding for conflict prevention
- The European Commission has developed other instruments which support long-term and short-term conflict prevention, covering *inter alia* police reform, natural resources and conflict, election support and monitoring, human rights, democracy, governance, DDR, SSR, fact-finding missions, and demining
- Extensive policies have been developed in particular areas, including SSR
- The Council has developed tools for civilian and military crisis management, diplomatic dialogue and preventive diplomacy
- More effective diplomatic efforts have taken place
- The EU has been active on the issue of conflict resources, through supporting the Kimberley Process, Forest Law Enforcement Governance and Trade (FLEGT) plans, the EU Water Initiative (EUWI) and the Extractive Industries Transparency Initiative (EITI)
- Tools are available for mainstreaming conflict prevention but they are not always used
- Political dialogues rarely cover conflict prevention (or other sensitive topics)
- Other new instruments were created which could better support conflict prevention, including the Instrument for Pre-accession Assistance, the European Neighbourhood Policy Instrument and the Development Cooperation Instrument

- The so-called “ECOWAS court case” (ECJ Case C-91/05) of 2005 led to the separation of conflict prevention and development, including the deletion of conflict prevention from the financial instruments for external actions.⁹ The case was resolved in a way that allows for reintegration of conflict prevention into all relevant instruments
- The formula “peaceful reconciliation of group interests” was included in some of the Instruments in order that it would still be legally possible for them to support some conflict prevention activities. Unfortunately, in practice, limited support has been provided.
- The EU has recognised the lack of resources available for crisis management (despite various initiatives, it has not yet managed to address the problem)
- There is a scarcity of evidence on the implementation and impact of EU policy in conflict-affected countries
- The EU has found it difficult to resource civilian crisis management missions with civilian personnel, especially in leadership positions.

The Instrument for Stability: a victim of its own success?

The Instrument for Stability (IfS) supports crisis response and peacebuilding work. In doing so, it also covers conflict prevention. The total funding available under the IfS for the budget period 2007 to 2013 is EUR 2.062 billion. While this is not insignificant, it is small when compared to development funding. Article 3 of the IfS covers crisis response, funding projects that last up to 18 months and that require rapid action; it has funded many important projects, including support to peace talks in Uganda, police reform in Lebanon, support to CSDP missions, demobilisation and transitional justice in Colombia, etc.

One of the great benefits of the IfS is that a contract can be prepared and signed in less than a month, compared to the 18 to 24 months that it still takes for funding to be released under other instruments. This has led to the criticism that it is drawn on too often and not used strategically, i.e. it is seen as an “easy” source of funds by EU Member States, international organisations, civil society, EU bodies and others.

Within Article 4, funding is unevenly distributed, with the bulk of funds supporting Articles 4.1 and 4.2 (tackling long-term threats) compare to Article 4.3 (capacity building for crisis response), with no indication that the work funded under Articles 4.1 and 4.2 is any more effective than that supported by Article 4.3. Article 3 supports a range of activities, many apparently contributing to prevention of conflict.

European Security Strategy: improved in 2008

Although it is not an instrument as such, the European Security Strategy (ESS) is mentioned here because it is supposed to guide the use of relevant EU instruments and in particular the IfS. The ESS was adopted in 2003 and then both reviewed and updated – and from a conflict prevention perspective improved – in December 2008. Key changes in 2008 include:

⁹ Case C-91/05: In February 2005, the European Commission (EC) brought the so-called “ECOWAS Case” before the European Court of Justice (ECJ). This legal challenge was significant because it served to prolong and reinforce the separation between development and security, and contributed to reluctance on behalf of the EU institutions to finance peacebuilding and conflict prevention activities. During the three years which elapsed before the ECJ made its ruling on the ECOWAS Case, the legality of using EC development assistance to finance work on small arms and light weapons (SALW) remained in doubt. The fact that the case was still ongoing at the time of the revision of the EU’s external financing instruments (2004-2006) resulted in the omission of references to these and other peacebuilding and conflict prevention activities in the new instruments and, as a consequence, a narrowing in the scope of EU development assistance. In its ruling in May 2008, the ECJ upheld the EC’s complaint, thereby removing the legal argument for not including activities in support of peacebuilding and conflict prevention in the EC’s development assistance programmes.

