



# Mainstreaming Conflict Prevention

A Study of EU Action in ACP Countries

The Quaker Council for European Affairs

**Produced by the Quaker Council for European Affairs (QCEA)**

This study is based on two years of research through questionnaires to European Commission delegations and NGO staff, through interviews with European Commission staff in Brussels, and through desk-based research. This report forms the main document of the study, and builds on six country case studies which are available to download at: [www.quaker.org/qcea](http://www.quaker.org/qcea)

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The Quaker Council for European Affairs (QCEA) was founded in 1979 to promote the values of the Religious Society of Friends (Quakers) in the European context. Our purpose is to express a Quaker vision in matters of peace, human rights, and economic justice. QCEA is based in Brussels and is an international, not-for-profit organisation under Belgian Law.

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# List of Acronyms

These are the main acronyms used in this report:

ACP	African, Caribbean and Pacific Group of States
APF	African Peace Facility
APRM	African Peer Review Mechanism
AU	African Union
CFSP	Common Foreign and Security Policy
DDR	Disarmament, Demobilisation and Reintegration
EDF	European Development Fund
EIDHR	European Initiative for Democracy and Human Rights
EPA	Economic Partnership Agreements
ESDP	European Security and Defence Policy
EU	European Union
ICC	International Criminal Court
MDG	Millennium Development Goals
NGO	Non-governmental organisation
OECD-DAC	Organisation for Economic Cooperation and Development - Development Assistance Committee
OSCE	Organisation for Security and Co-operation in Europe
QCEA	Quaker Council for European Affairs
SALW	Small Arms and Light Weapons
SSR	Security Sector Reform

## Part I: Background

This section introduces the study and explains the strategic choices that have been made throughout the process. Subsequently it provides a brief explanation of the Cotonou Agreement, which is the basis for the cooperation between the African, Caribbean and Pacific (ACP) countries and the European Union (EU). It further describes our understanding of the concept of mainstreaming, as well as giving some background as to why conflict prevention is an important issue for Quakers.

### 1 Introduction

The EU introduced the approach of ‘mainstreaming’ conflict prevention into all elements of its programming and policy-making through the European Commission Communication on Conflict Prevention of 2001 and the ACP-EU Partnership Agreement signed in Cotonou, Benin in 2000 (the Cotonou Agreement). This report studies the impact this new approach has had on EU action in the ACP-countries.

Mainstreaming conflict prevention means that conflict prevention is systematically incorporated into all areas of EU policy and engagement in third countries. This implies conflict-sensitivity in all areas of programming. The danger with ‘mainstreaming’ is that by becoming a ‘cross-cutting’ issue, conflict prevention risks being forgotten.

The Quaker Council for European Affairs (QCEA) feels that this is an important issue for both Quakers and European citizens to be aware of, not to mention ACP citizens. We have not set out to prove that the EU is doing nothing, or even that it is doing something. Rather, we set out to discover what exactly is going on, and whether mainstreaming is positive or negative in terms of conflict prevention.

The purpose of this project is not to evaluate what the EU is doing with regard to conflict prevention, although it includes feedback and comments from civil society organisations operating in case study countries. Rather, it is meant to serve as an educational tool about ACP-EU conflict prevention. It is intended to identify any gaps in information as well as possible areas for further research. We have endeavoured to create a report that can form the basis of future advocacy.

There is a need for all EU activity to be carefully researched, documented and evaluated in regards to how it relates to conflict prevention, and for this information to be made easily accessible. Of the wide range of issues in which the EU is involved, this study identified seven thematic areas on which to focus:

- disarmament, demobilisation and reintegration (DDR), including child soldiers
- small arms and light weapons (SALW)
- security sector reform (SSR)
- political dialogue, including good governance, elections and civil society consultation
- gender
- management of natural resources
- transitional justice.

We examine each of these both generally, with a brief overview of EU policy and activity in that realm, and more specifically in the context of six country case studies. We do not claim to be exhaustive in our description of EU actions relating to conflict prevention. We have aimed to highlight the most important ones. It should be noted that we have not looked at the contribution

to conflict prevention of more general development assistance in terms of infrastructure, health care or education, though we recognise their importance and see it as a possible area for future work.

In order to select which countries to focus the case studies on, we carried out a pre-study looking at Country and Regional Strategy Papers and their implementation, as well as the history of EU engagement in the countries. We also looked at the history of conflict within the pertinent countries. Taking account of both the results of this preliminary study and the presence of Member Organisations of the European Peacebuilding Liaison Office (of which QCEA is a member) and their partners in different ACP countries, we chose the following case study countries:

- Republic of the Fiji Islands (Fiji)
- Republic of Haiti (Haiti)
- The Federal Republic of Nigeria (Nigeria)
- Somali Republic (Somalia)
- Republic of the Sudan (Sudan)
- Republic of Uganda (Uganda).

The case studies are available at [www.quaker.org/qcea](http://www.quaker.org/qcea)

## 1.1 The Cotonou Agreement

The ACP-EU Partnership Agreement was signed in Cotonou, Benin in 2000 by seventy-seven countries of the ACP Group of States and the (then) fifteen EU Member States. The Cotonou Agreement, as it is commonly known, is built on the thirty-seven years of cooperation between the European community and ACP countries that was established with the two Yaoundé agreements and four consecutive Lomé Conventions. The Agreement covers twenty years, with provisions for review every five years (the last revision took place in 2005) and a financial protocol of the European Development Fund (EDF) spanning the same period.<sup>1</sup> Exceptionally, the 9<sup>th</sup> EDF encompassed seven years, and concluded on 31 December 2007. It is being followed by the 10<sup>th</sup> EDF, covering 2008-2013. See the section on EDF below for further information.

There are five pillars to the Cotonou Agreement: a comprehensive political dimension, a participatory approach, an increased focus on poverty reduction, a new framework for economic and trade cooperation, and a reform of financial cooperation.<sup>2</sup> Poverty reduction and sustainable development in line with the UN Millennium Development Goals of 2000 are the main goals of the partnership.<sup>3</sup>

One of the most radical changes for the ACP-EU partnership is in trade cooperation. The ACP-EU maintained the non-reciprocal trade agreements of Lomé through 2007, but beginning on 1 January 2008, all ACP countries party to the Agreement that are not listed as Least Developed Countries (LDC) need to replace past agreements with reciprocal Economic Partnership Agreements (EPA). Those countries that move to EPAs have the option to sign on either as individual countries or as regional groups.<sup>4</sup>

These changes to the economic and trade cooperation were intended not only to bring the Cotonou Agreement in line with WTO rules, but also to stimulate the economies of ACP countries, many of which had become stagnant. However, there are some concerns about the EPAs.

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<sup>1</sup> ACP-EU, *ACP-EU Partnership Agreement* signed in Cotonou, 23 June 2000 (Brussels: DG Development, 2000), Article 95(1,2)

<sup>2</sup> European Commission, *The Cotonou Agreement: the five pillars of the partnership* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/development/Geographical/Cotonou/Cotonou2000\\_3\\_en.cfm#Heading3](http://ec.europa.eu/development/Geographical/Cotonou/Cotonou2000_3_en.cfm#Heading3)

<sup>3</sup> ACP-EU, *ACP-EU Partnership Agreement*, Article 19(1)

<sup>4</sup> ECDPM, *Cotonou Infokit*, Chapter 4: Innovations in the Cotonou Agreement (Maastricht: ECDPM, 2002), [on-line], accessed 10 October 2007, available at [www.ecdpm.org](http://www.ecdpm.org)

The Cotonou Agreement requires a participatory approach to programming and assessment, including local state governments, non-state actors such as NGOs and trade unions, and the private sector. However, ACP governments are still responsible for their own development strategies.<sup>5</sup>

In the spirit that a healthy political climate is necessary for sustainable development, the Cotonou Agreement requires certain ‘essential’ and ‘fundamental’ elements. Outlined in Article 9, these include respect for human rights, democratic principles and the rule of law (all of which were first included in Lomé IV *bis*). The breach of any of these essential elements can lead to the suspension of cooperation under Article 96, though a breach of the sole fundamental element, good governance, does not.

As the essential elements can be difficult to measure objectively, there was concern among ACP countries that Article 96 could be invoked without sufficient cause. This calls into question the idea of an ‘equal partnership’, as it allows the EU to place restrictions and sanctions on the ACP countries.<sup>6</sup>

To ensure that Article 96 is not misused, there is a requirement that all avenues of dialogue and consultation, both structured and informal, are exhausted before suspension of cooperation can occur. This political dialogue, espoused in Article 8, is intended to take place continuously to promote understanding and confidence, and to include actors ranging from civil society to regional organisations. Additionally, Article 8 outlines the intention of the Parties to use dialogue as a tool for peacebuilding and conflict resolution.<sup>7</sup>

Peacebuilding and conflict resolution are crucial aspects of the political dimension of the ACP-EU cooperation. Article 11 is entitled ‘peace-building policies, conflict prevention and resolution’ and sets out the Parties’ intention to pursue an inclusive and operational peacebuilding policy within the context of the Agreement, focusing in particular on the prevention of violent conflicts through building regional and national mechanisms. Article 11 emphasises balancing political, cultural, economic and social opportunities; good governance; regional resource management; on disarmament, demobilisation and reintegration; and on the promotion of understanding between groups and of an involved civil society. An amendment to Article 11 in 2005 also states that Parties will work towards using the International Criminal Court. Lastly, the Parties aim to make post-conflict situations lasting and self-sustainable.<sup>8</sup>

The ACP-EU Partnership Agreement addresses the need to see peacebuilding and conflict resolution as fundamental parts of sustainable development. The European Commission’s Communication on Conflict Prevention, published in 2001, lays out the European Commission’s intention to mainstream conflict prevention. Article 11 of the Cotonou Agreement is mentioned as one of its key tools in this venture. The Commission lists development policies as one of its most useful instruments in dealing with conflict prevention, and with Article 11, it has the opportunity to actually make conflict prevention one of its most strategic instruments for development.

## 1.2 Mainstreaming

The mainstreaming of conflict prevention means that it is systematically incorporated into all areas of EU policy and engagement with third countries. The European Commission states in its Communication on Conflict Prevention that ‘conflict prevention measures will be made an integral part of the overall programmes of the Community.’<sup>9</sup> The Commission’s proclamation is supported by

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<sup>5</sup> ACP-EU, ACP-EU Partnership Agreement, Article 2

<sup>6</sup> ECDPM, *Cotonou Infokit*. Chapter 20: Essential and Fundamental Elements

<sup>7</sup> ACP-EU, *ACP-EU Partnership Agreement*, Article 96 and 8

<sup>8</sup> ACP-EU, *ACP-EU Partnership Agreement*, Article 11

<sup>9</sup> European Commission, *Communication from the Commission on Conflict Prevention* (April 2001)

COM(2001)211 final, p. 11 [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/comm/external\\_relations/cfsp/news/com2001\\_211\\_en.pdf](http://ec.europa.eu/comm/external_relations/cfsp/news/com2001_211_en.pdf)



the European Council, through its 2001 EU Programme for the Prevention of Violent Conflicts,<sup>10</sup> and by the European Parliament in its 2003 resolution, which states that ‘conflict and crisis prevention by civil and diplomatic means must be the overall guiding principle of any EU foreign, security and defence policy.’<sup>11</sup> This entails all aspects of EU action. The Conflict Prevention Network argues that conflict prevention ‘must be integrated into every facet of EU activity’ and ‘mainstreamed into development and foreign policies, as well as into political dialogues from the lowest to the highest levels, into cultural exchanges, even into trade relationships.’<sup>12</sup>

As a result of mainstreaming, there is no allocated budget for conflict prevention, nor is it listed as a focal area in Country Strategy Papers. The EU recognises that effective conflict prevention requires a combination of long and short-term activities, and that conflict prevention can range from promoting economic stability through infrastructure development to education or health care. Given this wide range of somewhat indirect activities, it is increasingly difficult to identify exactly what the EU is doing in terms of conflict prevention and to evaluate how effective these interventions are or have been.

### 1.3 The Responsibility to Protect

The premise of the Responsibility to Protect (R2P) is that a state’s primary responsibility is to protect its people, and that if the state fails in this, it is the responsibility of the international community to intervene, first peacefully, and then with force if necessary.<sup>13</sup>

The concept of R2P was officially endorsed at the World Summit in 2005, a UN meeting of heads of states, which included EU heads of states. The EU as a body, on the other hand, has been reluctant to officially endorse the Responsibility to Protect.

There are three mechanisms to the R2P: preventing situations that threaten the welfare of populations (which is, in theory, its primary purpose), reacting when they do occur, and peacebuilding afterwards. These can play out through mediation, negotiations and diplomacy (including ‘smart’ sanctions). R2P has the potential to begin even earlier, through building up state capacity, promoting good governance and other pre-emptive conflict prevention measures. The last option is military intervention, without the consent of the targeted state.<sup>14</sup> A possible guideline that has been suggested to direct R2P interventions is the idea of a ‘just war’: just cause, right intention, last resort, proportional means, and reasonable prospects.

There are several issues with R2P. One is the lack of a precise definition or mandate, leading to fears that it could be equated with human security and invoked too frequently. Another is concern about neo-imperialist or neo-colonialist impulses or actions, or fears that the principle could be misused to further political agendas. For many, Quakers among them, the difficulty with R2P is the suggestion that the use of force is necessary or desirable to protect people from worse atrocities.

<sup>10</sup> European Union, *EU Programme for the Prevention of Violent Conflicts* (2001), p. 3 [on-line], accessed 23 June 2007, available at <http://www.eu2001.se/static/eng/pdf/violent.PDF>

<sup>11</sup> European Parliament, Resolution on the new European security and defence architecture - priorities and deficiencies, OJ C 064 E, 12/03/2004 as footnoted (5) in Parliamentary Meeting, *The Future of Europe: from reflection to action, Brussels Position of the European Parliament*, ‘The Role of the EU in Conflict Prevention’ (Brussels: 4-5 December 2006) [on-line], accessed 10 October 2007, available at [http://www.futureofeurope.europarl.europa.eu/future/webdav/site/event2/shared/import/Home/EP\\_PE/cha mbre1/theme3/PreventionEN.pdf](http://www.futureofeurope.europarl.europa.eu/future/webdav/site/event2/shared/import/Home/EP_PE/cha mbre1/theme3/PreventionEN.pdf)

<sup>12</sup> Quoted by Simon Duke, ‘The institutional and financial dimensions of conflict prevention’, in Vincent Kronenberger and Jan Wouters, eds. *The European Union and Conflict Prevention: Policy and Legal Aspects*, (the Hague: Asser Press, 2004) p. 119

<sup>13</sup> Responsibility to Protect, Engaging Civil Society, *An Introduction to R2P* [on-line], accessed 10 October 2007, available at <http://www.responsibilitytoprotect.org/index.php/pages/2>

<sup>14</sup> European Policy Centre, event report: *Europe’s responsibility to protect: what role for the EU?* (9 July 2007) [on-line], accessed 10 October 2007, available at <http://www.epc.eu/en/er.asp?TYP=ER&LV=293&see=y&t=2&PG=ER/EN/detail&l=&AI=733>

Yet another concern with even having such ‘last resort thinking’ (i.e. forced military intervention) is that the mere suggestion can often stunt the exploration of alternatives.<sup>15</sup> R2P is an area that needs further consideration and exploration.

