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## EU Peacebuilding: Concepts, players and instruments

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**EU PEACEBUILDING:  
CONCEPTS, PLAYERS AND INSTRUMENTS**

**SIMON DUKE AND AURÉLIE COURTIER\***

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## 1 INTRODUCTION

The goal of this chapter is to look at the concept of peacebuilding, in general but also in the context of the European Union (EU), as well as to consider the key players and instruments engaged in various facets of EU peacebuilding. As will be seen, the notion of peacebuilding remains one that is notoriously difficult to pin down in terms of not only meaning but also differentiation from other similar, and linked, terms such as conflict prevention and post-conflict stabilisation. The absence of a peacebuilding strategy *per se* suggests that it is easiest to think in terms of peacebuilding as synergy rather than strategy since it links together different threads from conflict prevention, crisis management, peacemaking and post-conflict stabilisation. However, the lack of a clear definition or accompanying strategy means that the final objective or outcome is often challenged by efficiency, coordination and sustainability issues.

This contribution will first look at the multiplicity of existing concepts and definitions of peacebuilding and try to clarify the understanding of peacebuilding from an EU perspective. The overview of concepts and definition will consider some of the difficulties in understanding the notion of peacebuilding not only within the EU but also at the more general international level. It will be argued that the EU's understanding of peacebuilding is multi-faceted and that this, in turn, has implications for the manner in which peacebuilding is implemented in the context of the EU's external relations. Drawing from this conceptual overview, we shall then set out to identify and portray the players, instruments and policies that embody the EU's peacebuilding. Particular attention will be paid to the distribution of role and competences in an attempt to portray the current peacebuilding architecture within the EU. The role of the respective Pillars of the Union will be examined and although there are obvious complications for peacebuilding that stem from the EU's complicated architecture, it is nonetheless too simplistic to attribute the challenges in the peacebuilding domain to this alone. It will therefore be argued that the sheer scope and complexity of peacebuilding, as understood in the EU context, implies formidable coordination between not only the Pillars (*institutional consistency*) but also within the Pillars themselves (*horizontal consistency*) as well as with the relevant international partners.

The overview of the concepts and definitions, followed by the players and instruments, cannot hope to be comprehensive but the aim is nevertheless to provide not only a general introduction to the topic but also context for the following chapters offering in-depth analyses of specific aspects of peacebuilding.

## 2 CONCEPTS AND DEFINITIONS

### 2.1 Introduction

The term 'peacebuilding' is difficult to define in the EU context. As a concept, it is amorphous and the difference between aspects of conflict prevention, crisis manage-

ment and post-conflict stabilisation is often hard to spot. It is perhaps easiest to think of peacebuilding as part of a continuum aimed at achieving a specific goal ('to build peace'), involving different players and utilising different instruments towards that common end. The goal is thus constant, but the means by which this goal is reached will depend very much on the specifics of the scenario in question. The initial post-war usage was linked to the idea of post-conflict stabilisation aimed at preventing a relapse into war. It was, however, gradually expanded to refer to integrated approaches to address violent conflict at different phases of the conflict cycle. Thus, many consider conflict prevention and peacebuilding as two sides of the same coin. As Necla Tschirgi reminds us:

'At its core, peace-building aims at the prevention and resolution of violent conflicts, the consolidation of peace once violence has been reduced and post-conflict reconstruction with a view to avoiding a relapse into violent conflict. Peace-building seeks to address the proximate and root causes of contemporary conflicts including structural, political, socio-cultural, and economic and environment factors.'<sup>1</sup>

The association with conflict prevention, conflict resolution and post-conflict stabilisation is therefore clear and implies that peacebuilding is best conceived of as a basket of activities directed towards a shared goal. The essence of this is nicely caught in the definition provided by the Peacebuilding Initiative, on their informative website, as 'rebuilding the institutions and infrastructures of nations torn by civil war and strife; and building bonds of peaceful mutual benefit among nations formerly at war; and in the largest sense, to address the deepest causes of conflict'.<sup>2</sup>

In the intellectual sphere, the term is often attributed to Johan Galtung who, in 1975, coined the term in his pioneering work *Three Approaches to Peace: Peacekeeping, Peacemaking, and Peacebuilding*.<sup>3</sup> He argued that 'peace has a structure different from, perhaps over and above, peacekeeping and ad hoc peacemaking (...) More specifically, structures must be found that remove causes of wars and offer alternatives to war in situations where wars might occur'.<sup>4</sup> These observations constitute the intellectual antecedents of today's notion of peacebuilding as an endeavour aiming to create sustainable peace by addressing the root causes of

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<sup>1</sup> N. Tschirgi, *Strengthening the Security – Development Nexus: Conflict Peace and Development in the 21<sup>st</sup> Century: Peacebuilding as the Link between Security and Development: Is the Window of Opportunity Closing?*, International Peace Academy Studies in Security and Development, December 2003, New York, at 2.

<sup>2</sup> HPCR International, *Introduction to Peacebuilding: History: A UN History of the Notion*, The Peacebuilding Initiative, New York, USA, available at: <<http://www.peacebuildinginitiative.org>> (last accessed 5 May 2009).

<sup>3</sup> J. Galtung, 'Three Approaches to Peace: Peacekeeping, Peacemaking, and Peacebuilding', in J. Galtung, ed., *Peace, War and Defense: Essays in Peace Research*, Vol. II (Copenhagen, Christian Ejlertsen 1976), at 297-298.

<sup>4</sup> See *supra* n. 2, HPCR International, *History: The Conceptual Origins of Peacebuilding*.

violent conflict and eliciting indigenous capacities for peaceful management and resolution of conflict.

John Lederach, another key scholar in the rapidly growing peace studies field, called for an expanded understanding of peacebuilding. To him it was more than ‘post-accord reconstruction’ and should be seen as:

(...) ‘a comprehensive concept that encompasses, generates, and sustains the full array of processes, approaches, and stages needed to transform conflict toward more sustainable, peaceful relationships. The term thus involves a wide range of activities that both precede and follow formal peace accords. Metaphorically, peace is seen not merely as a stage in time or a condition. It is a dynamic social construct.’<sup>5</sup>

Lederach refers to *conflict transformation* as a holistic and multi-faceted approach to managing violent conflict in all its phases. The term signifies an ongoing process of change from negative to positive relations emphasising the conflict triangle (contradiction, attitude and behaviour).<sup>6</sup> To Lederach, the integrated approach to peacebuilding must take into account the complex and multi-dimensional nature of the human experience and rely on broad social participation where ‘the key lies in the relationship of the involved parties, with all that the term encompasses at the psychological, spiritual, social, economic, political and military levels’.<sup>7</sup> Cultivating an infrastructure for peacebuilding, as he called it, means that ‘we are not merely interested in “ending” something that is not desired. We are oriented toward the building of relationships that in their totality form new patterns, processes, and structures.’<sup>8</sup> Utilising a building metaphor, Lederach described peacebuilding as a long-term commitment to a *process* that includes investment, gathering of resources and materials, architecture and planning, coordination of resources and labour, laying solid foundations, construction of walls and roofs, finish work and ongoing maintenance. Lederach also emphasises that peacebuilding is fundamentally concerned with the transformation of relationships. Catherine Morris reflects this when she argued that sustainable reconciliation requires both structural *and* relational transformations.<sup>9</sup>

In practical terms, though, much of the conceptualisation of peacebuilding, which has informed EU thinking on the topic, was shaped by the United Nations (UN) and it is to this that we now turn.

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<sup>5</sup> J. Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, D.C., U.S. Institute of Peace Press 1997), at 20, see *supra* n. 2, HPCR International, *Introduction to Peacebuilding: History: The Conceptual Origins of Peacebuilding, The Peacebuilding Initiative*.

<sup>6</sup> J. Lederach, ‘Conflict Transformation in Protracted Internal Conflicts: The Case for a Comprehensive Framework’, in Kumar Rupesinghe, ed., *Conflict Transformation* (New York, St. Martin’s Press; Basingstoke: Macmillan 1995) at 201-222, *supra* n. 2, HPCR International, *History: The Conceptual origins of peacebuilding*.

<sup>7</sup> J. Lederach, *Building Peace: Sustainable Reconciliation in Divided Societies* (Washington, D.C.: U.S. Institute of Peace Press, 1997), 75, see *supra* n. 2 and n. 5.

<sup>8</sup> *Ibid.*

<sup>9</sup> C. Morris, *What Is Peacebuilding? One Definition* (2000), available at: <<http://www.peacemakers.ca/publications/peacebuildingdefinition.html>> [emphasis added]

## 2.2 The UN's understanding of peacebuilding

Much of the current context for the EU's understanding of the concept derives from the UN. Boutros-Ghali used the term in his *Agenda for Peace* in 1992 as 'an action to identify and support structures which will tend to strengthen and solidify peace in order to avoid a relapse into conflict'.<sup>10</sup> This conceptualisation of peacebuilding was then developed in a series of reports such as *An Agenda for Development* (1994),<sup>11</sup> *An Agenda for Democratization* (1996),<sup>12</sup> the *UNDP Report on Human Security* (1994)<sup>13</sup> and *An Inventory of Post-Conflict Peace-Building Activities* (1996),<sup>14</sup> which all put more stress on the fundamental link between security and development. Peacebuilding was seen as not only instrumental in achieving peace in the post-conflict phase, but also as central to preventive diplomacy.

The *Supplement to an Agenda for Peace*,<sup>15</sup> which appeared in 1995, put more emphasis on creating structures for the institutionalisation of peace. By 2000, in the *Report of the Panel on United Nations Peace Operations* (often referred to as the *Brahimi Report*),<sup>16</sup> peacebuilding was defined as 'activities undertaken on the far side of conflict to reassemble the foundations of peace and provide the tools for building on those foundations something that is more than just the absence of war'.<sup>17</sup> The conceptual development of peacebuilding within the UN family was accompanied by corresponding institutional development to address the need for further integrated and coordinated strategies in the field.<sup>18</sup>

The Peacebuilding Commission, Peacebuilding Fund and Peacebuilding Support Office were established within the UN in December 2005.<sup>19</sup> The Peacebuilding Commission's mandate was described as follows:

'Countries emerging from conflict face a unique set of challenges and unless they are identified and effectively addressed, these countries face a high risk of relapsing into violence. The Commission was therefore created to serve as a dedicated institutional mechanism to address the special needs of countries emerging from conflict

<sup>10</sup> *Agenda for Peace*, Report of the Secretary-General of 17 June 1992, UN Doc. A/47/277-S/24111.

<sup>11</sup> *An Agenda for Development*, Report of the Secretary-General of 6 May 1994, UN Doc. A/48/935.

<sup>12</sup> Boutros-Ghali, *An Agenda for Democratisation*, A 51/761, United Nations, New York, 1996.

<sup>13</sup> *UNDP Report on Human Security* (New York, Oxford University Press 1994).

<sup>14</sup> *An Inventory of Post Conflict Peace-Building Activities*, ST/ESA/246.

<sup>15</sup> *Supplement to an Agenda for Peace*, Report of the Secretary-General of 3 January 1995, UN Doc. A/50/60 – S/1995/1.

<sup>16</sup> *Report of the Panel on United Nations Peace Operations*, 21 August 2000, UN Doc. A/55/305 – S/2000/809.

<sup>17</sup> See *supra* n. 2.

<sup>18</sup> The Peacebuilding Commission, Peacebuilding Fund and Peacebuilding Support Office were launched within the UN in 2005, see: <<http://www.un.org/peace/peacebuilding/>>.

<sup>19</sup> United Nations General Assembly Resolution 60/180: The Peacebuilding Commission, of 30 December 2005, UN document A/60/L.40.

towards recovery, reintegration and reconstruction and to assist them in laying the foundation for sustainable peace and development'.<sup>20</sup>

The Peacebuilding Commission's mandate did not really clarify the definition of peacebuilding as such but set up an institutional framework and formulated guidelines on post-conflict peacebuilding which significantly contributed to strengthening international thinking and awareness of conceptual and practical peacebuilding. The next significant conceptual leap forward in the understanding of peacebuilding occurred thirteen years after *An Agenda for Peace* in the form of the *United Nations Peacekeeping Operations: Principles and Guidelines*, which defined peacebuilding as involving:

'(...) a range of measures targeted to reduce the risk of lapsing or relapsing into conflict by strengthening national capacities at all levels for conflict management, and to lay the foundation for sustainable peace and development. Peace-building is a complex, long-term process of creating the necessary conditions for sustainable peace. It works by addressing the deep-rooted, structural causes of violent conflict in a comprehensive manner. Peace-building measures address core issues that affect the functioning of society and the state. In this regard, they seek to enhance the capacity of the State to effectively and legitimately carry out its core functions. Peacebuilding is undertaken by an array of UN and non-UN actors, including the UN Agencies, Funds and Programmes, the International Financial Institutions and NGOs.'<sup>21</sup>

In spite of the apparent clarity, the same document noted that the boundaries between conflict prevention, peacekeeping, peacebuilding and peace enforcement are becoming increasingly blurred:

'While United Nations peacekeeping operations are, in principle, deployed to support the implementation of a cease-fire or peace agreement, they are often required to play an active role in peacemaking efforts and may also be involved in early peacebuilding activities. United Nations peacekeeping operations may also use force at the tactical level, with the authorization of the Security Council, to defend themselves and their mandate, particularly in situations where the State is unable to provide security and maintain public order.'<sup>22</sup>

If the meaning of peacebuilding is complex, so too is what qualifies as a peacebuilding *activity*. Again, drawing upon the same source as above, peacebuilding activities constitute the achievement of sustainable peace which requires progress in at least the four critical areas:<sup>23</sup>

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<sup>20</sup> United Nations General Assembly/Security Council, *Report of the Peacebuilding Commission on Its First Session, June 2006 -June 2007*, A/62/137-S/2007/458, 4.