- recognition of the concept of human security (which nonetheless sits rather incongruously in a document largely based on a security concept that focuses on the security of states or groups of states).
- recognition of the role of civil society in preventing and reacting to conflict
- importance of climate change as a cause of conflict
- statement of the need to tackle the root causes of conflict
- acceptance of the importance of implementing commitments on gender peace and security.

CSDP Missions: what impact have they had?

One of the tools that the EU has developed since 2001 is civilian and military crisis management missions, under the framework of CSDP – the EU’s Common Security and Defence Policy (formally ESDP). Twenty-eight missions have been deployed, including civilian crisis management missions, military crisis management missions and joint civilian-military crisis management missions. In some ways, the EU was very foresighted in developing the concept of civilian crisis management and more recently the concept of integrated civilian-military crisis management: developments in NATO and in national security policies demonstrate an increased recognition of the activities covered by EU civilian crisis management. A full review of CSDP is beyond the scope of this paper; here we consider the extent to which CSDP missions should be considered a conflict prevention tool:

- CSDP missions are widely considered a success because they show that the EU can take united and relatively quick action in response to crises
- In most cases, the actual impact of specific CSDP missions is not known – evaluation is based on the extent to which they meet the terms of their mandate; it would be very helpful if the missions were assessed in terms of their broader impact on the conflict dynamics in the countries/regions where they are deployed
- Assessing the impact of missions should also include cost-benefit analysis: in some cases, missions are very expensive compared to other available tools
- In some cases, a mission might not be the most appropriate tool for the EU to use (and the EU might not be the right actor to intervene), for example, in cases where security restrictions limit the movement of mission personnel or where the challenges go beyond the scope of a mission and are better tackled by other actors, either local or international
- Most CSDP missions are not explicitly conflict prevention missions. However, they are intended at least in part to prevent the (re)emergence of violent conflict. For example, monitoring missions which look at the implementation of peace agreements (Georgia, Aceh) and SSR and Rule of Law missions which contribute to post-conflict institution-building (Guinea Bissau, DRC, Kosovo)
- The EU continues to struggle to find adequate financial and human resources for missions, and in particular for civilian crisis management missions, including the identification, training, deployment and retention of the right personnel
- The concept of conflict prevention missions under CSDP has not yet been developed, although it is legally possible according to the Lisbon Treaty.

EU Special Representatives: a role in conflict prevention?

The future of the EUSRs is uncertain – the challenge is for them to be integrated into EU structures. Their number has been reduced from 11 to 9 (soon to become 6). The record of the EUSRs is also mixed, with some highly-respected and others less so. If they can play a role in prevention of conflict that cannot be played effectively by other EU officials and politicians, then there is argument for retaining them. This role could include good offices and quiet diplomacy roles and supporting a regional approach to conflict (in the many cases where conflict has a regional dimension), including through the use of shuttle diplomacy.

Discussion questions:

- Which are the key instruments for conflict prevention at the EU's disposal? How can they be strengthened?
- Does the EU need additional instruments?

SECTION 4: Co-operation and partnerships

What the Gothenburg Programme says:

- Develop co-operation with: UN, OSCE, Council of Europe, NATO, NGOs, other international and regional organisations.

What was done:

- Desk to desk co-operation with UN and OSCE
- Increased co-operation with the African Union and the development of the African Peace Facility
- Mechanisms for co-operation with NGOs on conflict prevention:
- Conflict Prevention Partnership
- Peacebuilding Partnership
- Role of Civil Society process – briefings to CIVCOM.

UN-EU co-operation¹⁰

EC funding to the UN has mostly gone to the following countries: Afghanistan, DRC, Iraq, Sudan, West Bank and Gaza. In total, 63% of EC funding for conflict prevention and peacebuilding has been provided to international organisations, the vast majority of that to UN agencies, including around 40% of IfS funding.¹¹ In a special report prepared in January 2010, the European Court of Auditors reviewed European Commission decisions to channel funds through the UN and mechanisms in place to monitor the use of the money. Its report was highly critical on both counts and includes a set of recommendations.¹²

The EU could do more to use the leverage it has as a major donor to promote reform of the UN and to support the implementation of the Secretary-General's report on reform of the PeaceBuilding Commission. There needs to be a willingness on the part of the EU officials to co-operate to improve learning. The EU should also seek to learn from the UN on conflict prevention (but is hampered in doing so by the lack of staff working on conflict prevention).

