

Roundtable

The EU's and the Netherlands' engagement on fragility and the post-2015 framework

Thursday 13 March 2014 (14.00 – 17.45)

The Hague Institute for Global Justice, The Hague, Netherlands

Report

Introduction

This is a report of EPLO's Member State meeting in The Netherlands on fragility and the post-2015 framework which took place on Thursday 13 March, 2014, in The Hague. The meeting brought together representatives from the European Commission, Member States and civil society representatives, including Non-Governmental Organisations (NGOs), think-tanks and the academic community.

The objective of the meeting was to understand the state of play of the EU's engagement on fragility and the Dutch perspective on the EU policies related to fragility, and to reflect on the EU and Dutch positions on the post-2015 framework. The EU and its Member States are collectively the world's largest providers of development aid. Through the New Deal for Engagement in Fragile States, the EU and The Netherlands committed to support countries in situations of fragility such as Somalia, Afghanistan and South Sudan to establish functioning and accountable institutions that deliver basic services and support poverty reduction.

1. The EU's engagement with states in situation of fragility: The State of Play

The Fragility and Crisis Management Unit

The EU's work on fragility is coordinated by the Fragility and Crisis Management Unit in DG Development and Cooperation of the European Commission (DG DEVCO, Unit 07). Initially a policy unit, the Fragility and Crisis Management Unit was able to provide input on fragility in programming guidelines, which are now guiding the currently ongoing programming process. The unit is attached directly under the Deputy Director General for Geographic coordination and has a coordination role with the geographical and thematic directorates of DG DEVCO, with a strong focus on implementation. Its mandate is the following:

- Define the framework for cooperation with countries in situation of fragility and crisis;
- Provide support, guidance and tools to manage effectively and coherently major crisis situations and deal with countries in situation of fragility;

Within this mandate, the Fragility and Crisis Management Unit set out four areas of work:

1. Policy and concept work regarding EC development aid to fragile and crisis countries (including the International Dialogue on Peacebuilding and Statebuilding, the New Deal, the DEVCO side of the Comprehensive Approach to External Conflict and Crises, the Resilience Action Plan and the input on peace and stability and its links to governance to the post-2015 framework);
2. Toolbox development: tools enabling DG DEVCO stakeholders to translate the policy and concepts in practice (programming and implementation), such as:
 - The Staff Handbook on operating in situations of conflict and fragility, in cooperation with the EEAS,

- Guidance notes on conflict analysis and Security Sector Reform;
 - Flexible procedures list
 - EC Staff training for building knowledge on and mainstreaming fragility, conflict and security in development assistance.
3. Facilitate coordination within DG DEVCO and internal and external stakeholders concerned by the situation of fragility and crisis (Coordination Platform, follow-up of the Inter-service Crisis Platforms)
 4. Fostering DG DEVCO engagement with fragile states and regions and operationalisation in country (including implementation of the New Deal, input into DEVCO programming and project cycle management in fragile states).

The EU approach to fragility - Policy framework

The main lens the EU uses to deal with fragile states is through the concepts of statebuilding and peacebuilding in addition to focusing on the state-society relations. It also looks at it from a conflict prevention perspective: the EC uses conflict analysis, including the analysis produced in the EEAS by the division for conflict prevention, peacebuilding and mediation instruments (referred to as K2). The EU's engagement is reflected through the following policy documents and frameworks:

- The Agenda for Change
- The EU's [Comprehensive Approach to external conflict and crises](#);
- The [EU Resilience agenda](#) and the concept of Linking Relief Rehabilitation and Development (LRRD), led by European Community Humanitarian Office (ECHO) and DG DEVCO . in this framework the Fragility Unit is in charge of developing and implementing an [Action Plan for Resilience in Crisis Prone Countries](#);
- The endorsement of the International Dialogue on Peacebuilding and Statebuilding (IDPS) and the New Deal for Engagement with Fragile States;
- Mainstreaming fragility aspects in other areas through a series of communications, such as the Council conclusions on Europe's engagement with Civil Society in external relations or the Communication on Local Authorities / sub National Public Authorities, The Overarching Post 2015 Agenda - Council conclusions (peace, security and fragility aspects).

In 2007, the European Commission expressed its willingness to the EU Member States to produce an EU Action Plan on fragility, however due to the institutional changes and the creation of the EEAS this was delayed. In 2012, the Council Conclusions on a Common Security and Defence Policy called for a joint Communication from the Commission and the HR/VP on ~~the~~ comprehensive approach thus *de facto* replacing the request for an Action Plan on Fragility. In 2013 December, the Communication on the [EU's Comprehensive Approach to external conflict and crises has been issued and is now awaiting Council Conclusions. The Council may decide to request an Action Plan on the EU's Comprehensive Approach to External Conflict and Crises.](#)

The co-chairmanship of the IDPS was handed over from Denmark to Finland. Within its engagement on the New Deal, the EU is a lead donor in supporting pilot countries Somalia, Timor-Leste and the Central African Republic. In Somalia, the international community, led by the European Union, endorsed a three-year plan to support the establishment of functioning institutions in Somalia and pledged to invest over " 1.8 billion (including " 650 million from the EU).