<sup>21</sup> UN Department of Peacekeeping Operations, *United Nations Peacekeeping Operations: Principles and Guidelines*, March 2008, at 18, available at: <<http://www.unhcr.org/refworld/docid/484559592.html>> (last accessed 7 May 2009)>.

<sup>22</sup> *Ibid.*, at 19.

<sup>23</sup> *Ibid.*, at 25.



- a) Restoring the State's ability to provide security and maintain public order;
- b) Strengthening the rule of law and respect for human rights;
- c) Supporting the emergence of legitimate political institutions and participatory processes;
- d) Promoting social and economic recovery and development, including safe return or resettlement of internally displaced persons and refugees uprooted by conflict.'

The UN activities that support what are peacebuilding activities are therefore often multi-faceted and might include disarmament, demobilisation and reintegration of combatants (DDR); anti-mine actions; security sector reform (SSR) and other rule of law-related activities; the protection and promotion of human rights; and electoral assistance and support to the restoration and extension of (legitimate) state authority. Unsurprisingly, the complexity in terms of both the conceptual understanding of peacebuilding and its practical implementation is mirrored in the EU context.

Most recently, the *Report of the UN Secretary-General on peacebuilding in the immediate aftermath of conflict* of June 2009 approached the notion of peacebuilding in the specific context of 'the immediate aftermath of conflict', defined as 'the first two years after the main conflict in a country has ended'.<sup>24</sup> According to the report:

'The immediate post-conflict period offers a window of opportunity to provide basic security, deliver peace dividends, shore up and build confidence in the political process, and strengthen core national capacity to lead peacebuilding efforts. If countries succeed in these core areas early on, it substantially increases the chances for sustainable peace and reduces the risk of relapse into conflict. In too many cases we have missed this early window (...) Seizing the window of opportunity requires that international actors are, at a minimum, capable of responding coherently, rapidly and effectively to support these recurring priorities.'<sup>25</sup>

In the context of the report, peacebuilding relates to a list of 'core peacebuilding priorities', further detailed as follows:

- Support to basic safety and security, including mine action, protection of civilians, disarmament, demobilization and reintegration (DDR), strengthening the rule of law and initiation of security sector reform (SSR);
- Support to political processes, including electoral processes, promoting inclusive dialogue and reconciliation, and developing conflict-management capacity at national and sub-national levels;
- Support to the provision of basic services, such as water and sanitation, health and primary education, and support to the safe and sustainable return and reintegration of IDPs and refugees;

<sup>24</sup> *Report of the Secretary-General on Peacebuilding in the Immediate Aftermath of Conflict*, UN General Assembly, A/63/881-S/2009/304, 11 June 2009, at 3.

<sup>25</sup> *Ibid.*, at 2.

- Support to restoring core government functions in particular basic public administration and public finance, at national and sub-national levels;<sup>26</sup>
- Support to economic revitalization, including employment generation and livelihoods particularly for youth and demobilized former combatants, as well as rehabilitation of basic infrastructure.’

The report is of note since it puts the emphasis upon a relatively short time period: up to two years after the conflict took place. Furthermore, the emphasis is upon deploying fast integrated and coordinated peacebuilding capacities since there is a critical moment, or ‘window of opportunity’, in the early post-conflict situation that may decisively influence the chances of sustainable peace or a relapse into conflict.

Even if a precise definition of peacebuilding remains elusive, its goal, that of sustainable peace, is clear. The progression of thought in the UN context on peacebuilding shows a gradual shift in emphasis from various forms of long-term support designed to underpin stability to a more focused examination of the likely preconditions for sustainable peace. The identification of the ‘window of opportunity’ is an interesting and logical development, but it remains to be seen what the practical implications of this are for the UN and the EU alike.

## 2.3 The EU’s understanding of peacebuilding

### 2.3.1 *Introduction*

Peacebuilding is a term that is increasingly present in the EU lexicon but it remains an imprecise notion. Notwithstanding this, it has crept into the EU’s lexicon in a variety of ways and forms. For instance, reference is made to the EU’s Peacebuilding Partnership as a component of the Commission’s Instrument of Stability (addressed in more detail below); in Directorate-General Development reference is made to Conflict Prevention and Peacebuilding; and the Commission’s Directorate General for External Relations, Directorate A (or the so-called ‘Crisis Platform’ for policy coordination in CFSP), includes a unit dedicated to Crisis Response and Peacebuilding. In each case though, the term peacebuilding is used in a slightly different manner. It would, though, be unrealistic to expect the EU to have a precise definition of the term, given the general conceptual variance in understanding the notion.

In the absence of any common definition, the EU institutions have had to find their own way of defining and understanding the term. In the EU context, the understanding of peacebuilding is complicated by the more general debate surrounding the nature of security in the post-cold war era. Under the general security rubric we find within the EU reference to human security (another term in increasing use in the Commission), environmental security, energy security, the civilian aspects of crisis management, conflict prevention, post-conflict reconstruction and

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<sup>26</sup> Ibid, at 6.

stabilisation, and sustainable peace and development. In spite of the lack of precision it is possible to ascertain some general characteristics of peacebuilding in the EU context. As was discussed in the UN context, the term peacebuilding tends to be used as a framework term that includes a number of sub-themes. As with the UN, peacebuilding is part of an overall EU conflict prevention strategy related to the prevention or reoccurrence of the outbreak of conflict and those activities aimed at creating the conditions for sustainable peace. In the UN case, however, peacebuilding is increasingly associated with post-conflict peacebuilding aimed at stopping the reoccurrence of conflict and to create the conditions necessary for sustainable peace in war-torn societies.<sup>27</sup>

If we look beyond the general conceptual discussions to the treaties, any precise understanding of peacebuilding is again evasive. The first and most obvious problem is the general lack of explicit reference to peacebuilding in the treaties. However, a number of terms or concepts related to peacebuilding or to peacebuilding operations/activities, as outlined above in the UN context, are in regular use. For instance, Article 11 of the Treaty on European Union (TEU) refers to the objectives of CFSP as: ‘To safeguard common values (...) in conformity with the principles of the UN Charter (...)’; ‘to strengthen the security of the Union in all ways (...)’; ‘to preserve peace and strengthen international security in accordance with the principles of the United Nations Charter’; ‘to promote international co-operation’; and ‘to develop and consolidate democracy and the rule of law, and respect for human rights and fundamental freedoms’.<sup>28</sup> It could be argued that although peacebuilding is not explicitly mentioned, it is certainly an implicit aspect of the TEU and the rationale of the Second Pillar.

In the areas of Community competence, the notion of peacebuilding is also implicit. For instance, in accordance with Articles 177-181 of the Treaty establishing the European Community (TEC), Development Policy, Economic, Financial and Technical Cooperation is intended to ‘contribute to the general objective of developing and consolidating democracy and the rule of law, and to the objective of respecting human rights and fundamental freedoms.’ In a similar vein, the Common Commercial Policy states, in Article 131, that, ‘By establishing a customs union between themselves Member States aim to contribute, in the common interest, to the harmonious development of world trade, the progressive abolition of restrictions on international trade and the lowering of customs barriers’. More generally, reference is made to the ‘solidarity which binds Europe and the overseas countries and desiring to ensure the development of their prosperity, in accordance with the principles of the Charter of the United Nations’.<sup>29</sup> Although it can be debated whether or not these general references amount to peacebuilding *per se*, the general framing is nevertheless important since it forms the normative base

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<sup>27</sup> 1999 Annual report on the Work of the Organization, at para. 101; DPA Departmental Retreat on Post-Conflict Peace Building, 9-11 December 1999 – Summary Report; see also *supra* n. 24.

<sup>28</sup> Art. 11 of the consolidated versions of the Treaty on European Union and of the Treaty Establishing the European Community, 29 December 2006, *OJ* 2006 C 321 E/1.

<sup>29</sup> *Ibid.*, Preamble, Treaty Establishing the European Community.

for the EU's authority in its relations with third parties and thus its credibility as an international peacebuilding partner.

The above reference to the UN Charter is also significant since peacebuilding in the EU context cannot be considered in isolation. Any attempt to understand peacebuilding must take account of the direct links with the UN when it comes to representation (through the two permanent and the non-permanent members of the Security Council, the Commission and Council Secretariat offices in Geneva and New York and the coordination that goes on prior to meetings of the General Assembly) and to seeking legitimacy for a variety of peacebuilding tasks, notably those falling under the Petersberg tasks.<sup>30</sup> More often than not a UN mandate is sought or evoked to underpin the legality of a proposed crisis management operation and thus to enhance its status and authority. More generally, the 'primacy of the UN Security Council in the maintenance of international peace and security' is recognised in the *European Security Strategy* (ESS), as well as by the Member States, and it is therefore unsurprising that EU understanding and practice is heavily influenced by that of the UN.<sup>31</sup>

If the TEC only gives the general context for Community peacebuilding activities, a closer examination of specific Community documents is far more illuminating regarding the meaning and application of the term. For instance, the Commission's 1996 document *The European Union and the Issue of Conflicts in Africa: Peace-Building, Conflict Prevention and Beyond* deliberately adopts a comprehensive approach whereby 'Activities of conflict prevention in a wider sense should be summarized under the term peacebuilding'<sup>32</sup>. Conflict prevention thus applies mainly in a situation of tensions where the outbreak of violence is imminent but also in activities to prevent the occurrence of such a situation. The Commission also considers conflict prevention to constitute those actions 'in the short term to reduce manifest tensions and/or to prevent the outbreak or recurrence of violent conflict'.<sup>33</sup> Conflict management is considered to extend to 'actions undertaken with the main objective to prevent the vertical (intensification of violence) or horizontal (territorial spread) escalation of existing violent conflicts'. Finally, conflict resolution is construed as 'action undertaken over the short term to end violent conflict'.<sup>34</sup>

One critical distinction drawn by the Commission is therefore the time frame of the envisaged action, with conflict resolution being short term in nature, whereas

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<sup>30</sup> The tasks were originally adopted by the Western European Union in 1992 and then assumed by the European Union in the Amsterdam Treaty. They are described in Article 17 (2), Treaty on European Union as, including (but not being confined to) 'humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peacemaking'.

<sup>31</sup> *European Security Strategy: A Secure Europe in a Better World*, Brussels, 12 December 2008, at 9.

<sup>32</sup> *The European Union and the Issue of Conflicts in Africa: Peace-Building, Conflict Prevention and Beyond*, Brussels, 6 March 1996, SEC (96) 332 final, at 5.

<sup>33</sup> S. Duke, *The EU and Crisis Management, Developments and Prospects* (Maastricht, European Institute of Public Administration 2002), at xiv-xv [emphasis added].

<sup>34</sup> *Ibid.*, *Loc cit.*

conflict management and peacebuilding are mid to longer term. Conflict prevention, as laid out in the 2001 European Commission *Communication on Conflict Prevention*, includes both short and longer-term aspects, the latter stressing efforts to address the root causes of conflict utilising development, trade, arms control, human rights and environmental policies.<sup>35</sup> Conflict management, which is different from the Council's *crisis* management, is aimed at preventing the spread of violence and appears to be a general instrument – in other words, there is the assumption that conflict management applies to violent situations. Peacebuilding, by way of contrast, could apply in 'all phases of conflict and peace. However, as peace-building measures will generally embrace projects and programmes with the longer-term aim of the stabilization of societies, their impact will be greatest in non-violent situations'<sup>36</sup>. With this in mind, peacebuilding is often understood as *post-conflict peacebuilding* or, more specifically, 'actions undertaken over the medium and longer-term to address root causes of violent conflicts in a targeted manner'.<sup>37</sup>

Root causes, in turn, are considered to constitute one of more of the following: an imbalance of political, socio-economic or cultural opportunities among different identity groups (ethnic, religious, regional, social, etc.); a lack of democratic legitimacy and effectiveness of governance; the absence of effective mechanisms for the peaceful conciliation of group interests (including democratic structures) and for bridging dividing lines between different interest groups; and the lack of a vibrant civil society.<sup>38</sup> Root causes are further detailed in the *European Commission Checklist for Root Causes of Conflict*, clustered around eight main headings: the legitimacy of the state; rule of law; respect for fundamental rights; civil society and media; relations between communities and dispute-solving mechanisms; sound economic management; social and regional inequalities and; the geopolitical situation.<sup>39</sup> The checklist is shared with other international partners, such as the United Nations, so that they may develop their own checklists or supplement that of the European Commission.