## 1.4 Quakers and Conflict Prevention

The Religious Society of Friends (Quakers) is a religious movement with a longstanding commitment to the peaceful solution of violent conflicts.<sup>16</sup> Quakers are often known for this view on peace, which stems from the ‘Quaker Peace Testimony’.<sup>17</sup> The testimony comes from a belief in the unique value of all individuals and holds that more can be accomplished by appealing to each individual’s capacity for love and goodness than can be hoped for by threatening punishment or retaliation if people act wrongly. Quakers believe that conflict should be prevented through the fostering of the mutual understanding of needs at the earliest stage, making violence unnecessary.<sup>18</sup> Despite the frequent use of violence as a solution to problems in the short-term, Quakers believe that its use, in the long-term, spurs greater conflict.<sup>19</sup>

Traditional concerns with economic justice, reconciliation and the right sharing of world resources have focused Quaker interest upon issues affecting developing countries. Over the last eighty years, Quaker agencies have created and carried out programmes to prevent violence or to heal its after-effects in many countries around the world.<sup>20</sup> Quakers are now involved in many projects on the ground, offering support in both human and physical terms.<sup>21</sup>

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<sup>15</sup> Alan Pleydell, ‘Giving Meaning to ‘Never Again’ - the International Responsibility to Protect’, in QCEA, *Peace and Peacebuilding - Some European Perspectives* (Brussels: QCEA, 2007), pp.43-48 [on-line], accessed 10 October 2007, available at <http://www.quaker.org/qcea/archive/Peace%20and%20Peacebuilding%20-%20Some%20European%20Perspectives.pdf>

<sup>16</sup> Britain Yearly Meeting of the Religious Society of Friends, homepage [on-line], accessed 10 October 2007, available at [www.quaker.org.uk](http://www.quaker.org.uk)

<sup>17</sup> *Quaker Faith and Practice*, chapter 24: ‘Our peace testimony’, (The Yearly Meeting of the Religious Society of Friends (Quakers) in Britain: 1995)

<sup>18</sup> Quaker Council for European Affairs, *Peace* [on-line], accessed 10 October 2007, available at <http://www.quaker.org/qcea/peace.htm>

<sup>19</sup> *ibid.*

<sup>20</sup> Quaker International Affairs Program, *A Global Quaker Peace Program: Proposed program of work in 2000-2002*

<sup>21</sup> For an example, see the ‘African Great Lakes Initiative’, with projects in Rwanda, Burundi, Uganda, Kenya and DR Congo. Available at <http://www.aglionline.org/sub/avp.htm>

## 2 The EU and Conflict Prevention

### 2.1 Some Conceptual Issues

Conflict as such is a normal aspect of any society. The descent into violent conflict is what is problematic. When we speak about conflict prevention in this report, we mean the prevention of 'violent conflict'. Conflict is not a linear phenomenon. It is generally considered to be cyclical, often with overlapping causes and events. As such, conflict prevention (preventing or solving disputes before they develop into violent conflicts), conflict management (limiting, mitigating or containing conflict) and conflict resolution (efforts to resolve the underlying incompatibilities between conflicting parties) are all important. The EU has acknowledged the cyclical nature of conflict, and appreciates that a variety of instruments and all three approaches must be employed at different stages of a conflict.

In its 2001 Communication on Conflict Prevention, the Commission lists 'development co-operation and external assistance, economic co-operation and trade policy instruments, humanitarian aid, social and environmental policies, diplomatic instruments such as political dialogue and mediation, as well as economic or other sanctions, and ultimately the new instruments of the European Security and Defence Policy (ESDP)'<sup>22</sup> (including information gathering for anticipating potential conflict situations and monitoring international agreements) as contributing indispensably to conflict prevention. Despite the emphasis on the short-term instruments available for conflict prevention, the Commission appreciates that a long-term approach is also required. The Commission has a wide range of tools and mechanisms at its disposal that it can and does employ in the field for both long and short-term conflict prevention.<sup>23</sup>

These two approaches to conflict prevention - short and long-term - are often distinguished from each other as 'direct' and 'structural' conflict prevention. Direct conflict prevention refers to measures aimed at preventing the short-term escalation of a potential conflict, whereas structural conflict prevention focuses more on long-term measures by addressing the underlying causes of a potential conflict. It often involves economic assistance or development assistance, including outspoken support for human rights (EIDHR), electoral observation and assistance (EOM), environmental and trade policies. It can also involve cooperation on sectors like infrastructure or education, as laid out in the Country Strategy Papers published by the European Commission for each country.<sup>24</sup>

Of course, the EU also has a wide range of economic, diplomatic and humanitarian instruments for short-term conflict prevention, including tools such as political dialogue or sanctions. While humanitarian aid is often deployed in the short-term during a conflict and could be said to help stabilise communities and reduce the chance of further conflict, emergency relief is inherently apolitical. Its sole aim should be to relieve suffering, and therefore it cannot be considered a conflict prevention tool.<sup>25</sup>

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<sup>22</sup> European Commission, *Communication on Conflict Prevention*, p. 4. ESDP focuses specifically on crisis management

<sup>23</sup> *ibid.*

<sup>24</sup> Niklas L.P. Swanström and Mikael S. Weissmann, *Conflict, Conflict Prevention, Conflict Management and Beyond: a conceptual exploration* (Washington DC/Uppsala: Central Asia Caucasus Institute, 2005), p. 21 [on-line], accessed 10 October 2007, available at

[http://www.silkroadstudies.org/new/docs/ConceptPapers/2005/concept\\_paper\\_ConfPrev.pdf](http://www.silkroadstudies.org/new/docs/ConceptPapers/2005/concept_paper_ConfPrev.pdf)

<sup>25</sup> Niño Pérez, 'EU instruments for conflict prevention', *The European Union and Conflict Prevention: Policy and Legal Aspects*, p. 97

## 2.2 EU Tools for Conflict Prevention

A brief explanation of some of the tools the EU has at its disposal for conflict prevention in ACP countries follows below, and information on others is given in subsequent sections. Please see the QCEA publication on 'Peace and Peacebuilding' for a detailed explanation of the role of the Common Foreign and Security Policy (CFSP) and the ESDP in conflict prevention and peacebuilding.<sup>26</sup>

### 2.2.1 Financial Instruments of the European Union

This section provides a brief explanation of the financial instruments of the European Union that are of relevance to conflict prevention in ACP countries: the Stability Instrument, the European Development Fund, the European Instrument for Democracy and Human Rights, and the African Peace Facility.

#### Stability Instrument

The Stability Instrument replaced the Rapid Reaction Mechanism in January 2007, and it will be the main focus of the conflict prevention work carried out by the Commission. It is a financial instrument intended to provide an immediate and comprehensive response to crises or emerging crisis situations in third countries until regular assistance from other cooperation instruments can commence. In more stable situations, it is meant to build capacity to address trans-regional threats that have potentially destabilising effects.<sup>27</sup>

Even though the purpose of the Stability Instrument is to marry short-term crisis response with longer-term European Commission programmes and to better connect CFSP missions with European Commission assistance, there are concerns about the Commission being able to work on issues such as peacebuilding and political stabilisation through its external assistance programmes because of the possible overlap with foreign policy objectives.<sup>28</sup> Disagreements over who has competence in which areas has led to very strict divisions between the Stability Instrument and the work of the Council of the European Union in the context of ESDP.<sup>29</sup>

The overall budget for the Stability Instrument from 2007 through 2013 is 2,062 billion euros.<sup>30</sup>

#### European Development Fund

The European Development Fund (EDF) is the main tool for providing Community aid for development cooperation in ACP states and Overseas Countries and Territories (OCT). It consists of several measures, including grants, risk capital and loans to the private sector. The 9<sup>th</sup> EDF (2000-2007) contained 13.5 billion euros for ACP countries, 1.3 billion euros of which was designated for regional programmes, 10 billion for long-term programming and 2.2 billion euros for the Investment Facility, which is managed by the European Investment Bank to help develop the private sector in ACP countries.<sup>31</sup> The Cotonou Agreement also introduces 'rolling programming' of the EDF, providing for greater flexibility and giving the ACP States greater responsibility.<sup>32</sup> Unused funds from previous EDFs can be drawn on as well, and in 2002 these totalled about 10 billion euros.<sup>33</sup> When the revised Cotonou Agreement and Country Strategy Papers come into effect they will be financed by the 10<sup>th</sup>

<sup>26</sup> Quaker Council for European Affairs, *Peace and Peacebuilding: Some European Perspectives* (Brussels: QCEA, 2007) [on-line], accessed 10 October 2007, available at [www.quaker.org/qcea](http://www.quaker.org/qcea)

<sup>27</sup> Euroresources, *Instrument for Stability* [on-line], accessed 10 October 2007, available at [http://www.euroresources.org/guide\\_to\\_population\\_assistance/european\\_community/instrument\\_for\\_stability.html](http://www.euroresources.org/guide_to_population_assistance/european_community/instrument_for_stability.html)

<sup>28</sup> ISIS Europe, *The Stability Instrument: defining the Commission's role in crisis response* (27 June 2005) [on-line], accessed 10 October 2007, available at <http://isis-europe.org/stability%20instrument%20final.pdf>

<sup>29</sup> QCEA, *Peace and Peacebuilding*, p. 21

<sup>30</sup> Euroresources, *Instrument for Stability*

<sup>31</sup> European Commission, *Overview of the Agreement 2000: Financial Cooperation* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/development/Geographical/Cotonou/Cotonou2000\\_4\\_en.cfm](http://ec.europa.eu/development/Geographical/Cotonou/Cotonou2000_4_en.cfm)

<sup>32</sup> Europa, *European Development Fund (EDF)* [on-line], accessed 10 October 2007, available at <http://europa.eu/scadplus/leg/en/lvb/r12102.htm>

<sup>33</sup> ECDPM, *Cotonou Infokit*, Chapter 2: The Cotonou Agreement at a Glance.

EDF (2008-2013). The total amount included in the 10<sup>th</sup> EDF is 22,682 billion euros, of which 21,966 billion euros are earmarked for ACP countries. Of this, 17,766 billion will go to national and regional indicative programmes, 2.7 billion euros to intra-ACP and intra-regional cooperation and 1.5 billion euros to Investment Facilities.<sup>34</sup> To be implemented, the revision needs to be ratified by at least two thirds of the ACP-EU member states, which has not happened to date. In March 2008, twenty-five out of twenty-seven EU Member States had ratified it, but only forty-six out of seventy-seven of the ACP countries had followed suit. Without a two thirds ratification, the EU funds under the 10<sup>th</sup> EDF will not be released.<sup>35</sup>

### European Instrument for Democracy and Human Rights

The European Instrument for Democracy and Human Rights (EIDHR) is part of the EU's financial perspectives 2007-13<sup>36</sup>. It was launched in January 2007. 'Complementary assistance for the promotion of democracy and human rights worldwide' will be funded through the EIDHR. It has an annual budget of 130 million euros. It replaces the European Initiative for Democracy and Human Rights, which ran from 2000 to 2006. The EIDHR is intended to work extensively through and with civil society, and to complement more short-term measures such as the Stability Instrument.<sup>37</sup>

### The African Peace Facility

The African Peace Facility (APF) is a 250 million euro financial instrument for funding peace keeping operations in Africa. It was set up in 2004 on the request of the African Union. The EU has committed itself to extending the APF's funding for a further three-year period (2008-2010) and, in line with the Strategy for Africa, to provide 300 million euros under the 10<sup>th</sup> EDF. Article 11 of the Cotonou Agreement, on Peace-building policies, conflict prevention and resolution, provides the legal basis for the APF.<sup>38</sup>

All peace operations financed by the APF require a UN mandate and must meet UN principles and objectives. The African Union or a sub-regional organisation can request funding from the APF. For any proposed or requested operation, the Commission will invite the opinion of EU Member States on its 'political appropriateness'.<sup>39</sup>

The APF has three goals:

1. To ensure African ownership - the APF will support the African Union (AU) (or a sub-regional organisation) in handling African conflicts and promoting African solutions.
2. To encourage African solidarity - all African heads of state (with the exception of those in South Africa and north African countries due to legal obstacles) have agreed to contribute equally to the APF under existing co-operation agreements with the EU.
3. To create the necessary conditions for development.

More than two-thirds of the APF budget goes towards peace keeping operations. This covers expenses such as soldiers' *per diems*, communication equipment, medical facilities and transportation. Around 35 million euros are earmarked for capacity building, for example supporting

<sup>34</sup> Europa, *European Development Fund (EDF)*

<sup>35</sup> The Secretariat of the African, Caribbean and Pacific Group of States, *Press statement no 4 - Assoweh urges all ACP countries to ratify revised Cotonou*, (Brussels, 19 March 2008) [on-line], accessed 19 May 2008, available at: [http://www.acpsec.org/en/jpa/slovenia/pr4\\_19-03-08\\_e.htm](http://www.acpsec.org/en/jpa/slovenia/pr4_19-03-08_e.htm)

<sup>36</sup> The EU's financial perspective defines the framework for the Community's budget priorities over a period of several years.

<sup>37</sup> European Commission, *About the EIDHR* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/europeaid/projects/eidhr/eidhr\\_en.htm](http://ec.europa.eu/europeaid/projects/eidhr/eidhr_en.htm)

<sup>38</sup> European Commission, DG Development, *Mid Term Evaluation of the African Peace Facility*, executive summary, p. 1 [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/development/Geographical/europe-cares/africa/docs/Mid\\_Term\\_Evaluation\\_of\\_the\\_APF-summary.doc](http://ec.europa.eu/development/Geographical/europe-cares/africa/docs/Mid_Term_Evaluation_of_the_APF-summary.doc)

<sup>39</sup> European Commission, DG Development, *Securing Peace and Stability for Africa: the EU-Funded African Peace Facility* (Brussels: European Commission, DE 125, July 2004), p. 6 [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/development/body/publications/docs/flyer\\_peace\\_en.pdf](http://ec.europa.eu/development/body/publications/docs/flyer_peace_en.pdf)

the AU, and the rest is reserved for evaluations and audits, and contingencies. Ammunition, arms and military equipment are not funded by the APF.<sup>40</sup>

Despite its positive aspects, the APF is not without complications. One is linked to the concept of 'peacekeeping' itself, which is primarily a military concept. The APF has little or no room to deploy or train civilians to do peacekeeping or peacebuilding work. A second concern stems from the source on the APF funding, which is the EDF. Allowing development funds to be used for peace and security operations in this context- especially when that seems to imply the use of military force - creates the risk that scarce development funds may be used to further the security interests of EU Member States.<sup>41</sup>

### 2.2.2 Policy and Analysis Tools

Early warning mechanisms to anticipate the escalation or emergence of violent conflict help policy and decision-makers plan and target their conflict prevention activities more effectively. The EU has various early warning tools at its disposal, including regular reports from Delegation staff and desk officers. In 2001, the Commission added another tool: it developed a check-list for root causes and early warning indicators. This list is regularly used to assess developing situations, and it is not a financial instrument. These indicators are:

- legitimacy of the State;
- the rule of law;
- respect for fundamental rights;
- civil Society and the media;
- relations between communities and dispute-solving mechanisms;
- sound economic management;
- social and regional inequalities;
- the geopolitical situation.