2. The Netherlands' engagement on fragility and approach to EU policies related to fragility

The Netherlands as a relatively small player on the global stage does not have the same resources as the EU but it has made engagement with fragile states a priority of its cooperation policy since 2008, engaging with 11 fragile countries, including South Sudan, Afghanistan and Mali.

The Fragile States and Peacebuilding Unit was established in 2008 in the Dutch Ministry of Foreign Affairs to contribute to knowledge-building and mainstreaming on issues related to fragility in the Dutch Foreign Service. Besides peacebuilding, other policy goals include democratisation, good governance and economic development through market forces.

The Dutch Ministry for Foreign Affairs set five priorities with regards to this engagement:

1. Human security
2. Rule of law and transitional justice
3. Strengthening legitimate and capable governments
4. Inclusive peace processes
5. Peace dividends

The Dutch position on the EU policy on fragility

The Netherlands welcomes the publication of the Comprehensive Approach in December 2013 and recognises the progress made on the policy framework and implementation of the EU policy with regards to fragile states led by the European Commission and the EEAS.

However, it calls on the EU institutions to avoid more fragmentation and to encourage coordination between the numerous EU instruments and departments. There is progress as the EEAS is now producing conflict analysis.. However, even though CSDP missions work towards similar goals as development programmes, they have a different logic which is Brussels-centred and often disconnected from reality in states in situation of fragility.

Increasing coherence and coordination could be achieved by making an implementation plan stemming from the Comprehensive Approach, including institutional arrangements and regional priorities. In the experience of the Netherlands, this requires shifting responsibilities and reallocating budget and creating joint decision-making processes. In recent years, a section of the Dutch defence budget for military interventions has been transferred to the Ministry of International Development. In addition, three ministries are sharing the responsibility of sending a Dutch expert to a UN peacekeeping mission such as MINSUMA. This kind of adjustment enables administrations to create joint analysis and increase internal cooperation and dialogue. Taking this into account, the EU Comprehensive Approach should start with internal collaboration arrangements.

The Netherlands' approach to the New Deal

The Netherlands is active in the International Network on Conflict and Fragility (INCAF) and uses principles of the New Deal, which is considered a political process by nature (as opposed to a ~~technical~~ discussion): it requires a frank dialogue on sensitive issues at high level. Indeed, for the Dutch government, peacebuilding is not a purely technical development issue; it is about redistribution of power and influence, and about the legitimacy of the government. The setting of the New Deal is seen to give a strong structure to this dialogue, which includes civil society and the private sector. The Dutch government is aware that it requires a long-term commitment because the process is complex and has suffered a lot of setbacks (one step forward, one step

back+). However, there is no alternative to the New Deal and the World Bank Development Report of 2011 outlines the reasons why it is crucial.

Lessons learned in South Sudan and Somalia

In spite of high hopes, the IDPS and the New Deal have not brought success yet. In South Sudan, the New Deal was approached as an aid relationship and not enough attention was paid to checks and balances and internal structure of the government. The Netherlands and other supporting countries were focused on capacity building and thought they had leverage on the South Sudanese government.

With Somalia, there was also a setback related to corruption accusations, which now requires an alternative path for engagement. The supporting countries need to have a frank political discussion with the Somali authorities and a revision of the incentives. The Netherlands are in favour of keeping the package+ to avoid undermining the political engagement. The New Deal engagement should have an impact on the way international donors engage on fragility, including the EU Member States. For example, CSDP missions are deployed all over the world in fragile countries: they should be briefed about fragility and see perspective of the stakeholders. The same approach should be carried by development practitioners, security sector professionals and political leaders.

The African Union is perceived to have made progress on crisis response and to take up responsibility (Mali, Central African Republic). This is considered important because the EU has limited leverage with African governments or groups like the Sudanese People Liberation Movement, who build relations with their neighbours first. The Dutch government is engaging with the AU alongside the EU, particularly on electoral risks and security sector reform.

3. Peacebuilding perspectives on the EU's engagement on fragility

Pax's experience in South Sudan

From the perspective of a development practitioner working in South Sudan, the Busan documents founding the New Deal are impressive. The South Sudan assessments and documents seem right on point in capturing the core issues.