The adoption by the European Commission of a *Communication on Conflict Prevention* in April 2001, later complemented by the ESS, placed the emphasis upon conflict prevention.<sup>40</sup> The ensuing *Programme for the Prevention of Violent Conflicts* calls for a 'co-operative approach to facilitate peaceful solutions to disputes and implies addressing the root-causes of conflicts', under the rubric of conflict prevention.<sup>41</sup> The programme cannot, however, be considered an exclu-

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<sup>35</sup> Communication from the Commission on Conflict Prevention, COM (2001) 211 final, Brussels, Commission of the European Communities, 11 April 2001, at 6.

<sup>36</sup> See *supra* n. 32, at 6.

<sup>37</sup> See *supra* n. 33, at xiv.

<sup>38</sup> See *supra* n. 32, at 3, *The Importance of the Political Analysis of Structural Root-Causes of Conflicts*.

<sup>39</sup> See: <[http://ec.europa.eu/external\\_relations/cfsp/cpcm/cp/list.htm](http://ec.europa.eu/external_relations/cfsp/cpcm/cp/list.htm)>.

<sup>40</sup> See *supra* n. 35.

<sup>41</sup> *European Union Programme for the Prevention of Violent Conflicts*, Council of the European Union, 9537/1/01, 7 June 2001, para. 3.

sive Community preserve since the ESDP has, from the outset, also been intended to strengthen the EU's capacity for action in the crucial field of conflict prevention.

The December 2003 ESS, referred to briefly above, evolved in response to 9-11 and was designed to reinforce transatlantic relations at a time of considerable differences over military intervention in Iraq. Although conspicuously modelled on the US National Security Strategy of September 2002,<sup>42</sup> it nevertheless differed notably from the Bush administration's concept of pre-emption. Solana wrote in the ESS that 'we should be ready to act before a crisis occurs. Conflict prevention and threat prevention cannot start too early'.<sup>43</sup> The context of the remarks indicated that the EU should use its tools and instruments to bring about the conditions for stability. The same theme reappeared in the follow-up to the European Security Strategy, the *Report on the Implementation of the European Security Strategy: Providing Security in a Changing World*, of December 2008:

'Preventing threats from becoming sources of conflicts early on must be at the heart of our approach. Peace-building and long-term poverty reduction is essential to this. Each situation requires coherent use of our instruments, including political, diplomatic, development, humanitarian, crisis response, economic and trade co-operation, and civilian and military management. We should also expand our dialogue and mediation capacities. EU Special Representatives bring EU influence to bear in various conflict regions. Civil society and NGOs have a vital role to play as actors and partners (...).'<sup>44</sup>

The types of security challenges facing the EU have expanded appreciably beyond those identified in the 2003 ESS to include crime, illegal immigration, piracy, nuclear proliferation, threats to critical infrastructure as well as energy supplies and the macro challenges posed by global poverty, environmental degradation and climate change. These challenges and the tools at hand to respond to them result in what the report calls a 'distinctive European approach to foreign and security policy'.<sup>45</sup> The distinctiveness of the EU's approach lies in the potential, nascent or realised, to respond to a variety of challenges. Some reflect a conflict prevention orientation while others, specifically through the ongoing development of ESDP, put the emphasis on post-conflict or crisis stabilisation. Conceptually, therefore, we may conclude that peacebuilding in the EU context includes both the conflict prevention role as well as the ability to immediately respond to conflict or crises. By way of contrast, the UN appears to now be placing more emphasis on the post-conflict stabilisation role and in particular the 'window of opportunity' following the cessation of hostilities. The 'distinctive' European approach is though

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<sup>42</sup> *The National Security Strategy of the United States of America*, Washington, 17 September 2002, available at: <<http://georgewbush-whitehouse.archives.gov/nsc/nss/2002/index.html>>.

<sup>43</sup> *European Security Strategy*, at 7.

<sup>44</sup> *Report on the Implementation of the European Security Strategy – Providing Security in a Changing World*, S407.08, Brussels, 11 December 2008, at 9.

<sup>45</sup> *Ibid.*, at 2.

fully compatible with the UN's peacebuilding activities and on several occasions, such as the ESDP military operation in the Democratic Republic of the Congo in 2003 or the contemporary rule of law mission in Kosovo, has demonstrated this in a practical manner.

### 2.3.2 *Internal and external, shorter and longer-term peacebuilding*

If we now look beyond the treaties and the key documents at the actual practice of peacebuilding, we are immediately faced with the fact that European integration is, in essence, a giant peacebuilding project that arose from the ashes of World War II and the Marshall Plan. The aims of these initiatives centred on the unification and pacification of the continent and establishing a community of stability, prosperity and democracy. Arguably, the idea of European integration as a peacebuilding project informs the outlook of the EU in its external peacebuilding efforts since the EU sees itself as exemplar. The idea of the EU as a peacebuilding project *par excellence* also raises the issue of time frame since there were clearly shorter-term dimensions, such as the Marshall Plan, as well as longer-term dimensions involved in building sustainable peace in Europe. It may therefore be useful to sharpen the distinction along two lines. The first is to distinguish between the internal and external dimensions of EU peacebuilding, while the second involves distinguishing between short and longer-term aspects of peacebuilding.

If we avoid the temptation to navel-gaze and to avoid further deliberation about the extent to which the EU itself is about peacebuilding, the internal dimensions of peacebuilding are primarily confined to the EU's enlargement policy. As will be argued in more detail below, the European Neighbourhood Policy (ENP) might superficially be associated with this category but the lack of a membership prospect and the presence of predominantly 'soft' influence, as opposed to the enlargement context in which the Commission is unambiguously in the driver's seat, make it more akin to other areas of the EU's external relations. It will therefore be argued below that although ENP has peacebuilding dimensions to it, they belong primarily to the external dimensions since the type of negotiating environment, the relationship of the third parties with the EU and its institutions, as well as the funding on offer and the potential stakes of success or failure, mark the EU's enlargement policy as a distinct form of internal peacebuilding. The other areas of EU peacebuilding, including ENP, therefore belong to the external dimensions of peacebuilding.

The second distinction is that between shorter-term peacebuilding and longer-term peacebuilding. Generally speaking, the Second Pillar, or CFSP, is more oriented towards short-term stabilisation efforts while the Community's policies and programmes are more oriented towards longer-term sustainable peace. As will be explored below, this cannot be considered a rule since there are important exceptions, especially when it comes to emergency or short-term funding instruments which tend to be found on the Community side rather than in the Second Pillar. Similarly, a number of ESDP operations, such as some in the Western Balkans or

the Great Lakes Region of Africa, are assuming a more long-term character, especially where initial military operations give way to police and other civilian operations.

Ideally, these distinctions should not be apparent to the observer since internal and external peacebuilding should be treated alike in the sense that the EU should promulgate the same principles and values to candidates or non-candidates. Similarly, the shorter and longer-term aspects of peacebuilding are designed to form a continuum, emphasising the importance of early response as well as having the correct follow-up programmes and funding in place to reinforce the prospects for sustainable peace.

### 2.3.3 *Short-term dimension of EU peacebuilding (CFSP and ESDP)*

It was argued above that the short-term dimensions of the EU's peacebuilding efforts tend to be found primarily in the Second Pillar (CFSP-ESDP) area. Article 17 of the TEU states that CFSP shall include 'all questions relating to the security of the Union including the progressive framing of a common defence policy' [emphasis added]. The 'questions' referred to include 'humanitarian and rescue tasks, peace-keeping tasks and tasks of combat forces in crisis management, including peacemaking.' These tasks commonly referred to as the Petersberg tasks, serve as the framework for a broad range of activities associated mainly with the short-term aspects of peacebuilding. The European Security and Defence Policy (ESDP), as an integral part of CFSP, through which the players and instruments that implement the Petersberg tasks collaborate, includes both military and civilian crisis management capabilities. Although the military operations tend to grab the headlines, they represent a minority of the operations conducted thus far. The civilian aspects of crisis management have been developed around four priority areas which were successively defined at the Feira European Council (June 2000) and in the Civilian Headline Goals of 2008 and 2010;<sup>46</sup> these are police and security sector reform, strengthening the rule of law, strengthening civilian administration and civil protection.<sup>47</sup>

The evolution of ESDP saw the development of battlegroups of around 1,500 armed combat personnel. There are currently fifteen battlegroups, some of which are national and others multinational in composition, of which two are on stand-by during any six month period. The battlegroups are designed to be deployed within 5-10 days of approval by the Council, sustainable for at least thirty days, which can be extended to 120 days if resupplied. Aside from the Petersberg tasks mentioned above, the battlegroups also have a range of tasks stemming from the ESS, such as joint disarmament operations, support for third parties in counter-

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<sup>46</sup> *Final Report on the Civilian Headline Goal 2008*, 19 November 2007, doc. – 14823/07 and *Civilian Headline Goal 2010*, 19 November 2007, doc. – 14807/07.

<sup>47</sup> Council of the EU, 'European Security and Defence Policy: The Civilian Aspects of Crisis Management', June 2008, Civ/02.



terrorism and some aspects of security sector reform. The limited size of the groups and their limited deployment period naturally restricts the type of tasks that they may be called upon to perform and three typologies have been suggested: to offer temporary support to existing operations; preparation for larger and longer-term deployments; and, finally, rapid response missions restricted in terms of size and duration.<sup>48</sup>

It would however be a misconception to portray all of the short-term peacebuilding capacities as those of the Second Pillar. The European Community also has a number of valuable short-term response tools, most notably the Instrument for Stability (discussed in more detail below). The Instrument actually has both short and longer-term dimensions but, in the case of the former, the main emphasis is upon securing the necessary conditions to permit the implementation of longer-term Community development assistance. According to the Commission's own website, the focus is upon 'situations of urgency, crisis and emerging crisis, situations posing threats to democracy, law and order, the protection of human rights and fundamental freedoms, the security and safety of individuals, or on situations threatening to escalate into armed conflict or severely to destabilise the third countries or country concerned'.<sup>49</sup> The Instrument for Stability is designed to deal with emerging or actual crisis scenarios of a non-humanitarian nature (there are separate provisions for this contingency) and to last for no longer than eighteen months. It should be noted that both the ESDP battlegroups and the Instrument for Stability fit rather nicely into the UN thinking on the implementation of post-conflict peacebuilding and 'window of opportunity' contingencies.

#### 2.3.4 *Longer-term dimension of EU peacebuilding (EC)*

As with the above discussion, the general association of the longer-term aspects of peacebuilding with the Community side should not be assumed as a hard and fast rule. As has been observed, the Community's peacebuilding instruments tend to be longer term in nature but a number are of shorter-term duration (see above). The overarching emphasis tends to be upon longer-term peacebuilding since the connection between poverty and insecurity is not only one that is complex but also one that does not lend itself to immediate solutions. The sources of instability often stem from a complex mix of factors such as environmental factors, competition for scarce resources, radical ideologies, economic collapse or exploitation, state failure, and also call for long-term approaches to peacebuilding. Although any of these challenges could lead to the outbreak of conflict, the tools to address them are generally found in the Community areas of competence such as the common commercial policy or development aid and assistance.

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<sup>48</sup> G. Lindstrom, *Enter the EU Battlegroups*, Chaillot Paper No.97 (Paris, European Institute of Security Studies, February 2007), at 17-19.

<sup>49</sup> See: <[http://ec.europa.eu/europeaid/where/worldwide/stability-instrument/short-term\\_en.htm](http://ec.europa.eu/europeaid/where/worldwide/stability-instrument/short-term_en.htm)> (accessed 15 May 2009).

The Community's emphasis is increasingly on integrated approaches to the cause of conflicts as well as to post-conflict state building. Naturally, any such integrated approach is often complex and the timing and balance of the various components involved may be difficult to reach. The components range from economic development, the bolstering of civil society and the principles of good governance, and the observance of human and minority rights and environmental factors – all present in the European Consensus on Development.