Additionally, the EU has identified four root causes of violent conflict: imbalance of political, social, economic and cultural opportunities among different identity groups; lack of democratic legitimacy and effective governance; absence of opportunities for the peaceful conciliation of group interests and for bridging dividing lines among different identity groups; and lack of vibrant civil society.<sup>42</sup>

### 2.2.3 European Agencies

The European Commission works mainly through four departments in the context of conflict prevention in ACP countries: EuropeAid, the European Community Humanitarian Aid Department, and the Directorates General External Relations and Development.

#### EuropeAid

EuropeAid's mission is 'to implement the external aid instruments of the European Commission which are funded by the European Community budget and the European Development Fund.'<sup>43</sup> In other words, it is the executive Directorate General that manages the disbursement and monitoring of funds.

#### European Community Humanitarian Aid Department

The mandate of the European Community Humanitarian Aid Department (ECHO) is to provide emergency assistance and relief to the victims of natural disasters or armed conflict outside the European Union, regardless of the political situation. In addition to funding EU humanitarian aid

<sup>40</sup> *ibid.*, p. 7

<sup>41</sup> Martina Weitsch, 'The African Peace Facility - What Issues Does it Raise?', *Around Europe no. 268* (January 2005), p. 2 [on-line], accessed 10 October 2007, available at <http://www.quaker.org/qcea/aroundeurope/2005/index.html>

<sup>42</sup> Niño Pérez, 'Conflict Indicators Developed by the Commission', pp. 12 - 14.

<sup>43</sup> European Commission, *EuropeAid - Development through multi-stakeholder co-operation* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/europeaid/who/index\\_en.htm](http://ec.europa.eu/europeaid/who/index_en.htm)

efforts, ECHO promotes and coordinates disaster prevention measures, gives its partners technical assistance, raises public awareness in Europe and elsewhere about humanitarian issues, and finances network and training study initiatives in the humanitarian field.<sup>44</sup>

### **Directorates General External Relations and Development**

Directorate General (DG) External Relations (RELEX) is responsible for the Commission's relations with international organisations and the Commission's participation in the CFSP. It is also responsible for the administration of more than 120 Commission delegations in third countries. The only unit in the Commission dedicated to conflict prevention, the Conflict Prevention and Crisis Management Unit, lies within DG RELEX. It is this unit that issues the Country Strategy Papers, which are particularly important in terms of identifying the EU's approach to conflict prevention in any given country. Trade sanctions in conflict situations also fall under the remit of DG RELEX.

Until 2000, DG Development housed a small unit focused on conflict prevention in ACP countries, but since the Cotonou Agreement the responsibility for this resides with the country desks. This is a further aspect of mainstreaming.

## **2.2.4 International Agencies**

The EU cooperates with and supports several international agencies in their conflict prevention work. The European Commission identified the following in their communication on conflict prevention:<sup>45</sup>

### **United Nations**

The European Commission considers the UN a 'key partner in conflict prevention' and the two bodies have carried out joint peacekeeping operations in Kosovo and Timor Leste.

### **Bretton Woods Institutions**

The Bretton Woods Institutions include the World Bank and the International Monetary Fund (IMF), which provide budget support to post-conflict programmes. Together the institutions initiated and contribute to Poverty Reduction Strategy Papers (PRSP). According to the IMF, the PRSPs describe 'the macroeconomic, structural and social policies and programs that a country will pursue over several years to promote broad-based growth and reduce poverty'<sup>46</sup> and are required for a country to be eligible for debt relief under the HIPC initiative. The European Commission meets with the World Bank and the IMF every year through the 'Limelette process' to 'identify ways to improve collaboration between the two institutions in Africa and achieve greater development results.'<sup>47</sup>

### **The Organisation for Security and Co-operation in Europe**

The Commission maintains a good relationship with the Organisation for Security and Co-operation in Europe (OSCE). In particular, it collaborates with the OSCE's Conflict Prevention Centre (CPC), which provides information on early warning, conflict prevention, crisis management and post-conflict rehabilitation, and with its Rapid Expert Assistance and Co-operation Teams (REACT), which provide a pool of skilled resources available for quick deployment on upcoming and future missions.

<sup>44</sup> EurLex, *Council Regulation (EC) NO 1257/96 of 20 June 1996 concerning humanitarian aid* [on-line], accessed 10 October 2007, available at

[http://eur-lex.europa.eu/smartapi/cgi/sga\\_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=31996R1257&model=guichett](http://eur-lex.europa.eu/smartapi/cgi/sga_doc?smartapi!celexapi!prod!CELEXnumdoc&lg=en&numdoc=31996R1257&model=guichett)

<sup>45</sup> European Commission, *Communication on Conflict Prevention*, pp. 25-28

<sup>46</sup> International Monetary Fund, *Poverty Reduction Strategy Papers (PRSPs)* (2008) [on-line], accessed 28 April 2008, available at <http://www.imf.org/external/np/exr/facts/prsp.htm>

<sup>47</sup> European Commission, *Relations with the International Financial Institutions* [on-line], accessed 28 April 2008, available at [http://ec.europa.eu/development/how/relations/relif\\_en.cfm](http://ec.europa.eu/development/how/relations/relif_en.cfm)

### **The Council of Europe**

The Council of Europe is a pan-European organisation with 47 member states. It seeks to ‘develop throughout Europe common and democratic principles based on the European Convention on Human Rights and other reference texts on the protection of individuals.’<sup>48</sup> The Commission has worked with the Council of Europe on various projects to help raise awareness of human rights issues relating to conflict prevention.

### **Organisation for Economic Co-operation and Development, Development Assistance Committee**

The EU has been a member of the Development Assistance Committee (DAC) of the Organisation for Economic Co-operation and Development (OECD) since 1961. It participates in the DAC’s Task Force on Conflict, Peace and Development Co-operation, which provides an international forum for donors to meet and work out common approaches in support of peace.

### **G8**

The G8 Conflict Prevention Official-Level Meeting (CPOM) was set up in 2000 by the Japanese G8 Presidency. The meeting held discussions on topics like small arms and light weapons, conflict and development, the diamond trade, and child soldiers.

## **2.2.5 Other Key Players**

Apart from international organisations, the Commission Communication also mentions non-governmental organisations, EU Member States and other countries as important partners.<sup>49</sup>

### **Non-governmental Organisations**

The Commission recognises that non-governmental organisations (NGOs) are ‘key actors’ in long-term conflict prevention because of their presence on the ground in key areas and because of their ability to act as grass-roots mediators and neutral observers. The EU gives conflict prevention priority in its contacts with NGOs, and supports them through various initiatives.

### **EU Member States**

Cooperation between the European Commission and EU Member States plays an important role in conflict prevention in ACP countries. In the majority of countries and issues examined here, individual Member States are way active. We have not examined the role of Member States in this project, nor their relationship with the Commission in this respect, and we identify the subject as a topic for further research.

### **Other Countries**

The EU works with partner countries such as Japan, Russia, the US, Canada and Norway on issues of conflict prevention. A useful network for the coordination of international and multinational donors is the Conflict Prevention and Post-conflict Reconstruction Network (CPR), in which USAID, the International Development Association (IDA), the World Bank and certain Member States are active.<sup>50</sup> In post-conflict situations, the Commission uses what it calls the ‘Friends of’ approach, which involves coordinating as many international donor responses as possible in a particular country.

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<sup>48</sup> Council of Europe, *About the Council of Europe* [on-line] accessed on 24 April 2008, available at [http://www.coe.int/T/e/Com/about\\_coe/](http://www.coe.int/T/e/Com/about_coe/)

<sup>49</sup> European Commission, *Communication on Conflict Prevention*, p. 26

<sup>50</sup> CPR Network, *CPR Members* [on-line], accessed 10 October 2007, available at <http://cpr.web.cern.ch/cpr/asp/members.asp>



## 3 EU-Africa Relations

### 3.1 The EU Strategy for Africa

In December 2005 the Council of the European Union adopted a new strategy for Africa entitled *'The EU and Africa: Towards a Strategic Partnership'*. The purpose of the Strategy is 'to give the EU a comprehensive, integrated and long-term framework for its relations with the African continent'. The overarching aims of the strategy are to support Africa's efforts to reach the UN Millennium Development Goals (MDGs) and to make Europe's partnership with Africa more efficient, in terms of both the AU and individual African countries.<sup>51</sup>

The strategy supports the achievement of peace and security; economic growth and sustainable cross-border infrastructure; and the MDGs. The strategy receives both Community aid (i.e. from the EU budget and the EDF) and funding from bilateral aid programmes, financed and implemented by each of the EU Member States.<sup>52</sup>

#### 3.1.1 The EU Partnership for the Horn of Africa

In November 2006 a 'Regional Political Partnership' was set up with the countries of the Intergovernmental Authority on Development (IGAD):<sup>53</sup> the 'EU partnership for peace, security and development in the Horn of Africa'. The European Parliament report on the partnership calls it 'the first test case' for the EU's overall Strategy for Africa.<sup>54</sup>

The Commission chose this region because of its strategic importance to the EU (e.g. in terms of migration flows, trade, proximity to countries in the EU Neighbourhood Policy) and the complexity of conflicts in the region. The Strategy aims at 'setting up a comprehensive approach to conflict prevention in the Horn of Africa, tackling in the short to medium term the root causes of instability at both country and regional level and strengthening regional cooperation.'<sup>55</sup>

### 3.2 The Joint EU-Africa Strategy

The Joint Africa-EU Strategy is distinct from the EU Strategy for Africa. The Joint Africa-EU Strategy was formulated together with African partners, and it is intended to offer a general framework for all cooperation between the EU and African countries. It is based upon the principles of 'the unity of Africa, the interdependence between Africa and Europe, ownership and joint responsibility, and respect for human rights, democratic principles and the rule of law, as well as the right to development.'<sup>56</sup>

<sup>51</sup> European Commission, *The EU Strategy for Africa* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/development/Geographical/europe-cares/africa/eu\\_strategy\\_en.html](http://ec.europa.eu/development/Geographical/europe-cares/africa/eu_strategy_en.html)

<sup>52</sup> *ibid.*

<sup>53</sup> That is: Djibouti, Ethiopia, Eritrea, Kenya, Somalia, Sudan, Uganda

EU@UN, *Horn of Africa: EU Commission proposes EU strategy for peace, security and development* [on-line], accessed 10 October 2007, available at [http://www.europa-eu-un.org/articles/en/article\\_6385\\_en.htm](http://www.europa-eu-un.org/articles/en/article_6385_en.htm)

<sup>54</sup> European Parliament, Committee on Development, *Working Document on the Horn of Africa: EU Regional Political Partnership for Peace, Security and Development*, Rapporteur: Filip Kaczmarek (19 February 2007), p. 2

<sup>55</sup> *ibid.* p. 3

<sup>56</sup> *The Africa-EU Strategic Partnership - A Joint Africa-EU Strategy* (approved 9 December 2007) [on-line], accessed 24 January 2008, available at [http://www.eu2007.pt/NR/rdonlyres/D449546C-BF42-4CB3-B566-407591845C43/0/071206jsapenlogos\\_formatado.pdf](http://www.eu2007.pt/NR/rdonlyres/D449546C-BF42-4CB3-B566-407591845C43/0/071206jsapenlogos_formatado.pdf)

Its stated objectives are:

- to reinforce and elevate the Africa-EU political partnership to address issues of common concern;
- to strengthen and promote peace, security, democratic governance and human rights, fundamental freedoms, gender equality, sustainable economic development including industrialisation, and regional and continental integration in Africa, and to ensure that all the MDGs are met in all African countries by the year 2015;
- to jointly promote and sustain a system of effective multilateralism and of strong and legitimate multilateral institutions;
- to facilitate and promote a broad-based and wide-ranging people-centred partnership.<sup>57</sup>

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<sup>57</sup> *ibid.*

## Part II: Thematic Areas

In its 2001 Communication on Conflict Prevention, the European Commission outlines a few areas of activity that could contribute to ‘conflict prevention.’ This includes projects aiming to control the proliferation of small arms and light weapons, and to help reintegrate child soldiers into society.

Using the Communication and various other sources, QCEA identified seven thematic areas on which to focus the report: disarmament, demobilisation and reintegration including child soldiers; small arms and light weapons; security sector reform; political dialogue, including good governance, elections and civil society consultation; gender; management of natural resources; and transitional justice.

This section introduces each of these areas, with a brief overview of the related EU policy and activity. A more thorough examination of EU policy and activity in the seven areas is offered by way of six country case studies.<sup>58</sup>

### 4 Disarmament, Demobilisation and Reintegration

Disarmament, Demobilisation and Reintegration (DDR) processes are designed to allow former combatants to reintegrate into the civilian community in a post-conflict situation.<sup>59</sup> The EU’s perspective on each aspect of DDR is in accordance with the UN definitions:<sup>60</sup>

- **Disarmament** is the collection, documentation, control and disposal of small arms, ammunition, explosives and light and heavy weapons belonging to combatants or the civilian population. Disarmament also includes the development of responsible arms management programmes.
- **Demobilisation** is the formal and controlled discharge of active combatants from armed forces or other armed groups. The first stage of demobilisation involves such measures as the processing of individual combatants in temporary centres or the massing of troops in camps designated for this purpose. The second stage of demobilisation, reinsertion, encompasses the support package provided to the demobilised.<sup>61</sup>
- **Reintegration** is the process by which ex-combatants acquire civilian status and gain sustainable employment and income. Reintegration is essentially a social and economic process, usually taking place within communities at the local level. It is part of the general development of a country and a national responsibility. It often necessitates long-term external assistance.

#### 4.1 EU Supported DDR Activity

The European Community supports DDR through short-term humanitarian assistance, rapid assistance through the Stability Instrument, and long-term external support. ‘DDR is a political, social and economic process that has long-term development implications and which has to be sustainable rather than simply being an explicitly military activity with a primary focus on short-

<sup>58</sup> The country case studies are available at: <http://www.quaker.org/qcea/>

<sup>59</sup> Quaker Council for European Affairs, *The EU and the Demobilisation, Disarmament & Reintegration*, Report of Intergroup for Peace Initiatives Event (Sept 2005) [on-line], accessed 10 October 2007, available at <http://www.quaker.org/qcea/intergroup/DDR%20Briefing.pdf>

<sup>60</sup> European Commission and the Council of the European Union, *EU Concept for support to Disarmament, Demobilisation and Reintegration (DDR)* (11 December 2006) pp. 6-7 [on-line], accessed 10 October 2007, available at [http://www.eplo.org/documents/EU\\_Joint\\_concept\\_DDR.pdf](http://www.eplo.org/documents/EU_Joint_concept_DDR.pdf)

<sup>61</sup> The UN also uses ‘reinsertion’ to define the short-term transition between demobilisation and reintegration. Reinsertion is a form of transitional assistance to help cover the basic needs of ex-combatants and their families and can include transitional safety allowances, food, clothes, shelter, medical services, short-term education, training, employment and tools. Reinsertion is short-term (up to one year) material and/or financial assistance to meet immediate needs.

term stability and security.’<sup>62</sup> This is not to say that DDR cannot be a short-term programme to produce rapid and visible results in a crisis situation, but that DDR should not be thus confined.