Support to regional bodies

The EU has provided considerable support to the African Union, through the Joint Africa-EU Strategy (JAES) and support to the African Peace Facility (supporting crisis management capabilities in Africa (AU, AMISOM, AMIS, CAR)). Detailed analysis of this support is provided in the

¹⁰ For a detailed analysis of EU-UN cooperation on peacebuilding, including conflict prevention, please see EU-UN Cooperation in Peacebuilding: Partners in Practice? Catriona Gourlay (UNIDIR: 2009)

¹¹ Figures from evaluation of EC support to conflict prevention and peacebuilding http://ec.europa.eu/europeaid/how/evaluation/evaluation_reports/reports/2009/1266_pst_vol1_en.pdf

¹² European Court of Auditors (2010), Special Report No 15: EU assistance implemented through United Nations organisations: decision-making and monitoring.

EU Conflict Scoping Study prepared by ECDPM.¹³ EPLO has acted as the civil society contact point for the Peace and Security Partnership of the JAES. After acting in this capacity, we conclude that significant improvements need to be made for the JAES to be an effective tool for prevention of conflict in Africa; policy recommendations are set out in EPLO's documents on the JAES.

Civil society: proposals for co-operation on prevention

In the last 10 years, the EU has co-operated with civil society in a variety of ways on the prevention of conflict *inter alia*: providing funding for civil society's conflict prevention activities; sharing information and analysis; and working jointly at different levels to influence peace processes. Civil society also plays a watchdog role in monitoring and holding to account EU policy-makers when it comes to the implementation of policy on conflict prevention.¹⁴

There has been a large difference between the institutions when it comes to the extent and the depth of co-operation. The European Commission has developed more fruitful working relationships with civil society than has the Council. That is due partly to the regulations that govern – and stipulate – Commission co-operation and partly due to differences in organisational culture, with many officials in the Commission understanding of the value of co-operation with civil society. Within the Council, EU Member States have very different approaches to civil society: some are open whereas others are very hostile. Although it can be difficult, cooperation with civil society needs to be encouraged or required across the External Action Service. Updating the Gothenburg Programme should include identifying specific mechanisms for co-operation between civil society and the relevant EU policy-makers. Suggestions appear below.

¹³ EU Conflict Scoping Study, ECDPM (ECDPM:2010)

¹⁴ EPLO's experience of working on conflict prevention with the Institutions is recounted in People are Party to Peacebuilding, Martina Weitsch (QCEA/EPLO:2008)

Co-operation with civil society:

Use the Civil Society Dialogue Network as a vehicle

- The Civil Society Dialogue Network was set up in July 2010. Under this framework, EPLO manages dialogue between EU policy-makers and civil society on conflict prevention and peacebuilding
- Under the Civil Society Dialogue Network 1) EPLO will act as the interface between civil society and the Institutions on peacebuilding 2) the following types of meeting will be organised: geographic meetings (see above); policy meetings; meetings on the IfS; Member State meetings; dialogue meetings in conflict-affected countries where the EU is active; 3) EPLO will organise training on the EU and peacebuilding (although primarily for civil society, the training sessions will also be open to officials, as was the case for EPLO's recent training seminar, 'Civil/Military Integration in Planning for Crisis Management')
- The Civil Society Dialogue Network will include meetings on EU policy in EU Member States' Capitals. There will also be in-country meetings to review the EU's integrated approach post-Lisbon.

Consultation of civil society at country level

- Civil society is the way to make contact with local populations; it is important to ensure timely and meaningful co-operation. Although this can be challenging, there are many examples of how to take a participatory approach to policy making and implementation.

Support civil society conflict prevention

- As well as working in co-operation with civil society, it is essential to support the independent activities of civil society in the field of conflict prevention, which may include management of early warning systems, provision of conflict analysis, mediation and dialogue, a wide range of governance activities, conflict-sensitive economic development projects etc. The support that civil society needs is not just financial. In many contexts, civil society may require political, legal and practical support.