The use of the term peacebuilding in the long-term sense should be considered as a general term covering a wide variety of sub-themes. The European Commission also frequently uses a number of related terms such as conflict prevention defined as 'the activities aiming not only at easing a situation where an outbreak of violence is imminent (conflict prevention in a narrow sense) but also at preventing the occurrence of such a situation (conflict prevention in a wider sense)'.<sup>50</sup> Reference is also made to reconstruction and rehabilitation which means the 're-establishment of a working economy and the institutional capacities needed to restore social and political stability in developing countries that have suffered serious danger through war, civil disorder'.<sup>51</sup>

Peacebuilding is moreover increasingly seen as the process of addressing the post-conflict transition phase and building reconciliation and peace. In this context, peacebuilding could cover everything from peacekeeping operations (emphasising local ownership wherever possible); capacity building in various guises; planning and training of peace support operations; disarmament, demobilisation and reintegration; the fights against illegal arms and organised crime; governance reform (including justice, civilian and military organisation); human rights and democracy; border management; police and penitentiary issues; as well as parliamentary oversight. The growing 'nexus' between security and development goes to the heart of peacebuilding, which is why peace and security are often seen as the foundations for progress and sustainable development. In practice, peacebuilding is built into the EU's relations with the ACP countries in the first of the five pillars of the Cotonou Agreement, signed on 23 June 2000 for a period of twenty years. The first pillar addresses the political dimension, which includes peacebuilding policies, conflict prevention and resolution with the overall aim of promoting regional initiatives and approaches as well as building local capacities. Other aspects of this pillar, such as good governance and the promotion of democratic rights based on the rule of law, are also connected in a general way with peacebuilding.

The challenge for the Community is to apply the right mix of tools at the correct time. Many post-conflict scenarios, like that in the Central African Republic,

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<sup>50</sup> *The European Union and the Issue of Conflicts in Africa: Peace-Building, Conflict Prevention and Beyond*, Commission of the European Communities, SEC(96) 332, Final, Brussels 6 March 1996, at 5-6.

<sup>51</sup> Council Regulation (EC) No 2258/96 on rehabilitation and reconstruction, quoted in *Civilian Instruments for EU Crisis Management*, European Commission Conflict Prevention and Crisis Management Unit, April 2003, at 29.

will involve an intricate mix of security sector reform, including disarmament, demobilisation and reintegration; governance and the rule of law; as well as economic expansion aimed at regional growth. Effective peacebuilding therefore depends upon its permeation into all areas of not only EU external relations but also those of the Member States. Long-term peacebuilding, as suggested, is a holistic activity. This was made clear in the recent G8 Report on Peacekeeping/Peacebuilding:

‘Overcoming conflict requires a strategic vision and an integrated approach, from peacekeeping to post-conflict stabilization, involving, as necessary, military, police, judicial and other civilian components that are fully interoperable and possess a common mandate and objectives. Upholding the rule of law, international humanitarian law and human rights are essential components of this approach. In recent years, the challenges with regard to conflict prevention, peacekeeping, peacebuilding and post-conflict reconstruction have grown significantly.’<sup>52</sup>

### 3 COMPETENCE AND ROLE DISTRIBUTION: POLICIES, INSTRUMENTS, PLAYERS

#### 3.1 Introduction

The multi-faceted nature of peacebuilding means that the competences are attributed to the different Pillars of the EU, primarily the ‘First’ Pillar, the European Community, and the Second Pillar, CFSP/ESDP. Many peacebuilding activities fall into ‘grey areas’ of competences, especially those relating to peacebuilding operations (such as civil protection, civilian aspects of crisis management and various aspects of human rights). Consequently, the distribution of roles and tasks within the EU is not always very understandable and the sometimes apparent institutional disconnect between the Commission and the Council means that the necessary tools are not brought to bear in an integrated manner to the crisis prevention, crisis management and peacebuilding activities of the Union.<sup>53</sup>

It should also be borne in mind, as mentioned in the introduction to this volume, that the development of peacebuilding in the EU context was primarily spurred by the Balkan crisis of the 1990s. Aside from any institutional disconnects within the EU, peacebuilding remains a relatively new departure for the Union and it is still feeling its way. It would therefore be unfair to present any competence issues or other shortcomings as evidence of a more general systemic problem.

The broad understanding of peacebuilding within the EU, discussed at length above, means that a broad range of instruments and programmes have some form of applicability. The overview that follows will consider the set of policies, instruments and players in the Community context, followed by those in the CFSP/

<sup>52</sup> G8 Summit 2009, *From La Maddalena to L'Aquila*, para. 2.

<sup>53</sup> EPLO, *A European Peacebuilding Office*, Policy Paper, January 2006.

ESDP domain. Attention will also be paid to the implications of the Lisbon treaty for EU peacebuilding.

### 3.2 Peacebuilding activities under the Community Pillar

The emphasis on the Community side, as observed earlier, was until recently upon conflict prevention. The EU instruments for conflict prevention were discussed in an earlier volume in this series but it is nevertheless helpful to recap the procedures for identifying a threat to peace and stability since this is obviously key to a timely and effective response.<sup>54</sup> The *European Commission Checklist for Root Causes of Conflict*, touched on briefly above, is used as the first stage of the conflict prevention effort.<sup>55</sup> Information and analysis of intelligence from a variety of sources will be compiled in conjunction with the Council Secretariat, and those with the highest ‘score’ on the list of indicators will be brought to the attention of the General Affairs and External Relations Council. The list is compiled on the basis of a detailed checklist of conflict indicators.

The checklist is of considerable importance since it serves as the template for conflict assessment on the part of desk officers based in Brussels, as well as for the staff in the 134 Commission delegations around the world. The routine reporting from the delegations as well as within Brussels will also shape awareness about which country or region is most at risk of an outbreak, continuation or re-emergence of conflict. The delegations pay particular attention to areas such as human rights, minority rights, non-proliferation (of weapons of mass destruction) and other critical indicators. The countries or regions assessed to be most at risk are placed on a confidential ‘watch list’ which is subject to constant updating. Within the Commission, the ‘Crisis Platform’ (Directorate A in DG External Relations, under Richard Wright) will complement incoming information with open source information (OSINT) and also, when appropriate, involve ECHO’s disaster monitoring system, the Impending Crisis Online News System (ICONS).

The watch list also serves as an important coordination device between the Council Secretariat and the Commission. It is shared with the General Affairs and External Relations Council and, at a more operational level, forms the basis for the Situation Centre’s (SitCen) monitoring on a 24-7 basis. The SitCen brings together the intelligence divisions of the Policy Planning and Early Warning Unit (Policy Unit), the EU Military Staff as well as a number of seconded national intelligence officials. The Commission is also associated with the work of the SitCen and in particular with drawing up or amending the EU watch list of those countries most at risk of imminent instability or crisis. The actual identification of the root causes of conflict is therefore the result of information and analysis of

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<sup>54</sup> See J. Pérez, ‘EU Instruments for Conflict Prevention’, in V. Kronenberger and J. Wouters, eds., *The European Union and Conflict Prevention: Policy and Legal Aspects* (Cambridge, Cambridge University Press 2004).

<sup>55</sup> For an overview of the checklist, see: <[http://ec.europa.eu/external\\_relations/cfsp/cpcm/cpl/list.htm](http://ec.europa.eu/external_relations/cfsp/cpcm/cpl/list.htm)>.

intelligence from many different sources resulting in a composite picture of the challenge at hand. This, in turn, will inform those who have to make the basic choices regarding the appropriate response to any given crisis scenario.

The Communication on Conflict Prevention of 11 April 2001 noted that ‘development policy and cooperation programmes provide the most powerful instruments at the Community’s disposal for treating the root causes of conflict’.<sup>56</sup> This could apply either in the context of an emerging crisis scenario or, with equal relevance, to a post-conflict stabilisation scenario. As indicated above, the emphasis is now increasingly upon post-conflict stabilisation as well as conflict prevention. The same need for accurate information is present in either case since it will help to determine what is needed on the ground.

The Community’s peacebuilding policies and instruments cannot be considered exclusive in nature; instead, they are more general policies and instruments that have broad peacebuilding applicability. A non-exhaustive overview of those policies and instruments with peacebuilding applicability includes the following:

### 3.2.1 *Policies*

*External Relations:* The Commission will engage in political dialogue at numerous levels and formats, including those occurring in the CFSP ‘troika’ format in which the Commission is represented alongside the High Representative for CFSP, Javier Solana, the Presidency of the Council and, if need be, the following Presidency. The exact scope and nature of the dialogue will depend very much upon the specific legal agreements with the country or regional actors, as well as the agendas placed on the table. The political dialogue in conflict prevention or post-crisis stabilisation cases has become increasingly crowded, including a range of other actors, such as Special Representatives, Personal Representatives of the High Representative, as well as European Parliamentary delegations all of whom are involved in liaison with other regional or international actors (discussed in more detail below). In those scenarios where a peacebuilding perspective is appropriate, the key aim from the EU side is to ensure inclusiveness of all parties to an actual or potential conflict, including representatives of civil society. The importance of the latter is underlined by the self-proclaimed normative nature of EU external relations where the ‘fundamental rights and needs of people are just as important as the “security of states”’, therefore, the EU supports good governance practices and attempts to lay a viable democratic, international order’.<sup>57</sup> At the political level, the political dialogue conducted through the First and Second Pillars plays an important role in peacebuilding as well as in the implementation of peacebuilding strategies through the use of the appropriate mix of instruments. A further dimension worthy of mention is the involvement of national diplomatic representations with the EU Heads of Mission (that is, the heads of the 135 EU

<sup>56</sup> See *supra* n. 35, at 4.

<sup>57</sup> European Commission, External Relations, at <[http://ec.europa.eu/external\\_relations/peace\\_security/why\\_en.htm](http://ec.europa.eu/external_relations/peace_security/why_en.htm)>.

delegations located in countries and international organisations) in coordination in the field. This is particularly important in conducting political dialogue under Article 8 (addressing political dialogue) of the Cotonou Agreement in which ‘Broadly based policies to promote peace and to prevent, manage and resolve violent conflicts shall play a prominent role’,<sup>58</sup>

*Common Commercial Policy/External Trade:* Trade policies at the EU’s disposal can contribute actively to peacebuilding by promoting economic development (economic incentives) and regional integration. Peacebuilding instruments in this area include the Generalised System of Preferences, including the ‘Everything But Arms’ Regulation of 2001 allowing for duty-free access to all imports from the lesser developed countries except arms and ammunition,<sup>59</sup> and the EU Aid for Trade Strategy.<sup>60</sup> The Community has a particularly strong role to play in this policy area owing to its exclusive competence stemming from Articles 131 and 133 of the Treaty Establishing the European Community. As with development policy, discussed below, the precise interlinkage between trade policy and peacebuilding is not entirely obvious other than in the general sense of measures to enhance security and peace. At the general level, both trade and development make the link between economic and political stability. The support given to private sector development has become a priority in many countries in order to reinforce this link. The Community can also utilise trade-related tools in a punitive sense, especially through specific trade sanctions and embargoes. In many cases, the UN is the prime sanctioning actor and the restrictive measures of the EU normally follow suit. The Council’s general guideline on the use of sanctions mentions that

‘Sanctions should be targeted in a way that has maximum impact on those whose behaviour we want to influence. Targeting should reduce to the maximum extent possible any adverse humanitarian effects or unintended consequences for persons not targeted or neighbouring countries. Measures, such as arms embargoes, visa bans and the freezing of funds are a way of achieving this’.<sup>61</sup>

It is far from clear that there is an EU sanctions policy *per se* and even their patterns of use indicate selective targeting. In the case of the EU’s vicinity, sanctions have tended to be imposed in response to direct security concerns while elsewhere in the world they have tended to follow UN recommendations in response to challenges to the rule of law or value-based considerations. The majority of sanctions have been imposed ‘to protect democracy and human rights’.<sup>62</sup> As

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<sup>58</sup> Cotonou Agreement, Article 8(5).

<sup>59</sup> Council Regulation (EC) No 416/2001, February 2001, *Official Journal of the European Communities*, L60/43, 1 March 2001.

<sup>60</sup> On the EU Aid for Trade Strategy, see: <[http://trade.ec.europa.eu/doclib/docs/2007/october/tradoc\\_136452.pdf](http://trade.ec.europa.eu/doclib/docs/2007/october/tradoc_136452.pdf)>.

<sup>61</sup> *Basic Principles on the Use of Restrictive Measures (Sanctions)*, Council of the European Union, 10198/1/04 PESC 450 “1/A” ITEM NOTE, Rev. 1, Brussels, 7 June 2004, para. 6.