The EU strives to:

- promote country ownership of DDR processes:
- seek early engagement:
- carry out DDR within a broader peacebuilding strategy, with sensitivity to human rights, conflict, women and children, and within a context of political dialogue:
- ensure a coherent and coordinated approach, both between EU Institutions and with other actors.

There are complications and issues with the EU’s DDR work, which are often exacerbated by porous borders, especially if the work is undertaken sub-regionally. In part because DDR programmes are sometimes perceived as assisting the perpetrators, there is often a funding gap, leaving DDR programmes incomplete or cutting out the reintegration aspect all together. Managing expectations of the programme can be difficult, and the practice of providing money to ex-combatants can cause a discrepancy in the number of people ‘demobilised’ and the actual amount of weapons collected.

For DDR programmes to be effective, reintegration needs to be community based and concurrent with security sector reform, to ensure that the population feels safe. The EU needs to make sure that its DDR programmes are tailored to fit the countries in which they are implemented, and that they continuously built on lessons learned from past experiences.<sup>63</sup>

## 4.2 The EU in ACP Countries with Regard to DDR

The Commission has supported DDR in sixteen African countries since the 1990s.<sup>64</sup> DDR programmes are usually undertaken where a UN mandate is in place and under the auspices of a UN peacekeeping operation. However, DDR programmes may also be appropriate in the event of conflict between countries and in the absence of a UN force, such as that between Ethiopia and Eritrea. Generally speaking, though, the EU is most often involved in DDR activity through missions led by the World Bank or the United Nations Development Programme (UNDP). It offers financial support to these missions via a Trust Fund mechanism.<sup>65</sup>

## 4.3 Multi-Country Demobilisation and Reintegration Process

The EU is a partner in the Multi-Country Demobilisation and Reintegration Program (MDRP). This is a 2002 initiative to address the cross-border nature of conflict in the Great Lakes Region of Africa, which includes Angola, Burundi, Central African Republic, Democratic Republic of Congo, Republic of Congo, Rwanda and Uganda. The MDRP is a shared effort among over forty partners, including regional governments, donors, the United Nations and its agencies, regional organisations and international financial institutions. According to the European Commission, it was set up to address the ‘lack of coordination and unity among international actors, piecemeal approaches to region-wide conflicts, uneven technical performances, thin international presence on the ground and unpredictable funding.’<sup>66</sup> It is the largest initiative of its kind, taking a comprehensive, region-wide approach to supporting activities in the Great Lakes Region.

<sup>62</sup> International Alert and the Conflict Prevention Partnership, *DDR: Supporting Security and Development: The EU’s added value* (September 2006) pp. 1-6 [on-line], accessed 10 October 2007, available at [http://www.conflictprevention.net/library/documents/thematic\\_issues/cpp\\_eu\\_ddr.pdf](http://www.conflictprevention.net/library/documents/thematic_issues/cpp_eu_ddr.pdf)

<sup>63</sup> QCEA, *The EU and the Demobilisation, Disarmament & Reintegration*

<sup>64</sup> European Commission, *EU Concept for support to Disarmament, Demobilisation and Reintegration*, p. 16

<sup>65</sup> European Commission, *Thematic Information on Disarmament, Demobilisation and Reintegration (DDR)* [on-line], accessed 10 October 2007, available at

[http://ec.europa.eu/europeaid/projects/acp/thematic\\_ddr\\_en.htm#top](http://ec.europa.eu/europeaid/projects/acp/thematic_ddr_en.htm#top)

<sup>66</sup> Quoted in QCEA, *The EU and the Demobilisation, Disarmament & Reintegration*, p. 2

It works by complementing 'national and regional peace initiatives, providing vital support for the social and economic reintegration of ex-combatants...[as well as] establish[ing] standard approaches throughout the region, coordinating partner initiatives, and providing financial and technical assistance in the demobilisation, reinsertion and reintegration of ex-combatants.'<sup>67</sup>

#### 4.4 United Nations Development Programme

The EU also provides support to the United Nations Development Programme (UNDP) activities on DDR through the UNDP trust fund of Crisis Prevention and Recovery and Service Line 4 (small arms reduction, disarmament and demobilisation of ex-combatants). UNDP supports DDR in both peacekeeping and non-peacekeeping contexts in more than fifteen countries.<sup>68</sup>

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<sup>67</sup> MDRP, *What we do* [on-line], accessed 22 April 2008, available at [http://www.mdrp.org/about\\_us.htm](http://www.mdrp.org/about_us.htm)

<sup>68</sup> UNDP, *Disarmament, Demobilization and Reintegration (DDR)* [on-line], accessed 10 October 2007, available at [http://www.undp.org/bcpr/we\\_do/ddr.shtml](http://www.undp.org/bcpr/we_do/ddr.shtml)

## 5 Child Soldiers and Children in Armed Conflict

Conflicts affect children in many ways throughout the conflict-cycle. It is difficult to give an accurate figure on how many children are affected by conflict since accounts vary, but it would clearly be high. UNICEF estimates that in the past decade alone, armed conflicts have claimed the lives of over two million children and physically maimed six million more.<sup>69</sup> Conflict also deprives children of parents, care-givers, basic social services, health care and education.<sup>70</sup> There are some twenty million displaced and refugee children, while others are held hostage, abducted or trafficked. Systems of birth registration and juvenile justice systems collapse. At least 300,000 child soldiers are estimated to participate in conflicts, around two-thirds of them in Africa.

The proliferation of conflicts around the world means that children are increasingly exposed to the effects of war, and to war itself. The recruitment and use of children for military purposes has been widespread in many ACP countries over the last ten years or more. Boys and girls, some as young as seven years old, are armed and sent to battlefields to kill opposition fighters and civilians.<sup>71</sup>

Many children are forced into armed groups. Those who join 'voluntarily' are often driven to do so by discrimination and poverty. Armed groups may provide an income which is needed to secure food and survival. Children are also more easily manipulated by recruiters, who take active measures to combat the reluctance of new recruits. These include forcing children to commit brutalities like shooting captives while wearing a blindfold, and forcing them to take drugs like amphetamines or 'brown-brown'.<sup>72</sup>

Child soldiers are used because of various reasons. The winning armed group will often be that with the greatest number of fighters, making recruitment of foot soldiers a priority. Also, children are generally less aware of the dangers they face, and with small arms and light weapons readily available in many parts of the world, it is easy for commanders to draft them to the frontlines.

The special short and long-term post-conflict needs of children involved in armed conflict must be accounted for. One particular concern for many such children is the tracing of their family members. They may not have been in contact with parents or siblings for many years and may have very few surviving family members. Programmes addressing children might include redress and social reintegration, psycho-social rehabilitation programmes, participation in disarmament, demobilisation and reintegration programmes as well as within transitional justice frameworks.<sup>73</sup>

When children are used as soldiers, they regularly face extreme brutality. They are sometimes forced to kill members of their own family to destroy communal ties, and young girls are frequently raped. The situation of child soldiers is an important issue for the EU and other actors to consider.

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<sup>69</sup> UNICEF, *Child protection from violence, exploitation and abuse - Children in Conflict and Emergencies* [on-line], accessed 28 April 2008, available at [http://www.unicef.org/protection/index\\_armedconflict.html](http://www.unicef.org/protection/index_armedconflict.html)

<sup>70</sup> For a more detailed discussion of children deprived of parental care, see Quaker United Nations Office (QUNO), *Children Deprived of Parental Care: Child Soldiers* [on-line], accessed 14 August 2007, available at <http://www.quno.org/geneva/pdf/humanrights/child-soldiers-deprived-of-parental-care.pdf>

<sup>71</sup> Quaker United Nations Office (QUNO), *Child Soldiers: Challenging the Assumptions* [on-line], accessed 10 October 2007, available at [http://www.quno.org/geneva/pdf/Girl\\_Soldiers.pdf](http://www.quno.org/geneva/pdf/Girl_Soldiers.pdf)

<sup>72</sup> Brown-brown is a form of powdered cocaine cut with gunpowder.

<sup>73</sup> Council of the European Union, *EU Guidelines on Children and Armed Conflict*, 15634/03 (December 2003), p. 1 [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/external\\_relations/human\\_rights/child/caafguidelines.pdf](http://ec.europa.eu/external_relations/human_rights/child/caafguidelines.pdf)

## 5.1 The EU and Child Soldiers

The Council of the European Union adopted guidelines on children and armed conflict in December 2003. These guidelines stress the rights of children as a priority of the EU's human rights policy. The EU commits to address the 'short, medium and long term impact of armed conflict on children in an effective and comprehensive manner, making use of the variety of tools at its disposal,'<sup>74</sup> including political dialogue, demarches, multi-lateral cooperation, crisis management operations, training as well as other measures.<sup>75</sup>

The European Commission implements the policies of the Council by funding projects on the ground, as well by supporting efforts diplomatically. The main areas funded by the Commission in terms of child soldiers are via ECHO humanitarian assistance;<sup>76</sup> efforts to tackle small arms, light weapons and landmines; funding under the 'Aid to Uprooted People' budget line;<sup>77</sup> and projects under the EDF. In recent years, the Commission has supported projects through the Rapid Reaction Mechanism and the EIDHR.<sup>78</sup>

The European Parliament was not formally consulted when the EU guidelines were drafted, but their continuous work on children affected by armed conflict still contributed to their development. The European Parliament firmly supports the guidelines adopted by the Council of the European Union and by the European Commission.

The European Parliament is also active in monitoring the implementation of the guidelines and it has expressed concern over the lack of progress on mainstreaming and the use of diplomatic instruments.<sup>79</sup>

The EU also addresses children affected by armed conflict through its general work on child rights. In their communication on child rights, the Commission pledges to 'continue and further enhance EU's active role in international forums to promote the rights of the child.'<sup>80</sup>

The ACP-EU Joint Parliamentary Assembly adopted a resolution on children and armed conflict at its meeting on 12 October 2003. The Joint Assembly stressed that the promotion of the rights of the child, including 'the use of child soldiers, must be a political priority for the European Union and the ACP countries'.<sup>81</sup>

<sup>74</sup> *ibid.* p. 2, paragraph 6

<sup>75</sup> See also conclusions of the Council of the European Union, *General Affairs and External Relations, 2474th Council Meeting*, 15182/02 (Presse 382) (December 2002), p. 21 [on-line], accessed 10 October 2007, available at [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressdata/en/gena/73609.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/en/gena/73609.pdf)

<sup>76</sup> A report on ECHO's activities in 2006 can be found at [http://ec.europa.eu/echo/pdf\\_files/financial\\_report.pdf#page=3](http://ec.europa.eu/echo/pdf_files/financial_report.pdf#page=3)

<sup>77</sup> For further information see Communication from the European Commission: European Commission, Annex 2 - *Other Recent Projects in the Field of Children and Armed Conflict* [on-line], accessed 14 August 2007, available at [http://ec.europa.eu/external\\_relations/human\\_rights/child/annex2.pdf](http://ec.europa.eu/external_relations/human_rights/child/annex2.pdf)

<sup>78</sup> European Commission, *The EU's Human rights & Democratisation Policy - An overview of Community activities in the field of Children and Armed Conflict*, Commission Non-paper [on-line], accessed 28 April 2008, available at [http://ec.europa.eu/external\\_relations/human\\_rights/child/auditpaper.htm](http://ec.europa.eu/external_relations/human_rights/child/auditpaper.htm)

<sup>79</sup> Sherriff, Andrew, *Enhancing the EU Response to Children Affected by Armed Conflict - With particular reference to development policy* (Maastricht: ECDPM, December 2007) [on-line], accessed 22 April, available at [http://www.ecdpm.org/Web\\_ECDPM/Web/Content/Download.nsf/0/BDC6B752D6AF3F26C12573D000386342/\\$FILE/07-82-eSherriff\\_CAAC%20study\\_final.pdf](http://www.ecdpm.org/Web_ECDPM/Web/Content/Download.nsf/0/BDC6B752D6AF3F26C12573D000386342/$FILE/07-82-eSherriff_CAAC%20study_final.pdf)

<sup>80</sup> European Commission, *Communication from the Commission - Towards an EU Strategy on the Rights of the Child*, COM(2006) 367 final (Brussels, 4.7.2006) [on-line], accessed 24 April 2008, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2006:0367:FIN:EN:PDF>

<sup>81</sup> ACP-EU Joint Parliamentary Assembly, *Resolution on children's rights and child soldiers in particular*, ACP-EU 3587/03/fin. (October 2003), p. 4 [on-line], accessed 10 October 2007, available at <http://venus.unive.it/cde/ACPEU03-3587.pdf>

## 5.2 EU Support for International Legislation

The EU also supports other international legislation which protects children in a situation of violent conflict. The Geneva Conventions of 1949 refer to children in conflict situations in general, whereas the Additional Protocols of 1977 are the first international treaties to cover children actively participating in a violent conflict. According to the Additional Protocols fifteen is the minimum age for legitimate recruitment to armed conflict. The UN Convention on the Rights of the Child signed in 1989, together with its Optional Protocol on the involvement of children in armed conflict from 2000, generally strengthens the protection of children in conflict situations.<sup>82</sup>

The establishment of the International Criminal Court (ICC) provided a permanent forum to try persons charged with committing war crimes, crimes against humanity, and genocide. Included in its statute under 'war crimes', is the 'conscripting or enlisting [of] children under the age of fifteen years into national armed forces or using them to participate actively in hostilities.'<sup>83</sup> This statute has been signed by several EU Member States.<sup>84</sup>

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<sup>82</sup> International Committee of the Red Cross (ICRC), *Legal Protection of Children in Armed Conflict*, Advisory Service on International Humanitarian Law, (Geneva, 2003)

<sup>83</sup> (Article 8(2) (b) (xxvi))

<sup>84</sup> For more detailed information about EU and its response to children in conflict situations, see: Sherriff, Andrew, *Enhancing the EU Response to Children Affected by Armed Conflict - With particular reference to development policy*



## 6 Small Arms and Light Weapons

Small arms and light weapons (SALW) refer to arms that can be carried by one or more persons. Even though they are designed for use by armed forces, they are often cheap and user-friendly, and therefore widely employed by non-state players. Small arms consist of hand-held small calibre firearms like handguns, rifles, shotguns and automatic weapons. Light weapons refer to medium-calibre and explosive ordnance like anti-personnel, anti-tank or anti-aircraft rockets, missiles, landmines and mortars.