Civil Society-EEAS Working Groups on particular topics or regions

- Working Groups of EEAS officials and civil society experts on particular topics/regions e.g. Expert Working Group on Mediation or Expert Working Group on the Great Lakes.

Early Warning Group

- A confidential Early Warning Group composed of the relevant EAS and civil society experts
- The group could convene when early warning information is received so that civil society and EAS officials can share information about emerging crises and possible responses (e.g. long before violence broke out in Georgia in 2008, EPLO member organisations working there had information that there was a high risk of conflict. Information could have been discussed with officials).

Civil Society briefings to relevant committees and working parties

- Briefings to CIVCOM, PMG, PSC, COAFR and other relevant groups – since 2007, EPLO has arranged briefings by civil society experts at the CIVCOM, following two years of dialogue meetings from 2005 onwards. The subjects of the briefings can be agreed in advance according to interest.

Evaluation and review of the EAS

- An annual peacebuilding dialogue could be established to review how well the EEAS is contributing to the prevention of conflict and building peace in different conflict-affected areas
- A meeting with civil society on peacebuilding should be part of the reviews of the EEAS in 2011 and 2013.

Discussion questions:

- What are the primary ways to improve co-operation between the EU and the UN to better prevent conflict?
- How can the EU support regional co-operation as a conflict prevention tool?
- How can the EU develop and incentivise fruitful co-operation with civil society on conflict prevention?
- What commitments on co-operation should a new conflict prevention document contain?

6. Are there lessons from the broader field of conflict prevention?

Since the Gothenburg Programme was adopted, there have been significant developments in knowledge about the nature of violent conflict and how to prevent it. This section covers 1) specific topics that were not covered by the Programme and 2) relevant research findings from the field of conflict prevention.

Governance and conflict prevention

It is now widely acknowledged that bad governance¹⁵ is a key root cause of violent conflict but the topic was not covered by the Gothenburg Programme. Mirroring thinking in the wider field of conflict prevention, since 2001 the EU has developed a range of policies and instruments for promoting good governance¹⁶ and has been actively involved in institution-building in many post-conflict contexts. There has also been a switch towards support for good governance and statebuilding in development policy.¹⁷

Criticisms have been raised about the limited success of the attempts – by the EU and others – to build governance in post-conflict environments. The EU has been specifically criticised (by the European Court of Auditors¹⁸) for its lack of success in providing technical assistance to institutions in third countries and more widely criticised for lack of progress in particular countries, in particular those within Europe such as Bosnia and Herzegovina.

EPLO supports a thorough review of EU governance support (be that in the form of ‘statebuilding’ or institution-building). Longer term measures such as support to civil society, parliamentary and statutory oversight, community-level support for dialogue, transparent and effective rules and regulations may be more effective than short-term measures based on sending international experts (such as lawyers, police officer or prison experts) to provide technical assistance.

¹⁵ Good governance is defined as the capacity of a government to respond to its citizens’ rights and needs and how these citizens are able to hold their government to account.

¹⁶ For example, the European Security Strategy states that ‘well-governed states’ are essential to prevent conflict and instability, the Commission policy framework for governance support, the Cotonou Agreement definition of governance, the Communication on Governance and Development that applies to all partner regions, the handbook on promoting good governance in EC development and co-operation etc; all geographical instruments can be used to finance rule of law, consolidation of democracy and human rights projects.

¹⁷ Under the second pillar, the EU has launched civilian CSDP missions in the area of public administration, rule of law and SSR which focus on improving governance (Georgia (EUJUST THEMIS), Iraq (EUJUST LEX), Kosovo EULEX, DRC EUSEC etc) and most of the police missions include “governance” objectives. The IfS’ short-term components and its predecessor, the Rapid Reaction Mechanism (RRM) were used for the re-establishment of rule of law and civilian administration, policy advice, and electoral support.