<sup>62</sup> J. Kreutz, *Hard Measures by a Soft Power? Sanctions Policy of the European Union 1981-2004* (Bonn, Bonn International Center for Conversion 2005), at 20.

with the UN, the EU has shown increasing interest in ‘smart’ sanctions, targeting specific groups or even individuals. The problem remains, however, of the extent to which sanctions constitute a specific peacebuilding policy or, indeed, how the common commercial policy generally relates to peacebuilding. As Joakim Kreutz suggests, it is perhaps best to think of EU restrictive measures as ‘part of peace-making initiatives in conflict and attempts to protect civilians from government repression rather than an aggressive policy tool to pursue EU interests’.<sup>63</sup> As such, restrictive measures deserve inclusion in the general policy tools available to support EU peacebuilding efforts;

*Development Cooperation:* The EU and its Member States provide over 50% of all Official Development Assistance (ODA) worldwide and, as such, this provides the EU with a potent but general policy for promoting sustainable peace. The general goal of eradicating poverty and of meeting other challenges such as sustainable development, HIV/AIDS, forced migration and so forth, is implicit in development instruments, either generally or more specifically. The European Consensus on Development and the Millennium Development goals associate the EU with wider international efforts at peacebuilding and stability through development tools. The goals are however oriented to factors that certainly underpin sustainable development, but they are not necessarily targeted towards peacebuilding other than in the most general sense. The right balance of development assistance is obviously important for the consideration of the prospects for sustainable peace beyond the UN ‘window of opportunity’ referred to earlier. One of the most vexatious issues associated with development is its association with security and the nexus thereof. The understanding of ‘security’ has broadened, notably since the cold war, as also has the notion of development, thus creating considerable overlap between the two, the precise amount of overlap and the implications thereof depending upon the stance of the observer. On the one hand, as Christian Bueger and Pascal Vennesson suggest, we have a narrow conception of peacebuilding following the logic of Boutros-Ghali’s *Agenda for Peace*.<sup>64</sup> In this case, peacebuilding refers to the activities in between conflict and the use of peacekeeping force on the one side and broader development strategies on the other. The second type, following Galtung’s lead, is broader in nature and focuses on wider strategies and instruments that can prevent and manage conflict and sustain peace. The narrower conception will tend to privilege security-led instruments and policies while the broader conception will favour a development-led lead. The former will tend to be applied to actual conflict situations or situations soon after the cessation of conflict, while the latter has been applied more to preventive scenarios where there is a non-imminent risk of violence.

The narrower model typifies the EU, while the broader version reflects current UN thinking which has tended to expand the notion of peacebuilding towards

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<sup>63</sup> Ibid., at 42.

<sup>64</sup> C. Bueger and P. Vennesson, *Security, Development and the EU’s Development Policy*, European University Institute, Florence, April 2009, at 15-18, available at: <<http://erd.eui.eu/media/vennesson2.pdf>>.

human or comprehensive security outlooks. The EU's current adoption of the narrower variant is best explained by evolution rather than by conscious choice since development policy within the EU is well-established while the security dimensions are far more recent and are still being developed. The onus has therefore been on the defining security in relation to development and not vice versa. So far, this has not been an easy process, especially given the early emphasis on developing the military aspects of crisis management which tended to polarise issues rather than highlight complementary aspects. One prominent example of this was the alleged use of development-tagged funding for the Africa Peace Fund for ostensibly security-oriented purposes. As the security dimensions develop further within the EU, it is reasonable to expect further tensions in the security-development nexus, with the strong likelihood that the EU will be pulled to broader (and hopefully comprehensive) conceptions of the relationship between the two.

*Enlargement Policy:* The EU's enlargement policy is, in a loose sense, a peacebuilding exercise. Candidates for EU membership have to meet a number of criteria, including the political elements of the Copenhagen criteria,<sup>65</sup> as well as satisfy the Commission that they are capable of effectively implementing the *acquis communautaire*. Although often presented as a negotiation process, the accession 'negotiations' are more one-sided with the onus being on the candidates satisfying the European Commission and the Member States of their ability to accede to the Union. For the candidates the emphasis is on confirming and not on negotiation. The assumption is that the candidates, when ready to accede, will meet all of the criteria for membership, and this includes general political stability. The ability of the EU to use the accession process for peacebuilding ends can be called into question in the case of Cyprus where in December 1999 the EU members chose not to make a settlement of the Cyprus problem a precondition for membership. This has led to the unfortunate situation where two of the parties to the dispute, Cyprus and Greece, are full members of the EU while Turkey is a candidate. In the case of the latter, it is inconceivable that it could be a member without a solution to the Cyprus problem. Thus, in a rather loose but ambiguous sense, enlargement could be portrayed as a peacebuilding policy. Another case of a dispute between a member and a candidate (Slovenia and Croatia), over a maritime boundary, also calls into question the strength of the peacebuilding credentials of the enlargement process. Indeed, it could be argued that once one of the candidates to a dispute has acceded, the dispute becomes more difficult to handle and will become a barrier to membership for the remaining party. The existing Member States also have little interest in internalising serious territorial disputes. The effect of enlargement on intra-state disputes is also difficult to assess since, more often than not, such matters invoke subsidiarity claims. The possibility of 'enlargement fatigue' may blunt the utility of enlargement as a peacebuilding exercise, especially with potentially challenging cases like Bosnia-Herzegovina in mind;

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<sup>65</sup> The Copenhagen criteria, adopted in 1993, include political, economic and social criteria. In the first category this includes stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities



*European Neighbourhood Policy (ENP)*: The ENP, whose original objective is ‘to avoid the emergence of new dividing lines’ between the EU-27 and its neighbours by ‘consolidating a ring of prosperity, stability and security’ on the EU’s periphery can also be considered as part of the EC’s peacebuilding policy portfolio in a general sense. In particular, by promoting political reform leading to better respect of human rights and the rule of law, economic reform in favour of greater economic prosperity, regulatory convergence with EU norms as well as security cooperation, the ENP reflects and exports the principles and values that have inspired the EU’s creation and thus can positively contribute to promoting stability and sustainable peace in its neighbourhood. It should, however, be recalled that unlike enlargement policy, the ENP does not offer the carrot of EU membership, although, as noted above, this carrot has not always been sufficient to avoid crises in accession or pre-accession countries. Since the policy is based on the principle of joint ownership, the extent to which the EU can influence existing or emerging conflicts in the neighbourhood depends very much upon the willingness of the party in question to put the issue on the table. A cursory glance at the map of the countries covered by the ENP<sup>66</sup> raises legitimate doubts about any specific peacebuilding attributes offered by the policy. The evidence from the events of August 2008 in Georgia, as well as from the other so-called ‘frozen conflicts’ in Nagorno-Karabakh which is *de facto* independent from Azerbaijan, Transnistria which is *de facto* independent from Moldova, and the often forgotten plight of the Western Sahara which is still the object of dispute between the Kingdom of Morocco and the Polisario Front independence movement (and the government of the Sahrawi Arab Democratic Republic or SADR) is that the ENP has a marginal impact on these disputes. Given the difference in the EU’s position vis-à-vis the candidates for EU membership and the ENP participants, some of whom are more engaged than others, it is best to think of the former as essentially part of the EU’s internal peacebuilding efforts while the ENP is more closely associated with the EU’s external efforts. The EU also remains a rather insignificant actor in the resolution of the Israeli-Palestinian imbroglio, nor did it prove effective in preventing or curtailing the bombing of Gaza in December 2008. These arguments do not seek to suggest that the ENP cannot have a generally beneficial and stabilising effect in the neighbourhood, but the presence of an actual peacebuilding dimension can be questioned.

### 3.2.2 *Instruments*

*The European Development Fund*: The EDF is the main funding instrument for Community development assistance to the African, Caribbean and Pacific States (ACP) and the Overseas Countries and Territories (OCT). The Community is currently in its tenth EDF, each lasting for around five years. The current one repre-

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<sup>66</sup> Algeria, Armenia, Azerbaijan, Belarus, Egypt, Georgia, Israel, Jordan, Lebanon, Libya, Moldova, Morocco, Occupied Palestinian Territory, Syria, Tunisia and Ukraine.

sents €22,682 million over the period 2008-13. Within the EDF, which is not part of the Community's general budget but is funded via the Member States, there are many instruments that have some conflict prevention or peacebuilding applicability although they are not designed as targeted peacebuilding instruments;

*External assistance programmes:* There are many external assistance instruments, such as those run through EuropeAid, the European Commission's Humanitarian Aid Office (ECHO), DG Trade, DG ELARG and DG RELEX, that have general peacebuilding applicability. Assistance includes economic, financial and technical cooperation with third countries and this may vary widely in terms of its actual content, but the use of various forms of conditionality (positive and negative) can be used to reinforce stability and to avoid conflict or sustain peace in a country or regional setting;

*Humanitarian aid:* This refers primarily to short-term assistance and relief to the victims of natural disasters or armed conflict outside the EU, but can also be utilised to foster the conditions for re-establishing peace or avoid relapse into conflict (often in conjunction with longer-term development tools);

*The Instrument for Stability (IfS):* This instrument is a successor to the Rapid Reaction Mechanism which, again, is not an exclusive peacebuilding instrument but refers in its objectives and applicability to a wide range of activities related to peacebuilding. The instrument is worth €1.822 billion over the current financial perspective (2007-13) and is designed to offer short-term non-humanitarian financial assistance to alleviate emerging crises or crisis situations.<sup>67</sup> The objectives include conflict prevention measures, support for post-conflict political stabilisation, the abatement of situations threatening to escalate into armed conflict or to severely destabilise the country or region involved. The instruments include Exceptional Assistance Measures and Interim Response Programmes with a maximum duration of eighteen months, through to longer-term measures designed to build the capacity to address specific global threats of a destabilising nature and to ensure preparedness to address pre and post-crisis situations. The 'threats' include those pertaining to weapons of mass destruction, to law and order and to more general risk mitigation.<sup>68</sup> Although the Instrument for Stability includes conflict prevention, crisis preparedness and crisis management elements, it is one of the first in the EU context to have consciously tried to include peacebuilding aspects.

An integral component of the IfS is the Peacebuilding Partnership (PbP). The PbP was designed as a long-term measure to 'improve communication with key partners in crisis response' focusing on the Commission's implementing partners. The PbP is part of the IfS and is consciously designed to assist in the development and dissemination of best practice, and in rapid access to qualified human resources, as well as to provide adequate logistical and technical support. The PbP

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<sup>67</sup> For more information, see: <<http://europa.eu/scadplus/leg/en/lvb/114171.htm>>.

<sup>68</sup> For further details, see Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability, *Official Journal of the European Communities*, L327/1, 24 November 2006.

draws upon Article 4.3 of the IfS (the crisis preparedness component) to include work on ‘conflict prevention, policy dialogue and other related issues’.<sup>69</sup> The PbP has three principal programme components: the Peacebuilding Partnership support (aimed at civil society capacity building; ‘Track II’ diplomacy and mediation expertise; early warning and field-based expertise analysis; pro-active policy advice and the fostering of expertise and synergies among civil society partners); second, the cooperation with international, regional and sub-regional organisations on, *inter alia*, early warning and recovery, mediation, national resources and conflict; and finally, training for civilian stabilisation missions. The PbP draws upon the Instrument for Stability and in 2008 this amounted to a modest €8 million, split between three principal programme components. The first, peacebuilding partnership support, includes civil society capacity building; civil society early warning and field-based analysis activities on conflict prevention; and pro-active advice from civil society. The second, addressing cooperation with IOs on early warning and recovery, includes the development of post-conflict and disaster needs assessment frameworks and the development of a natural resources management and conflict policy framework, guidelines and training. Finally, the training for civilian stabilisation missions includes the delivery of training to civilian and police experts in civilian missions.<sup>70</sup> The funds, provided through the Instrument for Stability, can be used to support the EU’s cooperation with the UN, regional organisations (like the African Union) and related Member State agencies. It can also be used to provide training, to evaluate operations, to develop and circulate best practices and to assist in the development of early warning systems as well as to provide mediation services and facilitate reconciliation processes.<sup>71</sup> Although most of the funding is targeted at specialised NGOs, it has also been used to support EU cooperation with the UN (UNDP) as well as regional organisations like the African Union and EU Member State agencies.<sup>72</sup> The Commission has established a portal in order to encourage non-state and specialist organisations to provide information on ongoing practices and operations.<sup>73</sup>

The PbP is a relatively young programme (the first activities were implemented under the 2007-8 Annual Action Programme) but the initial indicators suggest that the process of intensified dialogue and consultation with selected partners has provided value-added, although more linkages between the activities of the different target groups have yet to emerge.<sup>74</sup>

<sup>69</sup> See: <[https://webgate.ec.europa.eu/tariqa/pub/fck/File/PBPcsmtg270608cncln\\_Amended.pdf](https://webgate.ec.europa.eu/tariqa/pub/fck/File/PBPcsmtg270608cncln_Amended.pdf)> (registration required).