However, several challenges arise when it comes to implementation:

- Unrealistic expectations from donors in the New Deal;
- Lack of understanding of the population's perspective;
- The indicators used to measure legitimacy of the institutions are wrong: people's participation to the vote for independence in itself is not an indication of South Sudan progressing on a legitimate political course; in fact these institutions are led by people who do not have legitimacy but there was a need to sign the Compact before the crisis in December 2013;
- A lack of conflict analysis and fragility assessment: like most international donors, the International Monetary Fund has supported a South Sudan bill on oil revenue transparency but has not assessed it in terms of conflict and fragility;
- Constitutional review process: the constitution gives the president too much power as one presidential decree can change the face of South Sudan's politics and destabilise the country;
- The limited impact of a new local civil society: donors have focused a lot on training local civil society organisations and individuals but the issue is also in access; if their government does not want to listen to them, they will not have much impact;

- Ownership of priorities: ideas from international donors always get feedback and interest from the government but most projects fail because of a lack of ownership; actions which reflect national priorities have better chances of being implemented.

Other civil society organisations' comments

Participants discussed the concepts underlying the New Deal and the opportunities for the EU and the Netherlands to improve their engagement. All participants agreed that the EU and the Netherlands are committed to working with countries in situation of fragility. The key points of the discussion are listed below:

- Many countries in situation of fragility want to learn from European integration, which also includes the experiences of the Member States;
- Participants wondered whether the EU learnt the lessons or only identified them: there is much progress to be made in implementing the lessons; some evidence from the [World Development Report of 2011](#) and the INCAF work has been incorporated in the New Deal, and evaluation by the World Bank and the European Commission made a few years ago are part of the process of incorporating the lessons;
- Focusing on critical analysis is good but donors and stakeholders also need to focus on practical steps of implementation;
- The issue of ownership is wrongly interpreted as government ownership;
- The high level of ambition in the New Deal cannot meet reality because the scope of action is wide while institutions have limited capacity;
- Misunderstanding of the role for civil society: some participants argued that focus on local civil society is based on the assumption that it can do the work effectively, while others highlighted that it is at times hard to find competent and legitimate local civil society interlocutors;

On Dutch policy:

- Some participants called on the Dutch Government to clarify its role on fragility.

Helen Clark, Administrator of UNDP, indicated that donors have to move away from technical statebuilding and discuss their engagement at a political level. However, civil society perceived recent statements by Dutch Minister for international development Ms. Lilianne Ploumen and Dutch Foreign Minister Mr Frans Timmermans about priorities for Dutch development aid policy as not clearly taking this recommendation into account and keeping a strong focus on technical support.

- Government participants disagreed with the previous comments, stating that the Dutch policy on development aid is clear and consistent, and that development aid is part of the wider political conversation.

Recommendations to policy-makers

EU officials should:

- Set realistic expectations for New Deal Compacts;
- Develop an implementation plan for the Comprehensive Approach, including institutional arrangements, regional priorities and budget reallocation;

Government officials in the Netherlands and EU Member States should:

- Clarify the future of its engagement with states in situations of fragility and highlight the political dimension of this engagement (as compared to a ~~technical~~ engagement).
- Conduct systematic conflict analysis and risk assessment before supporting concrete measures in fragile states, as shown by the international community's failures in South

4. Perspectives on peace and security in the Post-2015 framework

a. The Netherlands' position

Misunderstanding of the definition of security

The Dutch government participates in the Working Group which will define the next Sustainable Development Goals. The Netherlands is optimistic on support for a peaceful societies goal. During the negotiations, some delegations have expressed concerns about how security is interpreted at the UN level:

- Security issues should be referred to the UN Security Council;
- Focus on violence rather than security, whether it is violence in Afghanistan, in Mexico or in Detroit. This sentiment is both supported and questioned, with some fearing that concerns regarding security are applied to all states instead of only to fragile states.

Developed countries that support a peaceful societies goal, in particular G7+ and EU Member States, have to clarify their priorities and explain their definition of security . i.e. human security. Terminology is an issue because the word security creates fear that this agenda gets into UN Security Council matters . Words matter but this battle can only be won by clarifying the misunderstanding, not by undermining the word or its meaning.

For now, the agenda is not consolidated and peace is included in the outcome document of the Open Working Group session of January 2014 on the post-2015 framework as the focus area number 19 out of 19.

The Netherlands' strategy

The Dutch government's strategy focuses on reassuring sceptical governments by reaching out to them in order to understand their position and clarify the EU's position.. Tactically, the EU Member States work towards preventing a consolidation of the agenda so that it remains open and creative. The African Union (AU) is an ally in this sense: for the AU, peace should be part of the agenda. This could be the subject of discussions during the EU-AU summit in April 2014 in Brussels.