### 6.1 The EU and SALW in ACP Countries

The EU recognises that Africa is the continent most ‘affected by the impact of internal conflicts aggravated by the destabilising influx of SALW.’<sup>85</sup> SALW control, human security and international development are all inseparably linked.<sup>86</sup> The Commission favours a comprehensive approach to tackling SALW in ACP countries, suggesting that ‘measures have to form part of a broad strategy combining a range of instruments, both long-term and short-term, which include confidence building, disarmament, demobilisation and reintegration of ex-combatants into civil society, and development.’<sup>87</sup>

In addition to these reactive measures, the EU also recognises the need for preventive measures, namely controlling arms exports, ‘which will tackle illegal supply and demand as well as controls on exports of conventional weapons. Particular attention should be paid to the enormous accumulations of SALW stockpiled in Eastern and South-East Europe and the ways and means by which they are disseminated in Africa.’<sup>88</sup>

The EU’s stated objectives with regards to SALW are:

- to combat the spread of small arms and contribute to ending their destabilising accumulation
- to contribute to the reduction of existing accumulations of these weapons and their ammunition to levels consistent with countries’ legitimate security needs;
- to help solve the problems caused by these excessive accumulations.<sup>89</sup>

Assistance to SALW in third countries usually comes from Common Foreign and Security Policy (CFSP) funds, under the title ‘non-proliferation and disarmament,’ ‘provided that they are not already covered by the provisions of the Cotonou Agreement concerning similar action in the ACP States.’<sup>90</sup> In 2006, the CFSP budget committed 13 million euros to non-proliferation and disarmament measures, compared to 7.2 million euros in 2005.<sup>91</sup>

<sup>85</sup> Council of the European Union, *EU Strategy to combat illicit accumulation and trafficking of SALW and their Ammunition*, 5319/06 (Brussels, 13 January 2006), p. 5 [on-line], accessed on 24 April 2008, available at <http://register.consilium.europa.eu/pdf/en/06/st05/st05319.en06.pdf>

<sup>86</sup> European Parliament, *More money and stronger action required from EU for disarmament* (9 Dec 2005) [on-line], accessed 10 October 2007, available at [http://www.europa-eu-un.org/articles/en/article\\_5444\\_en.htm](http://www.europa-eu-un.org/articles/en/article_5444_en.htm)

<sup>87</sup> European Commission, *Small Arms and Light Weapons - the response of the European Union* (2001), p. 7 [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/comm/external\\_relations/cfsp/doc/small\\_arms\\_en.pdf](http://ec.europa.eu/comm/external_relations/cfsp/doc/small_arms_en.pdf)

<sup>88</sup> Council of the European Union, *EU Strategy to combat illicit accumulation and trafficking of SALW and their Ammunition*

<sup>89</sup> *ibid.*

<sup>90</sup> European Commission, CFSP 2006 budget, Article 19 03 02, *Non-proliferation and disarmament* [on-line], accessed 10 October 2007, available at [http://europa.eu.int/eur-lex/budget/data/D2006\\_VOL4/EN/nmc-titleN188CA/nmc-chapterN19003/articles/index.html#N19034](http://europa.eu.int/eur-lex/budget/data/D2006_VOL4/EN/nmc-titleN188CA/nmc-chapterN19003/articles/index.html#N19034)

<sup>91</sup> Ian Anthony, *European Union financial support to specialized institutions supporting arms control and disarmament* (Stockholm: Stockholm International Peace Research Institute (SIPRI), 2005), p. 8 [on-line], accessed 10 October 2007, available at <http://www.sipri.org/contents/expcon/BP10.pdf/download>

## 6.2 Coordination with Global Partners

UN member states agreed to a Programme of Action combating the illicit trade in SALW at the 2001 UN conference on Illicit Trade in Small Arms and Light Weapons.<sup>92</sup> This included a number of measures at national and regional levels, as well as international cooperation, strengthening the capacity of states to identify and trace illicit arms and light weapons.

At the 2005 review of the Programme of Action, the EU elaborated on the ways it has sought to comply with the provisions set out by the programme, including strengthening domestic legislation to eliminate identified loopholes, contributing to initiatives launched in relevant regional fora to foster international cooperation and develop common standards, and providing financial and technical assistance to countries affected by the widespread accumulation of arms.<sup>93</sup>

In 2005, the EU announced that Member States have supported the implementation of the OSCE Document on SALW and the dissemination of OSCE best practice guidelines on small arms control. EU Member States also contributed to new OSCE agreements on ammunition stockpile management, end-user certificates and verification procedures, brokering and exporting Man-Portable Air Defence Systems (MANPADS), supporting new initiatives through the Wassenaar Arrangement on Export Controls and Dual-Use Goods and Technologies including stricter controls on MANPADS, and enhanced transparency in SALW transfers. The EU claims to have provided more than 82 million euros in support to ACP countries concerning SALW from 2003 to 2005 through the EDF.<sup>94</sup>

The EU also supports UNDP activity against SALW through the Multi-donor Trust Fund. Through the UNDP fund, the Community contributes to the UNDP-funded ECOWAS Small Arms Control Programme (ECOSAP).<sup>95</sup> The EU is also a signatory to the UN Firearms agreement.<sup>96</sup>

## 6.3 Trade Incentives: the ‘Everything but Arms’ Agreement

In 2001 the Council passed the so-called ‘Everything but Arms (EBA) Regulation’, which grants duty-free access to imports of all products from Least Developed Countries (LDCs) with the exception of arms and munitions.<sup>97</sup> The EBA is intended to act as a trade incentive that discourages the arms trade by making it cheaper to trade in anything else. From a development perspective, the principal effects of the EBA will be improved access to the EU market and also increased competition for non-LDCs.<sup>98</sup> However, the real problem is not the export of arms from the ACP to the EU. Rather, the real problems are EU arms exports to the ACP and internal ACP-ACP trade and trafficking. It is an area in which more work must be done.

<sup>92</sup> UN, *Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects*, Document A/CONF.192/15 [on-line], accessed 10 October 2007, available at <http://disarmament.un.org/cab/poa.html>

<sup>93</sup> H.E. Ambassador John Freeman, statement on behalf of the EU at Biennial meeting of states to consider the implementation of the UN Programme of Action on Small Arms and Light Weapons (New York: July 2005) [on-line], accessed 10 October 2007, available at

[http://www.europa-eu-un.org/articles/en/article\\_4887\\_en.htm](http://www.europa-eu-un.org/articles/en/article_4887_en.htm)

<sup>94</sup> *ibid.*

<sup>95</sup> Council of the European Union, First Progress Report on the implementation of the EU Strategy to Combat Illicit Accumulation and Trafficking of SALW and their Ammunition 10538/06 (June 2006)

<sup>96</sup> UN, 55/255 Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the UN Convention against Transnational Organized Crime (2001) [on-line], accessed 10 October 2007, available at <http://www.iansa.org/un/un-firearms-protocol.pdf>

<sup>97</sup> European Commission, “EBA” - *Everything But Arms initiative: User’s guide to the EU GSPs - Special Arrangements for Least Developed Countries* [on-line], accessed 3 June 2007, available at <http://ec.europa.eu/trade/issues/global/gsp/eba/ug.htm>

<sup>98</sup> Christopher Stevens and Jane Kennan, *The Impact of the EU’s ‘Everything but Arms’ Proposal: A Report to Oxfam Final Report*, (Institute of Development Studies, January 2001) [on-line], accessed 10 October 2007, available at [http://www.oxfam.org.uk/what\\_we\\_do/issues/trade/eu\\_arms.htm](http://www.oxfam.org.uk/what_we_do/issues/trade/eu_arms.htm)

## 7 Security Sector Reform

Security Sector Reform (SSR) aims to improve ‘governance over and service delivery by the security sector’, where the security sector is ‘organisations authorised to use force for the protection of the state and its population, as well as civil management and oversight bodies associated with such organisations’.<sup>99</sup> This includes military and paramilitary forces, intelligence services, police forces, border and coast guards, prison guards and correction officers. It could also apply to non-state actors such as armed rebel groups.

SSR includes activities such as the control, collection and destruction of small arms, the promotion of community-based policing, and the reform of the justice sector. The growing relevance of the SSR concept comes from the understanding that an unreformed security sector represents a decisive obstacle to the promotion of sustainable development, democracy, security and peace.

SSR is a holistic concept that covers both military and non-military dimensions of security. It is aimed not only at increasing the effectiveness and efficiency of the security forces, but also at improving the governance of the security sector as a whole in accordance with democratic standards. SSR is context-specific and each country requires a different approach. Because it is a long-term process, it tends to require external assistance. This often results in tensions between local stakeholders and external donors.<sup>100</sup>

### 7.1 The EU and SSR

In December 2003, the EU pledged to increase its contribution to global security and stability. SSR has been identified as an important step towards doing so.<sup>101</sup>

In 2005 the European Council adopted an SSR concept in relation to the European Security and Defence Policy (ESDP), and in May 2006 Commission put forward a Communication on Community support to SSR. These elements were brought together under an EU policy framework for support to SSR, which was adopted by the European Council in June.<sup>102</sup> It states that ‘support to DDR in a partner state within the framework of SSR should be addressed separately but consistently with this SSR concept’. The mandate for the Presidency includes a commitment ‘to take forward work on [SSR], including through region/country specific approaches, and to develop an EU approach to contribute to [DDR].’<sup>103</sup>

<sup>99</sup> MDRP, *Linkages between Disarmament, Demobilization and Reintegration of Ex-Combatants and Security Sector Reform* (October 2003), p. 1 [on-line], accessed 14 March 2007, available at <http://www.mdrp.org/PDFs/ssr-paper.pdf>

<sup>100</sup> Security Council Report, *Developing a Security Sector Reform (SSR) Concept for the United Nations* (Slovakia: 7 July 2006), pp. 37-38 [on-line], accessed 14 March 2007, available at <http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/SSR%204%20Developing.pdf>

<sup>101</sup> Council of the European Union, *A Secure Europe in a Better World* (Brussels: Dec 2003) [on-line], accessed 14 March 2007, available at <http://www.consilium.europa.eu/uedocs/cmsupload/78367.pdf>

<sup>102</sup> Council of the European Union, Presidency report to the European Council on EU activities in the framework of prevention, including implementation of the EU Programme for the Prevention of Violent Conflicts, 11013/07 (Brussels, 19 June 2007) [on-line], accessed on 24 April 2008, available at <http://register.consilium.europa.eu/pdf/en/07/st11/st11013.en07.pdf>

<sup>103</sup> Council of the European Union and the European Commission, *EU Concept for support to Disarmament, Demobilisation and Reintegration (DDR)* (Brussels, December 2006), accessed on 24 April 2008, available at [http://www.eplo.org/documents/EU\\_Joint\\_concept\\_DDR.pdf](http://www.eplo.org/documents/EU_Joint_concept_DDR.pdf)

According to a joint report by the Council Secretariat and the European Commission on the EU Strategy for Africa, the EU's policy framework for support to SSR 'combines to the extent possible the potential of CFSP and ESDP instruments.'<sup>104</sup>

The European Community has supported SSR reforms in twenty-six African countries, in terms including the 'capacity building of law enforcement agencies and key ministries in the areas of justice reform, rule of law and civilian oversight.'<sup>105</sup> The European Community should assist in this sense when it can offer 'added value', but where Member States are better placed to assist they will be encouraged to do so.

According to an ISIS-Europe report, the EU's SSR strategy 'provides the EU with a formidable tool to engage in groundbreaking initiatives worldwide.'<sup>106</sup> The report explains that SSR represents a new approach to foreign policy for the EU, as an alternative means of addressing development and security issues in contrast to the US 'War on Terror.'<sup>107</sup>

## 7.2 The OECD-DAC Guidelines on SSR

The Organisation for Economic Cooperation and Development (OECD) Development Assistance Committee (DAC) has development guidelines for support of SSR which, according to a communication by the European Commission, 'provide an important basis for European Commission engagement in this area, in terms of norms, principles and operational guidance.'<sup>108</sup> The guidelines state that SSR should be:

- people-centred, locally owned and based on democratic norms, on human rights principles and on the rule of law, seeking to provide freedom from fear;
- seen as a framework to structure thinking about how to address diverse security challenges facing states and their populations through more integrated development and security policies and through greater civilian involvement and oversight;
- founded on activities with multi-sectoral strategies, based upon a broad assessment of the range of security needs of the people and the state;
- developed adhering to basic principles underlying public sector reform, such as transparency and accountability;
- implemented through clear processes and policies that aim to enhance the institutional and human capacity needed for security policy to function effectively.<sup>109</sup>

<sup>104</sup> European Commission, *Joint Progress Report by the European Commission and General Secretariat of the Council to the General Affairs and External Relations Council on the implementation of the EU Strategy for Africa* (12 October 2006) [on-line], accessed 10 October 2007, accessed 14 March 2007, available at [http://www.europe-cares.org/africa/docs/061012\\_FINAL\\_VERSION.pdf](http://www.europe-cares.org/africa/docs/061012_FINAL_VERSION.pdf) see also Council Document 13565/05

<sup>105</sup> *ibid.* The countries are: Angola, Benin, Burkina Faso, Burundi, Cameroon, Chad, DRC, Eritrea, Guinea Bissau, Equatorial Guinea, Guinea Conakry, Ivory Coast, Kenya, Liberia, Madagascar, Malawi, Mauritius, Mozambique, Niger, Nigeria, Republic of Congo, Rwanda, Sierra Leone, South Africa, Sudan, Somalia, and Uganda.

<sup>106</sup> Damien Helly, *Security Sector Reform: from Concept to Practice*, *European Security Review*, (Brussels: ISIS Europe, Dec 2006), p. 3 [on-line], accessed 14 March 2007, available at [http://www.isis-europe.org/ftp/Download/SSR\\_implementation.pdf](http://www.isis-europe.org/ftp/Download/SSR_implementation.pdf)

<sup>107</sup> *Ibid.*

<sup>108</sup> EurLex, *A Concept for European Community Support for Security Sector Reform* {SEC(2006) 658} COM(2006) 253 final [on-line], accessed 10 October 2007, available at <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52006DC0253:EN:NOT>

<sup>109</sup> OECD, 'Security System Reform and Governance', *DAC Guidelines and Reference Series*, (France: OECD Publishing, 2005) [on-line], accessed 14 March 2007, available at <http://www.oecd.org/dataoecd/8/39/31785288.pdf>

## 8 Political Dialogue

Article 8 of the Cotonou Agreement deals with political dialogue between the EU and ACP countries, ‘offer[ing] scope for addressing conflict prevention in ACP countries.’<sup>110</sup> Long-term dialogue on issues such as human rights can play an early warning role by highlighting issues that could lead to violent conflict; thus, it can also contribute to the early resolution of the issues. Political dialogue is also intended to support regional integration by including the input of regional and sub-regional organisations. In total, a budget of 16.4 billion euros was committed to political dialogue with ACP countries under the 9<sup>th</sup> EDF.<sup>111</sup>

### 8.1 Article 96 and Sanctions

Article 96 provides the legal basis for the suspension of cooperation under the Cotonou Agreement in cases where the agreement’s essential elements (respect for human rights, democratic principles and the rule of law)<sup>112</sup> are breached. Since the signing of Cotonou in 2000, Article 96 has been invoked eleven times in ten different countries. The EU, thus far, has been the only party to invoke it.

Articles 96 and 8 are noted for a ‘lack of clarity about when and how [they are] used’ as the definition of ‘political dialogue’ and ‘appropriate measures’ are very broad.<sup>113</sup> However, the European Commission argues that this flexibility is actually political dialogue’s ‘greatest asset’. It is also keen to stress that Article 8 political dialogue is not a one-time occurrence, but rather an on-going process which continues even if Article 96 has been invoked.<sup>114</sup> Consultations under Article 96 are not intended to be punitive or coercive, but rather to be the ‘ultimate remedy’ that any party can apply when it feels that another party’s respect for the essential elements of Cotonou is lacking.