<sup>70</sup> For full details, see *Crisis Preparedness – Annual Action Programme 2008* (also constituting the Annual Work Programme) covering the ‘Strategy paper 2007 -2011’ and the ‘Indicative Programme 2007-2008’ at <[http://ec.europa.eu/external\\_relations/cfsp/doc/si\\_action\\_prog\\_2008.pdf](http://ec.europa.eu/external_relations/cfsp/doc/si_action_prog_2008.pdf)>.

<sup>71</sup> See: <[http://ec.europa.eu/external\\_relations/ifs/pbp\\_en.htm](http://ec.europa.eu/external_relations/ifs/pbp_en.htm)>.

<sup>72</sup> For an overview of the activities of the PbP, see: <[http://ec.europa.eu/external\\_relations/ifs/pbp\\_en.htm](http://ec.europa.eu/external_relations/ifs/pbp_en.htm)>.

<sup>73</sup> The webgate may be consulted at: <<https://webgate.ec.europa.eu/tariqa/PeaceBuilding/>>.

<sup>74</sup> The Indicative Programme on the Crisis Preparedness Component (Art. 4.3) of the Instrument for Stability, Peace-Building Partnership is available at: <<http://webgate.ec.europa.eu/tariqa/>>

More emphasis is now being accorded to the civil society sector since this is where much of the peacebuilding field experience lies, and it is therefore seen as essential to link these actors up with the policy makers at national and regional levels;

*Targeted Community programmes* focus on: democratic policing; disarmament; demobilisation disarmament, reintegration and rehabilitation (DDRR) of combatants; security sector reform (SSR); de-mining; civilian administration and good governance; democratisation; rule of law; children-related post-conflict assistance; degradation and export of natural resources; the proliferation of small arms and light weapons (SALW); and reconstruction and rehabilitation related to development assistance;

*Relations with international organisations*: Relations with the UN family are particularly important but the association with other international organisations (Council of Europe, OSCE, etc.) with broadly-based human rights mandates, as well as a number of prominent NGOs, are also relevant to the EU's peacebuilding efforts;

*The European Union's external action in human rights matters*: The observation of human rights and the reinforcement of the rule of law go hand in hand. Human rights are reinforced in many different ways, such as: the use of 'essential elements' clauses in development cooperation; support from the European Initiative for Democracy and Human Rights (EIDHR); and backing for the International Criminal Court and international or mixed 'ad hoc' criminal tribunals. Other related programmes include regional, country and local-level initiatives aimed at strengthening the human rights infrastructure, information campaigns, election observation and the development of civil society;<sup>75</sup>

*Targeted geographical instruments*: These include largely ACP-related programmes such as the Africa-EU Strategic Partnership, the African Peace Facility (APF) and Africa's Peace Security Architecture.<sup>76</sup> Typically, these programmes are designed to encourage local ownership of the peace process, as well as to enhance the role of regional actors or organisations in attaining stability. The APF is an example of this since it is owned, staffed and operated by Africans;

*The Kimberley Process*: The EC is a participant in the Kimberley Process, designed to introduce transparency and regulation in the trade in diamonds and to

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pub/fck/File/drafelements1008.doc> (registration required). An assessment of the PbP is being conducted during 2009 to further reflect on the implementation of the crisis preparedness component of the IfS. Consequently, no fund is being allocated to the programme component under the 2009 Annual Action Programme, but it is envisaged that a financial amount proportionate to the sum of the individual amounts for 2009-2010 will be included in the 2010 Annual Action Programme.

<sup>75</sup> For a more comprehensive overview, see: <[http://ec.europa.eu/external\\_relations/cfsp/news/memo05\\_313.htm](http://ec.europa.eu/external_relations/cfsp/news/memo05_313.htm)>.

<sup>76</sup> See, respectively, <<http://europa.eu/scadplus/leg/en/lvb/r12540.htm>> and <[http://ec.europa.eu/world/peace/geographical\\_themes/africa/african\\_peace/index\\_en.htm](http://ec.europa.eu/world/peace/geographical_themes/africa/african_peace/index_en.htm)>.

halt diamond-fuelled conflicts in places such as Sierra Leone, the Democratic Republic of the Congo or Angola;

*Small Arms and Light Weapons (SALW)*: The EU has adopted a number of policies, such as the 1997 EU Programme for Preventing and Combating Illicit Trafficking in Conventional Weapons and the 1998 Code of Conduct on Arms Exports,<sup>77</sup> as well as specific projects financed through the EDF, to halt the manufacture and spread of SALW.<sup>78</sup>

*De-mining*: The EU partners, with many international organisations in support of mine action, regularly fund anti-mine activities within the context of the EC Mine Action Strategy.<sup>79</sup> De-mining assistance has been given to a number of countries, such as Afghanistan, Colombia and Sri Lanka;

*Rule of law support*: The EC has supported a number of programmes to increase the transparency and effectiveness of the legal system. One such programme is that in Bunia in the Democratic Republic of the Congo.

The ‘players’ in EU peacebuilding are varied and, due to the multifaceted meaning of the term, numerous. It is notable, though, that the EU generally is not yet at the point where peacebuilding is given a specific bureaucratic space. Instead, it is subsumed under a variety of different roles and functions.

### 3.2.3 *Players*

At the most generic level, the key players have a general interest in peacebuilding, commencing with the Commission Presidency and, on the Council side, the High Representative of the Union for CFSP. As discussed above, the Commissioners for External Relations, Trade and Development also have important general responsibilities. The more general functional levels are within the Directorates-General, most notably DG RELEX and DG ELARG. The ‘Crisis Platform’ (RELEX DDG1.A under Richard Wright) with overall responsibility for policy coordination in CFSP, is divided into four units addressing, respectively, the duties of the European Correspondent; crisis response and peacebuilding; CFSP operations; and security policy.

The presence of a unit dealing with crisis response and peacebuilding might seem to imply that the relevant aspects are dealt with within this unit but, given the

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<sup>77</sup> *EU Programme for Preventing and Combating Illicit Trafficking in Conventional Arms – Second Annual Report*, 19/01/2000, OJ C15/1, and Council of the European Union, *European Union Code of Conduct on Arms Exports*, 5/06/1998, 8675/2/98.

<sup>78</sup> *EU Strategy to combat illicit accumulation and trafficking of SALW and their ammunition*, Council of the European Union, 5319/06, Brussels, 13 January 2006.

<sup>79</sup> *The European Roadmap towards a Zero Victim Target – The EC Mine Action Strategy and Multi-Annual Indicative Programming 2005-2007*, Brussels, 18 October 2004 (not published in the Official Journal).

multifaceted nature of EU peacebuilding, the associated roles are spread throughout the Directorate-General. For instance, it was argued above that effort to halt the spread of SALW has an active peacebuilding component, yet this is addressed within the security policy unit. The former unit reflects the emphasis accorded to crisis management and, from the Community side, to crisis response and only more recently to peacebuilding.

To return to the peacebuilding element specifically within RELEX DDG1.A, it was framed originally as part of the Instrument for Stability or, more particularly, the crisis preparedness component of the Stability Instrument. This has now been reframed as the Peacebuilding Partnership (PbP) discussed in detail above. Elsewhere in RELEX's Directorate A, the units, broadly speaking, are the main counterparts for the CFSP personnel, and the RELEX staff will liaise frequently with their Council colleagues on a variety of CFSP issues, many of which will be crisis management-related. As has been seen, however, the emphasis since April 2001 has been upon crisis prevention which has become a 'fixed priority' for the EU.

The Commission also has strong peacebuilding interests represented by DG Development since the EU, like other actors, has concluded that there is a strong link between armed violence and poverty. Although the link between poverty and insecurity is tremendously complex, and beyond the immediate scope of this chapter, there is consensus that the EU and the Member States need to harness increasingly complex and sophisticated instruments to attain peace and stability. The linkage between security and development is explicit in a number of Commission documents such as the Cotonou Agreement, regulating the EU's relations with the African, Caribbean and Pacific partners, and the European Consensus on Development.

The challenge for DG Development, as well as for DG Trade, is how to harness general instruments and make them more efficient in the peacebuilding context. In 2005, the EU agreed to the *Policy Coherence on Development* (PCD), which recognises that many policies other than development have a strong impact on developing countries. The PCD was also framed with the Millennium Development Goals in mind. It was established at a time when the EU had the intention of increasing development aid, thus making the need for maximum coherence between the different policy areas a priority.<sup>80</sup> The ultimate aim of the PCD is to consider the implications for the developing countries of every single policy decision. The PCD has no less than twelve 'priority areas', one of them being peace and security and many of the themes within this area are pertinent to peacebuilding. It remains early days for the PCD, but it at least has the beneficial effect of strengthening thinking about the important linkages between security and development. In spite of progress, a 2007 report on the security dimensions of the policy noted:

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<sup>80</sup> Commission Communication on 'Policy Coherence for Development – Accelerating Progress towards Attaining the Millennium Development Goals', COM(2005)134 final of 12 April 2005, and May 2005 General Affairs and External Relations Council (GAERC), Conclusions on the Millennium Development Goals (Doc. 9266/05).

‘(...) improved coordination between security and development is still needed. This implies strengthening organisational mechanisms in the Commission and the Council to better take account of development concerns in security decisions, conducting systematically security-related analyses when informing and guiding development cooperation, improving the transition between the different financial instruments and continuing to build and sustain partnerships with the different international and regional organisations and civil society’.<sup>81</sup>

The PCD is implemented through a rolling work plan which includes questionnaires sent to the Member States to assess the implementation of the policy. The Netherlands was the first to respond to the latest questionnaire (in 2009) and its assessment was that ‘the Work Programme has not been translated into operational terms and its relevance for setting up concrete PCD projects is limited’. For the Netherlands, it would be rather useful ‘if the EC would select a few priorities, instead of the twelve selected themes’. It would lead to ‘more cooperation between Member States and the Commission to implement the Work Programme’.<sup>82</sup> As a result of the feedback, a revision of the PCD will now focus on five areas only, of which security is one.

Finally, the External Service of the Commission plays a critical role in peacebuilding since it is the eyes and ears of the delegations on the ground. The ability of the EU to respond in an appropriate and timely manner will depend heavily upon having access to the right information at the right time. In some specific cases, most notably the African Union, the EU has actively promoted peacebuilding and conflict prevention with the appointment of Koen Vervaeke as EU Special Representative and Head of the European Commission Delegation to the African Union. Part of the ambitious mandate accorded to Vervaeke is to ‘predict, prevent, manage, mediate and resolve conflict, support efforts to promote peace and stability, support post-conflict reconstruction’.<sup>83</sup> The significance of his appointment also lies in the deliberate, if somewhat awkward, fusing of Commission and Council duties.

### 3.3 Peacebuilding activities under the Second Pillar

Peacebuilding in the CFSP and ESDP contexts is similarly problematic to distinguish from conflict prevention and some aspects of crisis management. Much attention has been paid to the emergence of ESDP and the increasing demand for EU involvement in a variety of peacekeeping operations. The initial emphasis, with the experience of the Western Balkans in mind, was upon the military dimen-

<sup>81</sup> Commission Working Paper, *EU Report on Policy Coherence for Development*, Brussels, 20 September 2007, COM(2007) 545 final, section 2.4.

<sup>82</sup> ‘Netherlands Reveals Results of 2009 PCD Questionnaire’, available at: <<http://www.eucoherence.org/renderer.do/clearState/false/menuId/313375/returnPage/227304/itemId/606508/instanceId/313389/pageId/313375/>>.

<sup>83</sup> Council Joint Action 2007/805/CFSP of 6 December 2007 appointing a European Union Special Representative to the African Union, *OJ* 2007 L 323/45, 8 December 2007.

sions of crisis management while, more recently, the EU has embarked upon an increasingly complex range of civilian operations, ranging from rule of law, to police operations and civilian administration missions.

The overlap between the Pillars has already been touched upon above. Generally speaking, there is much coordination between the Community aspects and CFSP, but there is also continuing friction. In some specific areas, such as conflict prevention, there remains a certain amount of unhealthy duplication, resulting in the need) to improve the Community and Second Pillar efforts in this domain. One of the pressing needs is therefore to find agreement on joint strategies and frameworks under which all of the institutional and Member State efforts can be placed. Whether the Lisbon Treaty will facilitate efforts to this end remains an open question. It is also important to remember that ESDP, in particular, remains a relatively young policy area with not even a decade of operational experience. The challenge for the interested observer is therefore to make sense of a fast-changing and dynamic environment.