¹⁸ European Court of Auditors, (2007), Special Report No 6/2007 on the effectiveness of technical assistance in the context of capacity development together with the Commission’s replies

A new conflict prevention document should emphasise the importance of building well-governed (accountable) and conflict-resilient institutions in countries at risk of conflict. The following approaches should be considered:

- Building in accountability measures at all stages in institution-building (i.e. mechanisms that ensure the accountability of institutions including *inter alia* civil society oversight mechanisms, audit commissions, parliamentary committees, and financial ombudsmen).
- Attaching peace and governance conditionality to budget support and other funds provided to governments
- Approaches that do not focus solely on the institutions of the central government but also support regional and local governance
- Support for reform of institutions – and in particular reform of security agencies – rather than simply strengthening them.

Where is the EU Action Plan on Fragility?

The EU's Action Plan on Situations of Fragility should provide policy guidance to shape the EU's response to governance challenges in fragile situations. The Plan, which was prepared by the European Commission over the course of two years, was submitted to the EEAS in early 2010. It is unclear whether the EEAS management intends to put the Plan into effect. A set of case studies on EU action in a number of fragile countries, including Afghanistan, Colombia and Haiti, were prepared during the development of the Plan and it would be useful if they could be made available to inform the review of the Gothenburg Programme even if the decision is taken not to publish the Plan in its entirety.

Gender and conflict

Since the Gothenburg Programme was adopted, understanding has developed of the different ways in which conflicts affect men and women and the different roles played by men and women in conflict situations. Notably, plans and actions on the implementation of UN Security Council Resolution 1325 on women and peacebuilding have been developed in many EU Member States and by the EU itself. EPLO has analysed the EU's efforts to promote gender equality in peace and security work and its recommendations are included in the document, '10 points on 10 years of UNSCR 1325 in Europe'.¹⁹ A key problem for the EU is the lack of women in leadership positions which undermines its credibility when it promotes gender equality elsewhere, as well as contributing to solidifying gender roles and perpetuating gender stereotypes. A new conflict prevention document should include substantive sections on gender and conflict prevention.

Evaluation of conflict prevention

The Gothenburg Programme does not cover the question of the evaluation of conflict prevention. Since 2001 there have been notable advances in methodologies for this. In order to make the case for preventive action, a new conflict prevention document should include references to evaluation.

Relevant research findings

Since 2010, there have been numerous pieces of research on conflict prevention. This section aims to provide food for thought by presenting findings from two recent reviews of research in the field, plus a list of general research findings which are by now well-established.

The 2010 Human Security Report includes a good overview of the available evidence on conflicts and peacebuilding in the 1990s and 2000s. As well as containing useful facts, it dispels some myths about conflict.

¹⁹ [http://eplo.org/assets/files/2.%20Activities/Working%20Groups/GPS/CSO Position Paper 10 Points on 10 Years UN SCR 1325 in Europe 1008.pdf](http://eplo.org/assets/files/2.%20Activities/Working%20Groups/GPS/CSO%20Position%20Paper%2010%20Points%20on%2010%20Years%20UN%20SCR%201325%20in%20Europe%201008.pdf)

Key findings from the Human Security Report 2010:

- Between 1992 and 2007 there was a net decline in the number of conflicts taking place (but there was an increase 2008-2010)
- This was primarily due to conflicts stopping (or being brought to an end)
- Twice as many new conflicts started in the 1990s as in the 1980s (however there was still a net decline due to the number of conflicts that stopped)
- From 1960 up until the present day there has been a large decrease in interstate conflict but a large increase in intrastate conflict
- The following factors reduce the risk of violent conflict: the end of the Cold War, a reduction in international (financial) support for war, trade, FDI, economic improvement
- There is a strong correlation between the increase in peacebuilding activity and the decline in conflict
- However, there also appears to be a strong correlation between the increase in preventive diplomacy and the increase in the rate of new conflicts starting (e.g. in the 1990s the number of conflicts starting per year increased. At the same time, there was increase in investment in preventive diplomacy (although figures produced elsewhere showed that spending on preventive diplomacy remained miniscule)).²⁰

As well as more information on the nature of contemporary conflict, there is now a body of evidence from research on conflict prevention which indicates what works and what does not work when it comes to preventive action. Important findings of research on conflict prevention which should be taken into account in the review of the Gothenburg Programme are presented below (the list is by no means exhaustive; references to the research behind the findings is not presented here due to space limitations but are available for discussion).