Sanctions, usually imposed to deny the offending party ‘the means to prolong or escalate the violence’ after a conflict has broken out, are one of the most controversial ‘appropriate measures’ made possible by Article 96.<sup>115</sup> In practice, sanctions often affect innocent civilians more than they do those fuelling the conflict.

### 8.2 Good Governance

The Cotonou Agreement places significant emphasis on good governance, which it defines as ‘the transparent and accountable management of human, natural, economic and financial resources for the purposes of equitable and sustainable development, in the context of a political and institutional environment that upholds human rights, democratic principles and the rule of law.’<sup>116</sup>

<sup>110</sup> European Commission, Communication from the Commission on Conflict Prevention, p. 23

<sup>111</sup> European Commission, *About DG Development - Development and Relations with African, Caribbean and Pacific States*, [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/development/AboutGen\\_en.cfm](http://ec.europa.eu/development/AboutGen_en.cfm)

<sup>112</sup> For more information see the passage on the Cotonou Agreement above.

<sup>113</sup> *ibid.*, p. 8

<sup>114</sup> Lyssandros Stathopoulos, *Political dialogue under Article 8*, (DG Development, European Commission: 2003), p. 18 [on-line], accessed 10 October 2007, available at

[http://ec.europa.eu/development/body/publications/courier/courier200/pdf/en\\_018\\_ni.pdf](http://ec.europa.eu/development/body/publications/courier/courier200/pdf/en_018_ni.pdf)

<sup>115</sup> European Commission, Communication from the Commission on Conflict Prevention, p. 23

<sup>116</sup> ACP-EU, ACP-EU Partnership Agreement, Article 9 (3)

The Commission has planned a 3 billion euro ‘tranche’ of the 10<sup>th</sup> EDF to go towards good governance ‘incentives’,<sup>117</sup> access to which will depend on the countries’ intent to improve their governance. In African countries, access will also be based on existing evaluation mechanisms such as the African Peer Review Mechanism (APRM), which sees participating countries periodically review the policies and practices of other participating countries in terms of progress made toward good governance.<sup>118</sup>

The APRM needs to be engaged with caution, however. Exploitation by donors can be counterproductive to its objectives and can discourage the participation of African countries, which is voluntary. The New Partnership for Africa’s Development (under which the APRM lies) explains that since it is a ‘peer learning and experience sharing process, it should not be interpreted as a score card of pass or fail, or a conditionality for donor assistance.’<sup>119</sup>

### 8.3 Civil Society

The EU asserts that civil society consultation is of central importance to inclusiveness and transparency, as well as being important in the expertise it contributes. The new EU ‘Reform Treaty’ reinforces the European commitment to participatory democracy in Article I-47, and there are now some structures and forums for civil society consultation in place.

In order to maximise their effectiveness at the European level, many NGOs have organised themselves into umbrella networks and joint sector platforms.<sup>120</sup> However, the EU can do little more than encourage ACP countries to consult with civil society.<sup>121</sup>

### 8.4 Joint Institutions

Other important fora for political dialogue are the ACP-EU Council of Ministers, the Committee of Ambassadors and the Joint Parliamentary Assembly. Political dialogue in these three arenas provides a useful tool for assessing the overall scope of EU political dialogue with ACP countries.<sup>122</sup>

### 8.5 Ensuring a Regional Perspective to Dialogue

Conflicts often have a significant regional dimension. In response to this, the EU has launched regional as well as country strategy papers for cooperation. It has also promoted regional integration through regional and sub-regional structures and trade agreements.<sup>123</sup> Promoting the involvement in and support of neighbouring countries to areas in conflict is a way of ensuring regional ownership and capacity.

<sup>117</sup> European Commission, *Governance in the European Consensus on Development COM(2006) 421 final* (August 2006) [on-line], accessed 10 October 2007, available at

[http://www.europe-cares.org/africa/docs/COM\(2006\)421\\_EN.pdf](http://www.europe-cares.org/africa/docs/COM(2006)421_EN.pdf)

<sup>118</sup> For more information on the APRM, visit <http://www.nepad.org/aprm/>

<sup>119</sup> New Partnership for Africa’s Development (NEPAD), *Press release on recent developments in the APRM in Kenya and the continental process* (2005-08-01) [on-line], accessed 24 April 2008, available at

<http://www.nepad.org/2005/news/wmview.php?ArtID=37>

<sup>120</sup> European Peacebuilding Liaison Office, *The European Union and Civil Society* [on-line], accessed 10 October 2007, available at <http://www.eplo.org/index.php?id=92>

<sup>121</sup> Consultation on Sustainability Impact Assessment of the EU-ACP Economic Partnership Agreements, hosted by DG Trade, 23 March 2007

<sup>122</sup> Stathopoulos, Political dialogue under Article 8, p. 20

<sup>123</sup> European Commission, Communication from the Commission on Conflict Prevention, p. 8

## 8.6 EU Special Representatives

Another means of achieving political dialogue with ACP countries is via Special Representatives to the country or region in question. EU Special Representatives (EUSRs) are often deployed in cases of open conflict to be the 'voice' and 'face' of the EU, actively promoting efforts to consolidate peace, stability and the rule of law in terms of the CFSP.<sup>124</sup> The EU currently has nine EUSRs, two of whom are stationed in ACP countries (the Great Lakes region and Sudan).

## 8.7 EU Election Observation Missions

The European Commission recognises that 'actions in support of democratisation and respect for human rights, including the right to participate in the establishment of governments through free and fair elections, can make a major contribution to peace, security and the prevention of conflicts.'<sup>125</sup> The very presence of election observation missions is intended to enhance the transparency of the process by instilling confidence in the voters; their impartial assessments serve as a 'conflict prevention mechanism'.<sup>126</sup>

The EU only sends an election observation mission to a country whose government has formally requested it and all the main contesting parties support it, and where the EU has the political capacity to assess developments. Several months of preparation time are needed.<sup>127</sup>

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<sup>124</sup> Council of the European Union, *EU Special Representatives* [on-line], accessed 10 October 2007, available at [http://www.consilium.europa.eu/cms3\\_fo/showPage.asp?id=263&lang=EN](http://www.consilium.europa.eu/cms3_fo/showPage.asp?id=263&lang=EN)

<sup>125</sup> European Commission, *Communication from the Commission on EU Election Assistance and Observation*, COM(2000) 191 final, (European Commission: April 2000), p. 3 [on-line], accessed 10 October 2007, available at [http://eur-lex.europa.eu/LexUriServ/site/en/com/2000/com2000\\_0191en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2000/com2000_0191en01.pdf)

<sup>126</sup> EuropeAid, *Observations électorales de l'UE: Méthodologie des Missions d'observations électorales* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/europeaid/projects/eidhr/elections\\_observation\\_fr.htm](http://ec.europa.eu/europeaid/projects/eidhr/elections_observation_fr.htm)

<sup>127</sup> Council of the European Union, *Guidelines- EU Policy on Electoral Observation*, Council Decision 9262/98 - PESC 157 - COHOM 6 [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/europeaid/observer/council\\_decision\\_9262\\_en.pdf](http://ec.europa.eu/europeaid/observer/council_decision_9262_en.pdf)

## 9 Gender and Conflict Prevention

Until recently, the role of women as agents and victims of conflict has been severely overlooked. Women have been excluded from formal conflict prevention, from resolution and from peacebuilding processes, and their unique needs and concerns have not been addressed. Gender-based violence, rape, sexual abuse, economic and physical violence, sexual slavery, forced pregnancy and HIV/AIDS infection are all issues which particularly or uniquely affect women in conflict situations.

The Council of Europe explains that ‘conflict is a gendered activity: women and men have different access to resources, power and decision making before, during and after conflicts. The experience of women and men in situations of tension, war, and post-conflict reconstruction is significantly different. Approximately eighty per cent of today’s civilian casualties are women and eighty per cent of all refugees and internally displaced people worldwide are women and children...“While entire communities suffer the consequences of armed conflict and terrorism, women and girls are particularly affected because of their status in society and their sex.”’<sup>128</sup>

History has shown ‘the making of war’ to be a ‘highly male-dominated activity,’ and thus the particular skills of women in terms of non-violence and dialogue can help contribute positively to peaceful conflict prevention and management.<sup>129</sup> Currently very few women serve in peacekeeping missions. Only about one per cent of military personnel and five per cent of civilian police are women, and to date all EU Special Representatives have been men.<sup>130</sup>

The adoption of UN Security Council Resolution (UNSCR) 1325 on Women, Peace and Security in 2000 was seen as a landmark in terms of recognising women as both agents and victims of conflict and of recognising the ways in which they can contribute to peacebuilding.<sup>131</sup>

Gender was not mentioned at all in the 2001 Commission Communication on Conflict Prevention,<sup>132</sup> nor is it mentioned in the European Security Strategy. The EU has been making good headway in terms of mainstreaming gender and promoting the empowerment of women into development cooperation programming. However, a recent study financed by the Slovenian presidency of the EU finds that the EU’s response to women and conflict remains fragmented, and that there is a gap between policy commitments and implementation.<sup>133</sup>

Mainstreaming gender into approaches to conflict prevention would include:

- ensuring a gender analysis of the conflict or security situation;
- ensuring a gender-balanced representation of peacekeepers, civil police, experts etc.;
- ensuring sufficient consultation of civil society and women in the planning stages of each project or programme.

<sup>128</sup> Council of Europe, Parliamentary Assembly, Resolution 1385 (2004): *Conflict prevention and resolution: the role of women* (June 2004), quote Platform for Action of the United Nations Fourth World Conference on Women [on-line], accessed 10 October 2007, available at

<http://assembly.coe.int/Documents/AdoptedText/ta04/ERES1385.htm>

<sup>129</sup> European Parliament, *Women in armed conflicts and their role in post-conflict reconstruction*, (2005/2215(INI)), p. 3 [on-line], accessed 10 October 2007, available at

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//NONSGML+TA+P6-TA-2006-0245+0+DOC+PDF+V0//EN>

<sup>130</sup> ISIS Europe, *Gender and Security*, No. 30 (Brussels, September 2006) [on-line], accessed 10 October 2007, available at <http://isis-europe.org/esr30.gender%20and%20security-1.pdf>

<sup>131</sup> United Nations Security Council, *Resolution 1325* (2000), adopted by the Security Council at its 4213th meeting (31 October 2000) [on-line], accessed 10 October 2007, available at

[http://www.un.org/events/res\\_1325e.pdf](http://www.un.org/events/res_1325e.pdf)

<sup>132</sup> European Commission, *Communication from the Commission on Conflict Prevention*

<sup>133</sup> Andrew Sherriff with Karen Barnes, *Enhancing the EU response to women and armed conflict - with particular reference to Development Policy* (Maastricht: ECDPM, April 2008)



## 9.1 The EU's Work towards Gender Mainstreaming

In 2007 the Commission released its new Communication on Gender Equality and Women Empowerment in Development Cooperation. This was the first real European policy framework for promoting gender sensitivity in development cooperation. Although gender mainstreaming is not yet fully integrated into EU development cooperation and although the Millennium Development Goal on gender has not yet been met, gender is now a part of EU political dialogue with developing countries. The importance of gender sensitivity in poverty reduction initiatives has been recognised.<sup>134</sup> The Communication lists three main priorities for the Commission's work: the analysis and integration of gender within the priority areas identified by the Community Development Policy; strengthening gender mainstreaming within projects and programmes at regional and country levels; and gender capacity building, such as the provision of gender-sensitive training for all head quarter and delegation staff.<sup>135</sup>

In November 2006, the General Affairs and External Relations Council of the European Union underscored the importance of gender equality and gender mainstreaming in crisis management. Some of the objectives outlined were:

- fully integrating gender into the planning of all ESDP missions and operations;
- taking gender into account in policies aimed at the protection of Internally Displaced Persons and refugees;
- training staff on gender equality; including both women and men in the personnel of all ESDP missions, especially at checkpoints;
- and incorporating a gender perspective in the EU's policies and activities on SSR and DDR, ensuring that combatants of both sexes can participate equally in these programmes.<sup>136</sup>

In May 2006, Commissioner Benita Ferrero-Waldner reiterated the EU's commitment to implement UNSCR 1325 and she supported the approach that women 'should not be seen only as victims but also as key actors promoting war or peace'.<sup>137</sup> The Commissioner also pledged to increase emphasis on gender in the Conflict Prevention Network funding, and pledged 9.7 million euros from the 2005 and 2006 EIDHR budgets to focus on issues such as equitable treatment, women victims of gender-based violence in conflict zones and the trafficking of women and children.

## 9.2 International Work on Gender

In 2004, the Council of Europe passed a resolution acknowledging the important role of women in conflict prevention and resolution as well as in post-conflict reconstruction and peace consolidation. The resolution refers to the failure of Europe thus far 'to ensure women's full participation on an equal footing with men in conflict prevention, peace operations and post-conflict peace-building'.<sup>138</sup>

<sup>134</sup> European Commission, *Gender Equality and Women Empowerment in Development Cooperation*, COM(2007) 100 final, p. 3 [on-line], accessed 10 October 2007, available at [http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007\\_0100en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2007/com2007_0100en01.pdf)

<sup>135</sup> European Commission, Communication from the Commission - Programme of Action for the mainstreaming of gender equality in Community Development Co-operation, COM(2001) 295 final (June 2001) [on-line], accessed 10 October 2007, available at [http://eur-lex.europa.eu/LexUriServ/site/en/com/2001/com2001\\_0295en01.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/com/2001/com2001_0295en01.pdf)

<sup>136</sup> Council of the European Union, *General Affairs and External Relations, 2760th Council Meeting*, 14779/06 (Presse 302) (13 November 2006) [on-line], accessed 10 October 2007, available at [http://www.consilium.europa.eu/ueDocs/cms\\_Data/docs/pressData/en/gena/91667.pdf](http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressData/en/gena/91667.pdf)

<sup>137</sup> Benita Ferrero-Waldner, European Commissioner for External Relations and European Neighbourhood Policy, *Women in peace building (De Keyser report)* (Speech at the European Parliament June 2006) [on-line], accessed 10 October 2007, available at [http://www.europa-eu-un.org/articles/en/article\\_6009\\_en.htm](http://www.europa-eu-un.org/articles/en/article_6009_en.htm)

<sup>138</sup> Council of Europe, *Conflict Prevention and Resolution: the Role of Women*

ACP countries have also taken steps relating to gender and conflict prevention. The Solemn Declaration on Gender Equality in Africa commits AU member states to ensure full and effective participation and representation of women in peace processes.<sup>139</sup> The Pacific Plan commits the Pacific Islands to gender mainstreaming and sensitivity.<sup>140</sup> In the Caribbean there is the Inter-American Convention on the Prevention, Punishment and Eradication of Violence Against Women.<sup>141</sup>

In its Constitutive Act, the AU made a bold statement about gender parity. The AU Commission has mandated that half of all its Commissioners should be women; which has been implemented. For the sake of comparison, only eight out of twenty-seven European Commissioners are women. The AU Assembly has also established a Directorate on Women, Gender and Development to monitor and ensure the mainstreaming of gender into all programming.<sup>142</sup>