On multi-stakeholder partnerships: in spite of criticism, it is useful to include the private sector.

On human rights: there is no need to have a human rights goal as it would be a duplication of the existing Human Rights framework, however a strong reference to human rights should be part of the final declaration of the Sustainable Development Goals. If anything, the emphasis should be put on women's rights and access to justice.

b. The EU's position on the post-2015 framework

The EU common position

The EU Commission published its post-2015 vision in the Communication [A decent life for all](#). The Foreign Affairs Council endorsed the EU position on the post-2015 framework with the focus on democratic governance, human rights, and peace and security, which the EU sees as

the preconditions for sustainable development. In particular, the new framework should work towards sustainable development to eradicate poverty, including extreme poverty in a single generation, and to ensure sustainable prosperity and wellbeing of all people within planetary boundaries.

The peace agenda is the responsibility of the EEAS, with contributions from DEVCO. Like The Netherlands, the EU has a similar concern on packaging violence instead of peace in the framework.

Civil society is aiming high but should also think about not promoting a language that is too ambitious. There is an urgent need to think of how to sell the package with peace and security, with a combination of goals, targets and indicators. Some of the New Deal's Peacebuilding and Statebuilding indicators could be considered.

c. Civil society's role in the global discussion on the post-2015 framework

Civil society campaigns such as Human Security First (cf. box below) have worked together to collect evidence and mobilise NGOs worldwide to lobby governments for the inclusions of peace and security on the agenda. While most participants believe peace will be included within the final document, either as a goal or an indicator, many fear that the key issue will be defining the meaning of peace and security.

[Human Security First . Sustainable peace for Development](#)

This campaign led by Netherlands-based organisations PAX and the Global Partnership for the Prevention of Armed Conflict (GPPAC) consists of both political lobby and a public campaign to raise awareness on the importance of human security. Its main goal is to ask the UN and its Member States to put Human Security First in the post-2015 development agenda. In spite of comments saying that peace might not be included in the framework after all, the campaign remains optimistic with regards to its objective.

On terminology:

- At the UN, the peace agenda is often considered to be something from the North;
- Fear is a legitimate indicator and factor in this discussion because it greatly affects economic decisions and undermines the prospects of prosperity for individuals living in conflict-affected countries. Fear is a relevant factor in the equation of peace, prosperity and development.
- Some civil society organisations have been advocating for using the word 'stability' or 'human safety' instead of 'security' to avoid the arguments against peace and security in the agenda;
- A majority of participants agreed that the matter should be formulated positively, with positive terms rather than defensive or negative terms, to enable crucial engagement with G7+ Group and the League of Arab States.

On strategy:

- Civil society organisations should continue to push the EU to use its leverage but should not push too hard because it can have the opposite effect of exacerbating tensions in the debate and making it too difficult to fight for the inclusion of peace as a goal.
- Although stakeholders including NGOs would like to have peace as a goal in the framework, they need to be flexible to other options. It is a game of give and take.

- Other participants insisted that the objective of peace organisations should be to operationalise peace, which means they have to focus on indicators of absence of conflict or absence of fear. If a goal cannot be measured, it is not useful in the long run.
- Positive vs. negative peace discussion: negotiators are thrown back into a discussion on peace as the absence of violence. It is fine as such but they need to keep in mind the bigger picture of what needs to be part of the agenda. Some issues have to be mainstreamed, some need to be targets, some can be included in a different way: stakeholders should draw a matrix of the different ways to achieve the bigger picture
- Some participants called on CSOs to not turn away from technical discussions, as opposed to political discussions: those who do not want a peace and security goal on the agenda such as the G7Plus group do not want it to be measured. This was a stumbling block in the New Deal. Perceptions of feeling secure need to be collected through surveys and many countries are against that.
- Fear of the private sector: there is lack of knowledge of how to take private companies on board. *A priori* many do not agree that the private sector should have a role but the international community needs to help investors to curb their risk averseness. If people cannot get loans, stock will go down and the economy collapses. Investment in fragile states is a huge risk for companies. The same is applicable for Member States who are risk-averse. To build coalitions with stakeholders, we need to work together with an open mind.

Recommendations to policy-makers

EU and government officials should:

- Continue to clarify the EU position on the post-2015 framework and the definition of human security it seeks to include in the final document among G7 Plus countries.

Civil society organisations should:

- Divide advocacy work to be more effective and to reach to the widest possible audience
- Strive to be more flexible regarding the form peace and security take in the final framework and focus on indicators;
- Be more strategic in advocating for a goal on peace and security in the framework towards States (including EU Member States) because it can have the opposite effect of exacerbating tensions and suspicions or discouraging otherwise supportive governments;
- Engage with the private sector, which can bring a valuable contribution to the discussion.



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