Findings from research on conflict prevention:

- Prevention is cost-effective – conflict prevention costs less than crisis response
- If there is a role for external actors, they need to engage early – before violence develops – and stay for a long time (possibly decades rather than years)
- There are a wide range of tools available for preventing conflict; in every case careful consideration should be given to the choice of approach, which should be informed by local needs
- It is important to take a participatory approach to needs assessment and to the design and development of action
- If the root causes of conflict are not addressed, then conflict is likely to re-emerge
- Evaluation of preventive action is difficult but not impossible; evaluation is imperative in order to make the political case for prevention
- Building and using local capacity is better than relying on external actors; strong, well-grounded criticisms have been made about how external actors build the capacity of local actors
- Peace settlements and peace processes need to be inclusive and participatory (i.e. include all parties to a conflict and all representatives of all groups in the population)
- Conflict prevention needs to be explicitly built into other policy areas, in particular development, governance, trade and investment

²⁰ <http://www.hsrgroup.org/human-security-reports/human-security-report.aspx>

- Political actors (states, international organisations, NGOs etc) operating in fragile and conflict-affected regions can inadvertently generate conflict if they are not aware of the extent to which their policies and actions generate conflict, i.e. if they are not applying Do No Harm principles
- Non-state actors (used here in the broadest sense) are increasingly active in generating conflict and in helping to prevent and transform it. Preventing conflict is most effective when non-state actors are involved (be that armed groups or peacebuilding NGOs).

A recent review of research on conflict prevention that tried to identify lessons for policy came up with similar conclusions.

IPPR²¹ lessons for policymakers from research on conflict prevention:

1. Actors engaged in conflict prevention need to engage early and stay the course
2. Inclusive prevention efforts that focus on the underlying drivers of conflict are more likely to succeed
3. High-level diplomatic engagement can make a difference
4. Smart power is required for effective conflict prevention
5. Good coordination between conflict prevention actors is essential.

In updating the Gothenburg Programme and designing new policies, strategies and programmes for the prevention of conflict, the EU should take into account this and other relevant evidence that has emerged since 2001 and which will be fed into the review process by experts on conflict prevention. A challenge for the EU is the development of evidence-based policy-making – in terms of developing policy frameworks but also in developing strategies for particular countries. As the EU has so few (human) resources for conflict prevention, it needs to ensure that the EEAS has solid and formal working relationships with experts on conflict prevention or on particular conflicts (primarily those who are from affected countries) so that it can at least gather an evidence base for its policy decisions.

Discussion questions:

- What lessons about conflict prevention should be applied in EU conflict prevention policy? How should they be translated into EU policy (and action)?
- What mechanisms for the evaluation of conflict prevention should the EU use?
- How should ongoing learning be integrated into an EU conflict prevention policy?
- How can the EU's support to good governance be improved?
- How should the EU's commitments on gender be incorporated into a new conflict prevention document?

²¹ States of Conflict: Lessons in conflict prevention and peacebuilding (IPPR:2010)

Key points from ECDPM EU Conflict Scoping Study²²

Challenges to be addressed and the risks and opportunities presented by the Lisbon Treaty

- Political leadership and sponsorship of the conflict prevention agenda
- A coherent and strategic approach
- Relevance of the policy framework
- Conflict prevention policy-making capacity within the EEAS and Commission
- Human resources: The right people at the right level for the job
- Enabling conflict-sensitive programming
- Greater decentralisation
- Maximising the EU-UN relationship
- The African Peace Facility and EU-Africa dialogue: Gaps and challenges

Box 15: Methods for the promotion of EU conflict prevention

1. Political leadership
2. Diplomatic focus and consistency
3. Strategic use of seconded national experts to Commission and EEAS
4. Strategic funding of “flanking measures” at the policy level
5. Influencing and supporting key EU partners (such as UN)
6. Creating and joining alliances for particular issues
7. Instigating informal dialogue and sharing of experiences with EU officials
8. Influencing and aligning with EU policy commitments
9. Making critical investments in EU processes

²² EU Conflict Scoping Study, European Centre for Development Policy Management (Andrew Sherriff - ECDPM (Team Leader), Catriona Gourlay – Consultant to ECDPM, Henrike Hohmeister – ECDPM, Eleonora Koeb – ECDPM) (April 2010)