IGAD, whose current members include Djibouti, Ethiopia, Kenya, Somalia, Sudan and Uganda, set up its Women's Desk in 1999 with the aim of 'fostering gender mainstreaming and promoting women's participation in IGAD programmes'.<sup>143</sup> In 2002, IGAD adopted a resolution to include women in peacebuilding programmes through the implementation of UNSCR 1325. With the establishment of the Conflict Early Warning and Response Mechanisms (CEWARN), IGAD has made good progress in mainstreaming gender into its structures. Even though CEWARN units have not yet been institutionalised, women are represented and have called for the incorporation of gender-sensitive conflict indicators, with particular regard to the prevalence of sexual violence in conflict and post-conflict situations. CEWARN units have also recommended the recruitment of women as field monitors.<sup>144</sup>

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<sup>139</sup> For the full text, see <http://www.chr.up.ac.za/about/2007/AfricaSolemnDec04.pdf>

<sup>140</sup> For the full text, see

<http://www.forumsec.org/resources/article/files/The%20Pacific%20Plan,%20updated%20Dec%202006.pdf>

<sup>141</sup> Aparna Mehrotra, *Gender and Legislation in Latin America and the Caribbean* (UNDP Regional Bureau for Latin America and the Caribbean: 1998) [on-line], accessed 10 October 2007, available at <http://www.undp.org/rblac/gender/legislation/>

<sup>142</sup> UNIFEM, *Women and Peacebuilding in Africa*, (UNIFEM: October 2005), p. 20 [on-line], accessed 10 October 2007, available at

[http://www.ccr.uct.ac.za/fileadmin/template/ccr/pdf/Vol\\_9-WPA\\_Report\\_Final\\_Web-small.pdf](http://www.ccr.uct.ac.za/fileadmin/template/ccr/pdf/Vol_9-WPA_Report_Final_Web-small.pdf)

<sup>143</sup> Intergovernmental Authority on Development (IGAD), *IGAD Strategy*, (IGAD: October 2003), p. 18 [on-line], accessed 10 October 2007, available at

[http://www.iss.co.za/Af/RegOrg/unity\\_to\\_union/pdfs/igad/IGADStrategy.pdf](http://www.iss.co.za/Af/RegOrg/unity_to_union/pdfs/igad/IGADStrategy.pdf)

<sup>144</sup> UNIFEM, *Women and Peacebuilding in Africa*, p. 22

## 10 Natural Resources

Plentiful natural resources can be both a blessing and a burden for countries and their populations. While the revenues generated from the export of commodities can help a country prosper, they can also be the source of conflict, leading to what is sometimes known as the ‘resource curse.’<sup>145</sup>

The export of so-called ‘conflict resources’ can contribute significantly to ‘war economies’ when poor governance, ethnic or religious tensions, slow economic growth, large income disparities or social or economic exclusion also come into play.<sup>146</sup> For countries engaged in violent conflict or civil war, returns from these commodities are often used to fund one side or the other. The risk of civil war is four times higher for countries rich in natural resources than for countries with no primary resource commodities.<sup>147</sup>

The issue of transparency in extractive industries or in resource management is linked to the issue of economic justice: that all citizens in a given country have an equal right to the revenues or benefits acquired from that country’s natural resources.<sup>148</sup> Transparency and accountability regarding natural resource revenues allow citizens and independent observers to assess whether funds are being properly used.

### 10.1 The EU and Natural Resource Management in ACP Countries

The EU generally supports sanctions put in place by the United Nations Security Council, though it has not often addressed the issue of conflict resources on its own.<sup>149</sup> The Commission and Member States have agreed to work against illegal trade in scarce resources, including the trade in rough diamonds and violent conflict through the Kimberly Process.<sup>150</sup>

In 2005, the Council of the European Union committed the EU to working towards finding means to suppress illegal exploitation of natural resources which contributes to the eruption, escalation and continuation of violent conflicts and where appropriate, to use restrictive measures targeted at actors who profit from and exacerbate violent conflicts.<sup>151</sup>

The ACP-EU Joint Parliamentary Assembly has produced a draft report on good governance, transparency and accountability in relation to the exploitation of natural resources in ACP countries. The report focuses on corruption relating to the use of funds generated from the exploitation of natural resources.<sup>152</sup>

<sup>145</sup> Publish What You Pay, *Background* [on-line], accessed 10 October 2007, available at <http://www.publishwhatyoupay.org/english/background.shtml>

<sup>146</sup> Natalie Pauwels, *Conflict Commodities: Addressing the Role of Natural Resources in Conflict* (ISIS, 2003), p. 4

<sup>147</sup> *ibid.*

<sup>148</sup> Save the Children UK, *Beyond the Rhetoric: measuring revenue transparency in the oil and gas industries*, 17/4/2005, p.1 [on-line], accessed 10 October 2007, available at <http://www.savethechildren.org.uk/mt/Linkage.pdf>

<sup>149</sup> Pauwels, *Conflict Commodities: Addressing the Role of Natural Resources in Conflict*

<sup>150</sup> European Commission, *EU Programme for the Prevention of Violent Conflicts*, p. 4

<sup>151</sup> European Council, *Council Common Position 2005/304/CFSP* [on-line], accessed 10 October 2007, available at [http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/L\\_097/L\\_09720050415en00570062.pdf](http://eur-lex.europa.eu/LexUriServ/site/en/oj/2005/L_097/L_09720050415en00570062.pdf)

<sup>152</sup> ACP-EU Joint Parliamentary Assembly, Committee on Political Affairs, *Draft report on good governance, transparency and accountability in relation to the exploitation of natural resources in the ACP countries, motion for a resolution* (18 January 2007) pp. 5-8 [on-line], accessed 10 October 2007, available at [www.europarl.europa.eu/intcoop/acp/90\\_01/pdf/resogahler\\_en.pdf](http://www.europarl.europa.eu/intcoop/acp/90_01/pdf/resogahler_en.pdf)

## 10.2 Environment and Energy

In the field of the environment, EU Member States are providing support for the Global Environment Facility, the High Seas Task Force on illegal fishing, and the implementation of the G8 commitment to help Africa benefit fully from the Global Climate Observing System and the emerging strategic approach to international chemicals management.<sup>153</sup>

The Commission is closely involved in discussions with the AU on issues such as desertification, sustainable water and forest management, climate change, environmental security and environmental monitoring through observatories. The decision to fund the African Monitoring of the Environment for Sustainable Development (AMESD) programme (21 million euros), which will be implemented and coordinated by the AU, is a first step in increasing the use of Earth Observation data in natural resource management and in moving towards a continental approach to cross-border issues.<sup>154</sup>

In 2006 the European Commission approved 220 million euros for the Energy Facility under the 9<sup>th</sup> EDF. 198 million euros of the total has been allocated to a Call for Proposals which was launched 19 June 2006. Out of seventy-five proposals selected, eight projects (either country-specific or regional) will take place in the seven countries of our case studies. They include solar energy solutions in poor Niger delta communities, improving energy governance by informing and engaging ACP legislators (in all ACP countries) and trans-border biomass production in Haiti and the Dominican Republic.<sup>155</sup>

## 10.3 Water

Water management in particular is made difficult by the inability to use a ‘one size fits all’ approach. It depends on the local populations’ needs, as well as on the particular environment. There is high potential for conflict to erupt over water. Because of this, the EU has dedicated two *tranches* of 250 million euros each to the ACP-EU Water Facility, to be funded from the 9<sup>th</sup> EDF. The objective of the Water Facility is to ‘boost the sustainable delivery of water and sanitation infrastructure and improve water governance and Integrated Water Resources Management (IWRM) practices in ACP countries by helping to address the financing gap.’<sup>156</sup>

20 million euros of the ACP-EU Water Facility will go towards the African Water Facility, an initiative headed by the African Ministers’ Council on Water (AMCOW) to make funding available for financing water resource development activities in Africa. 10 million was committed in 2007, in addition to the 10 million committed in 2006 which is yet to be paid. Member States have also pledged significant funds.<sup>157</sup>

The Water Facility has also dedicated 18 million euros to the Nile Basin Initiative, a partnership of riparian states of the Nile River aimed at sharing resources and promoting development and peace.<sup>158</sup>

<sup>153</sup> The Global Environment Facility is an independent financial organisation that helps developing countries fund projects and programmes that protect the global environment, information available at

<http://www.gefweb.org/interior.aspx?id=48&terms=donors>

<sup>154</sup> European Council, *The EU and Africa: Towards a Strategic Partnership - the Way Forward and Key Achievements in 2006*, 16630/06 (December 2006), p. 17 [on-line], accessed 10 October 2007, available at <http://register.consilium.europa.eu/pdf/en/06/st16/st16630.en06.pdf>

<sup>155</sup> European Council, *Summary: EU and Africa: Towards a Strategic Partnership* (December 2005) [on-line], accessed 10 October 2007, available at [http://www.europa-eu-un.org/articles/en/article\\_5499\\_en.htm](http://www.europa-eu-un.org/articles/en/article_5499_en.htm)

<sup>156</sup> European Commission, *The water facility in detail* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/europeaid/where/acp/regional-cooperation/water/in\\_detail/index\\_en.htm](http://ec.europa.eu/europeaid/where/acp/regional-cooperation/water/in_detail/index_en.htm)

<sup>157</sup> African Water Facility, *African Water Facility* [on-line], accessed 10 October 2007, available at [http://www.afdb.org/portal/page?\\_pageid=533,1&\\_dad=portal&\\_schema=PORTAL](http://www.afdb.org/portal/page?_pageid=533,1&_dad=portal&_schema=PORTAL)

<sup>158</sup> European Commission, *The water facility in detail*

## 10.4 Diamonds

The Kimberley Process was initiated in 2000 by governments, NGOs and industry players to stem the flow of so-called 'blood diamonds' (rough diamonds used to fuel violent conflict) into the legitimate diamond market. The European Commission has been involved with the Kimberley Process since its inception and chaired it in 2007.<sup>159</sup>

## 10.5 Timber

The trade in resources such as illegal timber contributes to corruption and undermines the rule of law and good governance. It has also fuelled violent conflict. Importing countries enable this by providing a market for the goods. Therefore, in 2003 the European Commission adopted an Action Plan for Forest Law Enforcement, Governance and Trade (FLEGT), to increase legal trade in timber, and to attempt to cut back on the illegal market.<sup>160</sup>

## 10.6 NGO Initiatives

*Publish What You Pay* is an initiative intended to help citizens of resource-rich countries monitor how their governments spend the revenues from natural resource exports.

*The Extractive Industries Transparency Initiative* (EITI) works towards improving governance in resource-rich countries by the publication of company payments for oil, gas and mining, as well as the government revenues from the same. The Initiative strives to build multi-stakeholder cooperation to increase transparency and accountability of government. While it is not directly funded by the EU, certain Member States such as the United Kingdom, Belgium and Germany support the Initiative.

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<sup>159</sup> European Commission, *The EU and the Kimberly Process (blood diamonds)* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/external\\_relations/kimb/intro/index.htm](http://ec.europa.eu/external_relations/kimb/intro/index.htm)

<sup>160</sup> European Commission, *Forestry and FLEGT* [on-line], accessed 10 October 2007, available at [http://ec.europa.eu/development/Policies/9Interventionareas/Environment/forest/Forestry\\_intro\\_en.cfm](http://ec.europa.eu/development/Policies/9Interventionareas/Environment/forest/Forestry_intro_en.cfm)

## 11 Transitional Justice

Transitional justice is an approach that addresses past abuses as part of the process of resolution. It takes a holistic view of justice and includes a variety of both judicial and non-judicial methods of dealing with the legacy of severe social trauma and of making way for a more just, peaceful and democratic future.<sup>161</sup>

The International Center for Transitional Justice (ICTJ) defines it as ‘a range of approaches that societies undertake to reckon with legacies of widespread or systematic human rights abuse as they move from a period of violent conflict or oppression towards peace, democracy, the rule of law, and respect for individual and collective rights.’<sup>162</sup> The foremost approaches to transitional justice include:

- domestic, hybrid, and international prosecutions of perpetrators of war crimes and human rights abuse;
- truth-telling initiatives, including national and international commissions;
- institutional reform;
- promoting reconciliation within divided communities; constructing memorials and museums to preserve the memory of the past;
- taking into account gendered patterns of abuse to enhance justice for female victims.<sup>163</sup>

### 11.1 The EU and Transitional Justice

The Council of the European Union’s Presidency Report on ESDP of June 2006 lists transitional justice under developments in Human Rights Issues and Conflict Prevention, proclaiming ‘work has begun on considering how the issue of transitional justice can be better integrated into EU crisis management, reflecting the importance for sustainable peace and stability in addressing the question of past human rights abuse in transitional and post-conflict situations.’<sup>164</sup>

The European Council suggests that ‘transitional justice dimension[s] should be considered from the earliest stages of planning, including, where appropriate, in Fact Finding Missions.’ It goes on to propose that transitional justice elements should be included in training programmes for EU crisis management operations and where appropriate it should be taken into account when defining the mandates of EU Special Representatives.<sup>165</sup>

### 11.2 UN Peacebuilding Commission and Transitional Justice

The UN Peacebuilding Commission (PBC) was established in 2005 with the support of the EU. There is no explicit reference to transitional justice in the founding resolutions of the PBC, but it is arguably within its scope to work on transitional justice initiatives because of the relationship between post-conflict peacebuilding and transitional justice.<sup>166</sup>

<sup>161</sup> German Law Journal, *The UN Peacebuilding Commission and Transitional Justice - Part III/II*, 8 German Law Journal No. 7 (1 July 2007) [on-line], accessed 10 October 2007, available at <http://www.germanlawjournal.com/article.php?id=844>

<sup>162</sup> International Center for Transitional Justice, *What is Transitional Justice?* [on-line], accessed 10 October 2007, available at <http://www.ictj.org/en/tj/>

<sup>163</sup> *ibid.*

<sup>164</sup> Council of the European Union, *Presidency Report on ESDP*, 10418/06 (Brussels, 12 June 2006) [on-line], accessed 10 October 2007, available at [www.eda.europa.eu/WebUtils/downloadfile.aspx?fileid=162](http://www.eda.europa.eu/WebUtils/downloadfile.aspx?fileid=162)

<sup>165</sup> Council of the European Union, *Transitional Justice and ESDP*, 10674/06 (Brussels, 19 June 2006), pp. 3-6 [on-line], accessed 10 October 2007, available at [http://www.europarl.europa.eu/meetdocs/2004\\_2009/documents/fd/droi20060828\\_conseil\\_/droi20060828\\_conseil\\_en.pdf](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/fd/droi20060828_conseil_/droi20060828_conseil_en.pdf)

<sup>166</sup> German Law Journal, *The UN Peacebuilding Commission and Transitional Justice*

### 11.3 Truth Commissions

Truth Commissions are bodies set up in a particular country to look into human rights abuses related to violent conflict occurring there. They serve in part to allow victims an official forum in which to tell their story, as well as to provide accountability, opportunities for reconciliation and increased legitimacy for the new political order. Generally, Truth Commissions also give recommendations of ways to avoid a reoccurrence of violence and human rights violations.<sup>167</sup>