Two general reservations can be made though at the outset. First, as has been observed, ESDP tends to emphasise the short term since crisis management remains to the fore (although this is gradually changing), whereas the Community is more suited to longer-term peacebuilding since the policy perspectives and lead-in times are inherently longer. Second, the funding instruments in the CFSP area remain limited. Community support for funding CFSP is primarily for administrative expenditure and some operational expenditure, as well as the Instrument for Stability in general terms (although this remains very much a Community instrument). In the crisis management domain, the Member States are the main funders of military operations and, for this reason, the emphasis is very much on the shorter term and upon creating the conditions in which longer-term stabilisation efforts may flourish. Although not a rigid rule, Community efforts tend to emphasise the longer term, while CFSP and ESDP instruments tend to stress the shorter term. The main role of the Second Pillar in peacebuilding terms is therefore primarily that of creating the conditions in which peacebuilding efforts can flourish.

The broad division of the economic and security dimensions of peacebuilding between the Pillars is often seen as one of the root causes for lack of coordination, or even for competition. Seidelmann makes this point as follows:

‘... placing the economic dimension of foreign and security policies including peace-interventions at the Commission, and the military dimensions at the Council creates on the one side competitive institutions and contradictions between economic and military measures, and prevents on the other side the formation of an effective, cohesive, and consistent grand strategy, which effectively combines sanctions with incentives, economic with military means, and negative security- with positive peace-building.’<sup>84</sup>

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<sup>84</sup> R. Seidelmann, *Problems and Prospects of the Common Foreign and Security Policy (CFSP) and European Security and Defence Policy (CESDP): A German View*, available at: <[http://www.desk.c.u-tokyo.ac.jp/download/es\\_1\\_Seidelmann.pdf](http://www.desk.c.u-tokyo.ac.jp/download/es_1_Seidelmann.pdf)>.



He is, however, careful not to attribute the differences between the Pillars to rivaling personalities but to institutional structures and the lack of clear political subordination. The case though is probably more nuanced, with a number of ESDP operations, such as the monitoring mission in Aceh, demonstrating more of a peacebuilding role than a crisis management one. Similarly, it could be argued that many of the Special Representatives, appointed through a Council Joint Action, play an active peacebuilding role. As will be seen in the following section, a number of CFSP policies and instruments support peacebuilding, making it a responsibility that falls neither to the Community nor to CFSP explicitly.

### 3.3.1 *Policies*

CFSP covers all areas of foreign and security policy and, like the Community, has general responsibilities towards the rule of law and respect for human rights. Peacebuilding activities under the CFSP umbrella therefore appear under one or both of these rubrics. The respective responsibilities between the Pillars for peacebuilding are ill-defined (this is discussed in more detail above, under competences). Efforts in the CFSP realm are normally complemented by Community-led programmes and funding. Since the ESDP elements of CFSP are relatively young, there has been a certain amount of duplication of effort with the Community, most notably in civilian aspects of crisis management. The question of whether a monitoring mission is an ESDP or Community one, or whether a rule of law mission should fall under the Second Pillar, are all issues that will require further attention and thought. In this regard, the coordination efforts of the Council Secretariat and their counterparts in the Commission's DG RELEX are of particular importance.

The importance of linking cross-Pillar efforts in peacebuilding was illustrated in the case of the Western Balkans. The initial efforts at peacebuilding were made through the Member States (and the Contact Group in particular, involving France, Germany, Italy and the United Kingdom from the EU side) and the relatively new CFSP. The diplomatic clout of the High Representative for CFSP, backed by growing crisis management capabilities, undoubtedly played an important role. It would nonetheless be incorrect to claim that peacebuilding in the Western Balkans was primarily or exclusively part of CFSP. It is unlikely that peacebuilding would have proceeded as it did without external assistance (bearing in mind the relative newness and fragility of CFSP) and the extensive use of Community instruments. The provision of institutions, commencing with the Stabilisation and Association Process (SAP), was also critical in providing for long-term peace and stability. The use of the SAP as a tool to gradually transpose the *acquis communautaire* and to prepare the countries in the region for membership was, arguably, a significant factor in the relative success of peacebuilding efforts in the Western Balkans. It was, however, the ability of the High Representative and the Special Representative to use conditionality and potential membership of the EU as a potent tool that was perhaps one of the most influential factors for stability. At the same time, it is

premature to talk of peacebuilding as an accomplished mission in the Western Balkans, or many other parts of the world, since the eventual aim should be to foster inclusive and self-sustaining governance at the domestic level. The continuation of a quasi-trusteeship in parts of the Western Balkans means that peacebuilding cannot be considered complete.

Elsewhere in the world, most notably in Africa, the emphasis accorded to local ownership of the crisis management and peacebuilding processes is notable. The African Peace Facility is a striking example of this, as is the strong EU support for the African Union and EU efforts in this domain. The EU provides a variety of support for peacebuilding efforts in the Great Lakes Region of Africa and elsewhere, as well as crisis management involvement, but with the specific recognition that without local ownership, long-term peace is unattainable. The contrast between the two regions is marked; in the case of the Western Balkans, the EU has taken a level of ‘local ownership’ itself, especially through active involvement in assisting the countries in the region to become members of the Union. On the other hand, the lack of any membership prospect for African countries has led to different dynamics and approaches in the peacebuilding process.

### 3.3.2 *Instruments*

The instruments available in the CFSP context are similarly hard to define as in the Community context. The CFSP instruments are varied and differ from Community instruments since, with one exception (concerning questions of inter-Pillar competence<sup>85</sup>) the European courts do not have any formal powers. The CFSP instruments, such as joint actions, common positions and declarations, should therefore be seen as primarily political obligations undertaken by the Member States. At the most general level, the general guidelines and common strategies are laid down by the European Council. In spite of their general nature, the guidelines can be useful as a means of ensuring that the Union itself extols the values and principles that it wishes to apply in peacebuilding elsewhere in the world. Joint actions are often used to appoint Special Representatives and to launch ESDP operations. Common positions are often adopted to enforce punitive sanctions (either targeting a country, group or even an individual). Economic sanctions are complex and controversial in terms of whether they attain their desired effects or not, but are often not a peacebuilding tool since they are coercive rather than conditional (positive) in effect. Declarations, issued either by the Presidency or

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<sup>85</sup> The EU’s competences in foreign policy are shared between the European Community and CFSP including, in particular, a number of ‘grey areas’ of competences falling in between the two Pillars, such as: human rights, civil protection, civilian aspects of crisis management, SALW, and defence industrial issues. Although in principle the ECJ is excluded from CFSP, in case of the adoption of a measure with implications for both Pillars, it is competent to delimit the right legal basis for adoption of this action, as illustrated in the ECOWAS case. See on this topic, S. Duke, ‘Areas of Grey: Tensions in EU External Relations Competences’, 1 *Eipiascope* (2006) 21-27.

the Council, may also serve to reinforce the normative basis for any subsequent peacebuilding activities.

The lack of major funding instruments is a crucial contrast with the Community-led efforts and this is one of the main reasons that many tend to portray the CFSP contributions to peacebuilding as short-term. The TEU, Article 28, states that for CFSP

‘Administrative expenditure (...) and operating expenditure to which the implementation of those provisions gives rise shall also be charged to the budget of the European Communities, except for such expenditure arising from operations having military or defence implications and cases where the Council acting unanimously decides otherwise’.

And, ‘in cases where expenditure is not charged to the budget of the European Communities, it shall be charged to the Member States in accordance with the gross national product scale, unless the Council acting unanimously decides otherwise’.

The funding question becomes even more obtuse when considering civilian crisis management operations, when the legal basis and the source of financing is determined in part by the purpose of the proposed action. Generally, humanitarian aid, food aid, securing the livelihoods and safety of refugees, civilian emergency assistance, rehabilitation, reconstruction, infrastructure development, de-mining, economic aid, consolidation of democracy and the rule of law, institution building and some human rights-related expenditure will fall under the Community budget line. The civilian Petersberg tasks, which are not covered by Community competence (such as non-proliferation, disarmament, security, monitoring, certain executive police missions, and fact-finding missions preceding an envisaged operation), will be attributed to the CFSP part of the Union’s budget. The military aspects of the Petersberg tasks (that is, peacekeeping tasks and tasks of combat in crisis management including peacemaking) are charged to the Member States on a sliding GNI scale. There is provision for some specific common costs to be covered by the Community’s Athena mechanism established on 23 February 2004. The mechanism can cover items such as the funds for the Operations Headquarters (in Europe), the Force Headquarters (in theatre), the Component Headquarters and the necessary infrastructure for the force as a whole, including items such as communication and camps. The Council can also approve other costs such as transport and the lodging of forces, satellite imagery or airborne surveillance.<sup>86</sup>

The question of which financial instrument to use and, indeed, which Pillar should take the lead, will vary from case to case. The demands of conflict prevention and peacebuilding are likely to involve longer-term instruments whereas crisis management, by definition, tends to emphasise the ability to respond quickly and appropriately.

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<sup>86</sup> See EU Council Factsheet, *Financing of ESDP operations*, June 2006, available at: <[http://consilium.europa.eu/uedocs/cmsUpload/Factsheet\\_Financing2.pdf](http://consilium.europa.eu/uedocs/cmsUpload/Factsheet_Financing2.pdf)>.

The development of crisis management tools through ESDP has also introduced some instruments that may have wider peacebuilding relevance. The original Petersberg tasks were supplemented by a variety of civilian instruments such as those in the field of police, strengthening the rule of law, civilian administration, civil protection and monitoring missions. Often the missions are mixed and complex in nature. Although primarily designed with crisis management role in mind, a number of the ESDP instruments have obvious applicability for peacebuilding missions. This could include niche capabilities that may be of particular importance for SSR or DDR missions, especially those that require specialist knowledge or input. EU police and rule of law missions have been used to instil 'best practice' in a number of parts of the world, which, again, it could be argued, has an important peacebuilding component. The integrated rule of law mission in Kosovo (EULEX) is a case in point where, in contrast to past missions, a deliberate attempt has been made to be inclusive and to actively engage civil society.

### 3.3.3 *Players*

The players in Second Pillar peacebuilding are difficult to define due to the overlap between the crisis management elements of CFSP and those that may assume a variety of peacebuilding roles. Thus, in a general way, the High Representative for CFSP has an obvious role since he will be the central coordinating point for all peacebuilding and related activities. The Political and Security Committee, consisting of ambassadors appointed to the committee from the permanent representations of the Member States, will also have an important role to play through the political and strategic direction of crisis management operations.

The support and advisory elements of the Petersberg tasks are also likely to assume a peacebuilding role, such as those currently involved in EULEX Kosovo. This would include, from the Council side, the Committee for the Civilian Aspects of Crisis Management (CIVCOM), the Situation Centre (SitCen), the EU Military Committee (EUMC) and the EU Military Staff (EUMS). More recently, the Civilian Planning and Conduct Capability (CPCC), with responsibility for the planning and conduct of civilian operations under the political and strategic guidance of the PSC, has rounded off the list of players. The CPCC director will act as the EU Civilian Operations Commander, whereas the military operations can be headed by either an EU commander, via the EU Operations Centre, or a national command operating as a 'framework nation' or, finally, via NATO's planning and command facilities (under the Berlin Plus Agreements).

The point of interest to note for the purposes of this chapter is that most of the players are designed with a crisis management role in mind. It was out of this role and the first few missions from 2003 onwards that the peacebuilding efforts evolved in, for example, Aceh, the Democratic Republic of the Congo and Kosovo. In these cases, and others, the CFSP contribution cannot be considered in isolation from the other Community efforts to establish peace and stability. The CFSP/ESDP elements were essential, but contributory aspects of a wider EU peacebuilding

effort. This observation, in turn, means that emphasis should be placed on how to weave together the different aspects of peacebuilding into a seamless whole. This is no easy task when considering the modest size of the CFSP budget in relation to the overall EU external relations budget. It is also no easy task given the political differences that still exist over the extent to which security, and notably the military and some of the police elements, should be *communitarised*.

### 3.4 Peacebuilding and the Lisbon Treaty

The Lisbon Treaty's impact on peacebuilding may well be positive since more attention will be paid to linking up the different facets of peacebuilding and the actors involved, most notably through the emergence of the European External Action Service (EEAS). The objectives of the EU on the international stage are elaborated upon and these include promoting 'peace, security and progress in Europe and the world', contributing to 'peace, security and the sustainable development of the Earth', to 'preserve peace, prevent conflict and to strengthen international security'. The Petersberg tasks are expanded slightly to incorporate 'joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation'. As in the current Treaty, the word peacemaking is used which is ambiguous in terms of its meaning (but, historically, was a device to avoid mentioning peace enforcement). The addition of explicit mention of 'post-conflict stabilisation' is also of significance for the EU peacebuilding efforts. Nothing explicitly refers to peacebuilding though and, following from the above discussion, it must again be assumed that any peacebuilding mandate is subsumed in other terms, goals and objectives.