### 11.4 International Criminal Court

The International Criminal Court (ICC) is the first permanent world court that has the jurisdiction to try individuals within governments that have ratified the ICC Treaty for genocide, war crimes and crimes against humanity. It is a criminal tribunal that can operate only when the state under which the crimes are committed is unable or unwilling to try such people.<sup>168</sup> The ICC Treaty entered into force in 2002, upon being ratified by sixty countries.<sup>169</sup>

All EU Member States have ratified the ICC. In June 2001 the EU adopted a legally binding Common Position on the International Criminal Court, which was last amended in 2003.<sup>170</sup> The Common Position states: ‘the European Union and its Member States shall make every effort to further this process by raising the issue of the widest possible ratification, acceptance, approval or accession to the Statute and the implementation of the Statute in negotiations or political dialogues with third States’.<sup>171</sup>

In April 2005 the ACP-EU Joint Parliamentary Assembly adopted a resolution calling for the governments of the Great Lakes region and for the European States to cooperate fully with the ICC.<sup>172</sup> The importance of the ICC is also recognised in the Joint Africa-EU Strategy.<sup>173</sup>

### 11.5 African Court on Human and Peoples’ Rights

The African Court on Human and Peoples’ Rights (ACHPR) is the most recent regional human rights judicial body. The protocol establishing the Court came into force in January 2004 under the auspices of the African Union (AU). Due to the growing number and cost of AU institutions, the AU recommended the integration of the ACHPR and the Court of Justice of the African Union, the latter of which has not yet come into force.<sup>174</sup> The integration of the two courts will begin once the protocol establishing the Court of Justice is ratified.<sup>175</sup>

<sup>167</sup> United States Institute of Peace, *Truth Commissions Digital Collection* [on-line], accessed 10 October 2007, available at <http://www.usip.org/library/truth.html>

<sup>168</sup> Human Rights Watch, *EU Strengthens ICC Support* (Brussels, 16 June 2003) [on-line], accessed 10 October 2007, available at <http://www.hrw.org/press/2003/06/icc061603.htm>

<sup>169</sup> *ibid.*

<sup>170</sup> Coalition for the International Criminal Court, *Regional and country info - European Union* [on-line], accessed on 22 January 2008, available at <http://www.iccnw.org/?mod=eu>

<sup>171</sup> Council of the European Union, *Council Common Position on the International Criminal Court*, 10400/03 (Brussels: 13 June 2003) [on-line], accessed on 22 January 2008, available at <http://register.consilium.europa.eu/pdf/en/03/st10/st10400en03.pdf>

<sup>172</sup> ACP-EU Joint Parliamentary Assembly, *Resolution on the situation in the African Great Lakes region*, ACP-EU 3778/05/fin (Bamako, April 2005), p. 3 [on-line], accessed on 10 August 2007, available at [http://www.europarl.europa.eu/meetdocs/2004\\_2009/documents/fd/dza2005051204/dza2005051204en.pdf](http://www.europarl.europa.eu/meetdocs/2004_2009/documents/fd/dza2005051204/dza2005051204en.pdf)

<sup>173</sup> The Africa-EU Strategic Partnership - A Joint Africa-EU Strategy

<sup>174</sup> Project on International Courts and Tribunals, *African Court of Human and Peoples’ Rights* [on-line], accessed 10 October 2007, available at <http://www.pict-pcti.org/courts/ACHPR.html>

<sup>175</sup> Coalition for an Effective African Court on Human and Peoples’ Rights, *About the African Court* [on-line], accessed 10 October 2007, available at [http://www.africancourtcoalition.org/editorial.asp?page\\_id=16](http://www.africancourtcoalition.org/editorial.asp?page_id=16)

## Part III: Conclusions and Recommendations

The last section of this report includes conclusions, questions and recommendations generated from our research of the EU's conflict prevention initiatives. The recommendations are repeated in a list for easy reference at the very end. Apart from the information presented in this report, conclusions are also drawn from the six country studies that have been done within this project. Recommendations were assembled through contacts with Brussels-based Country Desk Officers and responses to questionnaires sent out both to civil society organisations working on the ground and to the European Commission Delegation in the six countries researched. The full country reports are available at: <http://www.quaker.org/qcea/>

### 12 Key Findings

The central goal of this project was to discover whether the 'mainstreaming' of conflict prevention had caused conflict prevention to become a forgotten issue. For the most part, we conclude that it has not. The lack of specific programming and of a conflict prevention budget can make it difficult to trace *what* exactly is being done by the EU in the area and has the drawback of decreased awareness of what the EU is doing among civil society organisations. Despite this, our research has shown that there is a great deal of activity being undertaken by the EU.

This view echoes what most civil society respondents to our questionnaire feel about the mainstreaming of conflict prevention, with those who believe it has become a forgotten issue in the minority (four out of twenty-four respondents). Of those who were unsure whether conflict prevention had become a forgotten issue or not, several feel that mainstreaming is necessary if only because conflict prevention, development, infrastructure, reintegration, justice etc. are all interlinked. Conflict prevention must be 'mainstreamed' into all programming because it is an overarching issue, but specific conflict prevention programmes can also be helpful. Of twenty-one respondents, only six feel that mainstreaming has led to more conflict-sensitivity in EU programming, with twelve out of twenty-seven respondents saying they have seen an increase in conflict prevention efforts since 2000. Only eight of the remaining fifteen said they have noticed no increase; the others were unsure.

**A dual-track approach could be extremely helpful for the EU's conflict prevention efforts.** Based on the results of our research and the responses to our questionnaires, we see a dual-track, holistic, approach to conflict prevention - combining both conflict-specific programming and conflict-sensitivity in all programming - as potentially effective, particularly in countries where ongoing conflict makes all other development impossible.

Even though the vast majority of respondents reported that they have at least some contact with the Commission's Delegation in their country (thirty-one out of forty-one), only twenty are aware of EU-funded conflict prevention projects, even when such projects were, according to the Delegation, being implemented in their regions. Despite this, twenty respondents labelled the EU's approach to conflict prevention helpful. Of the remaining fourteen, eleven feel it is neutral or mixed, and only three consider it unhelpful.

It is difficult to say with any degree of certainty whether civil society's lack of awareness of the EU's vast involvement in conflict prevention has to do with 'mainstreaming', but mainstreaming most likely contributes to it. This suggests that while mainstreaming is a useful tool for conflict prevention, **it could be beneficial for the EU to specifically identify some of their work as conflict prevention in certain areas.**

Twenty respondents cited examples of conflict prevention projects that the EU should support but does not. Only sixteen listed noteworthy EU-funded projects (six of which were micro-project programmes in Nigeria). In cases where civil society is repeatedly citing certain projects (though funded by other donors) as particularly effective, we recommend that the **Commission take the**



**assessments into account and use those examples of best practice to improve their own approach to conflict prevention.**

We do not assume that a lack of awareness among our respondents implies a lack of EU involvement or even inappropriate involvement. Civil society is clearly aware that the EU is active in conflict prevention, but finds it difficult to list specific examples of conflict prevention as such. This suggests there is **a need for the EU to make its own presence on the ground more known** beyond simply identifying projects as conflict-preventative, as recommended above. Unlike many other large donors, the EU does not always clearly identify EU sponsored projects as such, which can leave people on the ground unaware of the EU's presence. We suggest that **where possible the EU 'brands' itself more, so that those benefiting from EU programmes are aware that they are Commission-funded.** This, of course, can be difficult, because conflict-sensitivity would not allow branding something as 'conflict prevention' every time an action is undertaken. But it does perhaps mean communicating the idea of 'mainstreaming' more widely, and discussing what it should mean and what it should include.

We noticed a large disparity between the responses of indigenous civil society and that of international non-governmental organisations (INGOs) regarding the level of contact they have with the respective Commission Delegations. When asked whether there is enough dialogue with the Delegation, a significant number of respondents (both local and international) reported that there is only enough dialogue with the international NGOs. Certainly our analysis of the responses to our questionnaires shows that INGOs tend to have significantly more contact with the Delegations, as well as a history of responding far more frequently and with greater success to Calls for Proposals. In some cases, such as in Somalia, this division between indigenous and international NGOs is explicit: local NGOs are unable to access EU funds without an international partner. Although it is understood that this is due to a lack of a recognised legal framework in Somalia, **the Commission must make funding indigenous NGOs available a priority.** A working group of the European Parliament Committee on Development also highlighted the Delegation's poor consultation with local civil society as an area for improvement.<sup>176</sup> This leaves indigenous NGOs disempowered and isolates the EU's work from the communities they are attempting to work with. **More needs to be done to enable interaction with local NGOs; we see this as a priority area for action.**

Geographical location also plays a role in how accessible the Delegation is to civil society organisations. Those based in areas where the Commission does little work, or far enough away from the location of the Delegation to make regular or even infrequent contact impossible, are notably less aware of Calls for Proposals and information on funding and consultation. **We see room for increased outreach to isolated areas, where there are often few organisations working, yet where there is a significant need for them.** The difficulty of the requisite procedures and time pressures were mentioned several times as an impediment to responding to Calls for Proposals (for nine out of twelve respondents). Financial constraints, distance and an obligation to call local partners 'sub-contractors' instead of 'partners' were other difficulties referred to: such problems can be increased by language and cultural barriers.

Decentralisation has sped up the Commission's decision-making process. However, our research concurs with the views of civil society on the ground, as well as with the conclusion of the Development Assistance Committee (DAC) of the OECD in their peer review of the Commission's official development assistance (ODA) in both ACP and non-ACP countries: compared to other donors the Commission is still difficult for civil society to work with because of slow decisions and complex bureaucratic and funding procedures. **The Commission must continue to work to simplify procedures, taking into account the needs of smaller NGOs to a higher degree.**

Another issue that came up was the financial capacity of the organisations seeking EU aid. Often Calls for Proposals require (in many ways understandably) a minimum budget for proposed projects, but many smaller NGOs do not have the capacity to manage such large sums of money. **More funds**

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<sup>176</sup> Ana Gomez, at meeting of the Development Committee of the European Parliament, 10 September 2007

**need to be earmarked for micro-projects, such as those that have been implemented in Nigeria with great success.**<sup>177</sup>

In addition to this, not all respondents were aware of Commission Calls for Proposals or how to respond to them, which seems to suggest that **information on Calls for Proposals and consultations needs to be more widely disseminated**. The same is true for civil society consultations. Several Delegations confirmed that they tended to have contact with the same civil society groups repeatedly, though most were making an effort to expand their contacts. **We encourage them to continue with these efforts.**

One difficulty we came across in our research was the occasional discrepancy between rhetoric, policy, and actual implementation. This seems to be a hurdle in particular regarding gender mainstreaming. All Delegations responded to queries by saying they ensured gender mainstreaming as outlined in EU policy, but none gave specific examples of how they did so. This finding was also underscored by the DAC's conclusions on the Commission's ODA. As outlined at a recent meeting held by PLAN, there are **various mechanisms that can be adopted at an institutional level to aid in the implementation process, such as the use of a gender advisor**. It is worth highlighting that employing gender as a cross-cutting issue helps to achieve the Commission's goals by creating a more inclusive process. It should thus be seen not as a burden but as a positive addition to programmes, as it makes them more effective.

Though acknowledged in EU documents, we reiterate the real need to place emphasis and effort (including funding) into conflict **prevention**. The earlier root causes of conflict are addressed, the less likely it is that violent conflict will erupt. This necessitates a shift in thinking and approach to development, **including a coordinated, complementary, approach between long and short-term tools**. The EU has taken the first steps in this direction by pledging to mainstream conflict prevention into development cooperation, but the short-term nature of the Stability Instrument and **the lack of a clear conflict prevention focus in the EIDHR works counter to this coordination, and should be reviewed at the earliest opportunity.**

Perhaps the single biggest challenge in researching this project was simply finding out which entities the EU funds and what those organisations are actually doing with that money - including what entities *they* fund with it. Louis Michel, the Commissioner for Development, concurs that this is a major issue. In a recent meeting of the Development Committee of the European Parliament, Commissioner Michel stated that the Commission services are not equipped to collect information on what the Commission is actually doing in the concrete terms of how many schools are built or how many kilometres of road put down. This is clearly an issue in terms of transparency and effectiveness. While conflict prevention has not been forgotten through 'mainstreaming', it has perhaps gotten a bit lost in the system. We recommend that **information on what the EU is actually doing and what is being funded with EU money be made more accessible and comprehensible, both to European taxpayers and to organisations working on the ground.**

We see the question of communication between the Delegations and Brussels as an area for further research. Of the eight Delegation responses to our questionnaire, seven described their communication with the headquarters in Brussels as good. Despite that, we have seen evidence of the **need for the Delegation to be more integrated into policy development**, such as the non-participation of many Delegations in the Economic Partnership Agreement (EPA) negotiations. Only three reported having participated. This need was also noted by a European Parliament working group, which found a lack of coordination between both DG External Relations (RELEX) and DG Development, as well as between the Commission Delegations in the field and Brussels.<sup>178</sup>

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<sup>177</sup> See case study on Nigeria for more information

<sup>178</sup> *ibid.*

We identify the issue of coherent communication between the Commission and EU Member States as an area for further research, both in Brussels and between Delegations on the ground. It is apparent from our research that Member States are active in the areas examined, as is the Commission, but time and human resources have restricted us from looking into the coordination that does or does not take place between them. This is an area that the DAC highlighted as having room for improvement.

A second area for further research, also linked to coherence of purpose between Commission action and Member States, is that of the production in and export of SALW from EU Member States, which often undermines actions taken in third countries to combat the weapons' proliferation and use.

## 12.1 List of Recommendations

Concerning the EU's approach in general:

- A dual-track approach, combining mainstreaming with specific programming, could be extremely helpful for the EU's conflict prevention efforts.
- To ensure effective implementation of policies, mechanisms should be adopted at an institutional level to aid in the implementation process, such as the use of a gender advisor.
- Conflict prevention necessitates a shift in thinking and approach to development, including a coordinated, complementary, approach between long and short-term tools. The lack of a clear conflict prevention focus in the EIDHR works counter to this coordination, and should be reviewed at the earliest opportunity.
- The Delegations should be more involved in policy development.

Concerning the EU's relations with NGOs and other organisations:

- The EU should make its own presence on the ground more known.
- The European Commission must make the funding of indigenous NGOs a priority. Additionally, more needs to be done to enable interaction with local NGOs; we see this as a priority area for action.
- We see room for increased outreach to isolated areas, where there are often few organisations working, yet where there is a significant need for them.
- The European Commission must continue to work to simplify procedures, taking into account the needs of smaller NGOs to a higher degree.
- More funds need to be earmarked for micro-projects, such as those that have been implemented in Nigeria with great success.
- Information on Calls for Proposals and consultations needs to be more widely disseminated.
- Information on what the EU is actually doing and what is being funded with EU money should be made more accessible and comprehensible, both to European taxpayers and to organisations working on the ground.

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Ana Gomez, at meeting of the Development Committee of the European Parliament, 10 September 2007

I will not tire of declaring that if we really want an effective end to violence we must remove the violence that lies at the root of all violence: structural violence, social injustice, exclusion of citizens from the management of the country, repression. All this is what constitutes the primal cause, from which the rest flows naturally.

*Archbishop Oscar Romero*

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