The main contribution to peacebuilding in the Lisbon Treaty is through the potential for greater efficiency. The sections above have dwelt on the question of competences and some of the barriers to effective peacebuilding due to the division of the instruments and players across the Pillars. The European Peacebuilding Liaison Office (EPLO) has produced a basic but helpful overview of the main modifications of the Lisbon Treaty and the implications for peacebuilding.<sup>87</sup> The Lisbon Treaty should not, though, be regarded as a panacea since, although the potential is there for greater consistency between and within the Pillars, there remain many questions about how the new or adapted actors will interact. This point applies particularly to the President of the European Council and the High Representative of the Union for Foreign Affairs and Security Policy, who shall also be a Vice-President of the Commission (HR/VP). But, it also applies to the High Representative and the President of the Commission. A host of other issues also surface, including how the attribution of legal personality to the EU will change the

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<sup>87</sup> See EPLO, *Peacebuilding and the Lisbon Treaty*, available at: <<http://www.eplo.org/documents/Peacebuilding%20and%20the%20Lisbon%20Treaty%20final.pdf>>.

Union's representation in international organisations and at international conferences, as well as the precise shape and structure of the Union delegations (based, presumably, on those of the Commission's External Service but including staff from the Council Secretariat and the Member States).

Of particular interest is the emergence of the European External Action Service (EEAS), which is a type of quasi-European *corps diplomatique*, drawing upon the relevant departments of the Commission and the Council Secretariat, and also involving the Member States. There is a good deal of speculation about the potential shape of any such service, as well as about its precise role and function. In the peacebuilding context, EPLO advocated that:

‘A specific PB Directorate/Department should be established within the EEAS with the prime responsibility of coordinating all aspects of conflict prevention activities, PB, and crisis management missions, in order to ensure coherence and consistency in this field between the Council and the Commission. Such a coordinating cell should have as its main tasks: co-ordination of internal EU instruments; planning mission support and evaluation for crisis management missions; cooperation with external organisations and non-governmental organisations; training and recruitment of civilian personnel; and research and evaluation. Building on this Cell's co-ordination work, an EEAS structure should allow for flexibility needed to build up standing civilian capacity for EU crisis prevention and conflict management in third countries without the necessity of further Council decisions’.

The appointment of a dual-hatted HR/VP holds the potential for more coherence in EU external relations since, assisted by the EEAS, it will link more closely the CFSP with the former communautaire aspects. The EEAS will represent all geographical regions and countries of the world and will assume responsibility for much of the high-level programming, with implementation for specific areas (such as trade and development) being executed through the relevant directorates-general in the Commission. The linkage of funding instruments, especially the IFS, under the High Representative may also prove to be of immense benefit to the overall coherence of EU external action. The association of both the military and civilian crisis management capacities with the HR/VP, alongside the assumption of direct responsibilities and coordination functions within the Commission, also holds the potential for a more comprehensive approach to peacebuilding through the linkage of the many instruments and tools involved. Whether the potential of the Lisbon treaty will depend very much upon the practical implementation of the spirit of the treaty and how those holding the key senior positions interpret their respective mandates.

#### 4 THE EU'S EXTERNAL PARTNERS IN PEACEBUILDING

The EU's peacebuilding efforts need to be considered in connection with those of the wide range of international partners with whom the EU associates. In particu-

lar, the EU collaborates with the UN and its agencies. According to the 2007 *Joint Statement on UN-EU Cooperation in Crisis Management* ‘the UN and the EU are united by the premise that the primary responsibility for the maintenance of international peace and security rests with the UN Security Council, in accordance with the UN Charter. In this context the UN recognizes the considerable contribution (...) of the EU to crisis management’.<sup>88</sup> The same report recognised that ‘significant enhancement of UN-EU cooperation has taken place in the area of civilian and military crisis management since the Joint Declaration on UN-EU cooperation in Crisis Management of 24 September 2003’. The earlier EU Security Strategy used the same formulation whereby ‘The United Nations Security Council has the primary responsibility for the maintenance of international peace and security’.<sup>89</sup> It follows from this, as well as the EU’s desire to contribute to the creation of a rules-based international order, that the legality and legitimacy of EU crisis management and related efforts are sought through a UN Security Council resolution.

The possibility for the EU to use the Berlin Plus arrangement, covering assured access to NATO’s planning facilities, the presumption of availability of other assets and the provision for the exchange of classified information between the two organisations, was designed with crisis management in mind and not peacebuilding specifically.<sup>90</sup> The possibility that combat forces might be required to establish initial stability or even to halt crimes against humanity, so that other stabilisation operations can take over, cannot be ruled out. The handing over of two NATO operations in the Western Balkans to the EU also suggests that the arrangements have general applicability in a peacebuilding context. The challenges of implementing the agreement, given the differences between Cyprus and Turkey, as well as the overstretch of US military personnel and resources in Afghanistan and Iraq, should not be underestimated. The large overlap of membership between the two organisations has to be balanced against the potential sensitivities of the six neutral or non-aligned EU members who may have reservations about closer relations with NATO.<sup>91</sup>

The Organisation for Cooperation and Security in Europe (OSCE) deals with a wide range of security issues including those relating to conflict prevention. In this context, they are mainly addressed by the Office for Democratic Institutions and Human Rights (ODIHR), which provides a broad range of programmes, ranging from election observation and assistance in drafting and implementing election laws and systems, to assistance in establishing democratic institutions, strengthening the rule of law, fostering the establishment and continued existence

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<sup>88</sup> Council of the EU, *Joint Statement on UN-EU Cooperation in Crisis Management*, PRESS, 7 June 2007.

<sup>89</sup> *A Secure Europe in a Better World*, European Security Strategy, Brussels, 12 December 2003, at 9.

<sup>90</sup> NATO, *Berlin Plus Agreement*, 17 March 2003.

<sup>91</sup> These are Austria, Cyprus, Finland, Ireland, Malta and Sweden.

of NGOs, and the functioning of civil societies. A number of EU staff in monitoring missions are jointly trained with OSCE staff.

The Council of Europe pre-dates the EU, having been founded in 1949, and is now part of the collective European peacebuilding effort to stop the outbreak of violence or its reoccurrence. The Council of Europe's core mission is the protection of human rights as guaranteed by the 1950 European Convention on Human Rights (ECHR) and the subsequent protocols. The Council of Europe is one of the main platforms for dialogue and cooperation at different levels, ranging from the intergovernmental, to the inter-parliamentary, to local government and civil society levels. The OSCE, the Council of Europe and the EU frequently work together to reinforce the observance of human rights, minority rights and other fundamental freedoms, as well as to prevent conflict or the spread of conflict within the region. Although all are mutually supportive and all have the adage 'Europe' in their titles, the EU is distinct because of the global nature of its peacebuilding efforts which necessitates close collaboration within the region, as well as with a diverse range of international partners.

The African Union (AU) has become an increasingly important player in promoting peacebuilding on the African continent (in the framework of the EU-Africa joint strategy). The AU has been referred to above and the EU's goal is to provide such support and advice as is necessary so that the AU and the members can increasingly assume local ownership for stability and peace amongst the membership.

The EU also works extensively with a variety of NGOs (as has been noted in the context of the PbP above). The role of EPLO is also prominent, as the umbrella for twenty-five or so European NGOs, networks of NGOs and think-tanks in the peacebuilding area. EPLO's mission is as follows:

'EPLO aims to influence the EU so it promotes and implements measures that lead to sustainable peace between states and within states and peoples, and that transform and resolve conflicts non-violently. EPLO wants the EU to recognise the crucial connection between peacebuilding, the eradication of poverty, and sustainable development world wide and the crucial role NGOs have to play in sustainable EU efforts for peacebuilding, conflict prevention, and crisis management.'<sup>92</sup>

The Initiative for Peacebuilding (IfP) is one notable activity being promoted by a cluster of NGOs, including EPLO, headed by International Alert and funded by the European Commission. The aim is to bring together complementary geographical and thematic expertise across ten civil society organisations so that all institutions, including the European Commission, can access strong independent analysis 'in order to facilitate better informed and evidence-based policy decisions'.<sup>93</sup>

A number of non-EU countries play a prominent role in EU peacebuilding efforts, most notably Switzerland's Expert Pool for Civilian Peacebuilding which is

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<sup>92</sup> See EPLO at: <<http://www.eplo.org/index.php?id=1>>.

<sup>93</sup> See: <<http://www.initiativeforpeacebuilding.eu/>>.



run through the Federal Department for Foreign Affairs. The 630 expert volunteers, organised as a militia system, have offered services in areas such as election monitoring, police advisers, specialist constitutional affairs, mediation, rule of law, human rights and humanitarian law. The EU has been one of the international beneficiaries of their experience and advice, including in the current EULEX mission in Kosovo.

## 5 CONCLUSIONS

As reflected at the beginning of this volume, the post-war European integration that created the European Community and then the EU itself was a peacebuilding project. Arguably, this fact imbues the EU with a certain authority as regards peacebuilding. This chapter has sketched out the principal players and instruments when it comes to EU peacebuilding. The task is, however, significantly complicated by the generous parameters of what falls under the ‘peacebuilding’ rubric. Indeed, when referring to the EU, it almost seems simpler to ask what is not indirectly or directly peacebuilding.

The brief examination above shows how the EU has consciously tried to model the understanding and practice of peacebuilding in terms of international norms, notably those of the United Nations. The initial practice of peacebuilding focused on conflict prevention but has been interpreted either as efforts to halt the outbreak of conflict in the first place or, as efforts to halt the restart of conflict. Implicitly, peacebuilding has included post-conflict stabilisation of the type we see in the Western Balkans, but only more recently, with the advent of the Lisbon Treaty, do we see explicit mention of ‘post-conflict stabilisation’ among the tasks charged to the EU under CFSP.

The question of what is understood by EU ‘peacebuilding’ is more than semantics since it has bearing on who the players are and what instruments may be employed. If we accept that peacebuilding in this context has both conflict prevention as well as post-conflict stabilisation facets, the players and instruments are extensive. On the Community side, the involvement of different Directorates-General could be wide, ranging from External Relations, Development and Trade, to EuropeAid and ECHO. Others may be added, as need be, to provide specialist advice or functions. In this context, the role of the delegations within the crisis country or region is also critical since they are the eyes and ears of the Community and the Commission staff, along with the local staff who are familiar with the local political, economic and social aspects, and who will be instrumental in guiding the peacebuilding efforts *in situ*.

The instruments are also extensive, depending in part upon the nature of the crisis and the specific needs. Some of the instruments involve using existing funds, like the EDF or the Instrument for Stability, for targeted funding. Other tools are of a more precautionary nature designed to address the root causes of conflict, such as the Community’s participation in the Kimberley Process designed to combat

the illegal trade in diamonds, that in turn fuel instability. One of the more interesting instruments in development is the Peacebuilding Partnership (PbP), which is a Commission-backed initiative resting upon the specific acknowledgement that effective peacebuilding must involve civil society.

The primary purpose of the Second Pillar (CFSP) in the peacebuilding context is to create the conditions under which longer-term stabilisation efforts can take place. This may involve a military crisis management mission but the current demand for missions suggests that there will continue to be more demand for civilian crisis management tools, such as rule of law missions, civil administration missions, border assistance missions, observation missions and police missions. The players in the CFSP case are also diverse and are, for the most part, the crisis management actors adapting their skills and resources to a peacebuilding role.

The challenge for the EU remains how to knit together the players and instruments in the different Pillars into a comprehensive peacebuilding response. Since peacebuilding tends to be a slower, long-term process, the practical lessons for the EU will only emerge gradually. The concept of peacebuilding is itself slowly evolving and being shaped within the EU institutions and the EU members. The EU has formidable potential to link together all of the various facets of its influence, ranging from its trade, development and assistance tools, to the 'harder' aspects of its profile being developed through ESDP. The attainment of this potential will depend very much upon the internal dynamics of the EU institutions but, in particular, upon the political will of the Member States to support the EU's peacebuilding efforts. In fact, the challenge goes beyond the EU to include the efforts of important partners, notably the UN, to the same end.

The implementation of the Lisbon Treaty holds the potential for greater coherence, effectiveness and visibility for the EU on the international scene – all fundamental aims of the treaty. The question of whether that potential is realised depends very much upon how the key senior appointments interpret their respective mandates. It will also depend upon the eventual composition and functioning of the EEAS which, under the guidance of the HR/VP, should tie together strategic thinking and programming, as well as many of the essential instruments for peacebuilding. As this overview of EU peacebuilding has demonstrated to show, the tools and instruments that apply are extensive. In few other areas of the EU's activity are the demands on coherence so high, let alone the need for effectiveness and visibility.

