

## The EU's Stability Instrument

### A Joint Statement by the CONCORD Taskforce on the Financial Perspectives<sup>1</sup> and the European Peacebuilding Liaison Office (EPLO)

*“Conflict prevention and sustainable and equitable development are mutually reinforcing activities. An investment in national and international efforts for conflict prevention must be seen as a simultaneous investment in sustainable development since the latter can best take place in an environment of sustainable peace.” UN Secretary General Kofi Annan*

#### Background and Points of Principle

Our comments on the Stability Instrument underneath are based on the following principles:

1. The European Union must commit to addressing conflict and building peace in third countries. This is particularly necessary in areas where the EU seeks to contribute to sustainable development and where these conflicts are undermining development and increasing poverty while making assistance ineffective or impossible.
2. Only through addressing the root causes of conflict – such as inequality, social injustice and human rights violations – can we hope to achieve a stable future. The overall EU's approach should prioritise civilian means over military intervention.
3. Assuring human security in areas of conflict, tackling the root causes of conflict and long-term peacebuilding must be the priority of all conflict interventions for the European Union to be most effective. Short-term response to crisis must be consistent with a long-term peacebuilding and human security approach.
4. No development funding should be diverted to military measures and the full adherence to ODA DAC criteria should guarantee that ODA expenses are ring-fenced and targeted at poverty eradication and development objectives. All development activity and funding, and therefore all measures taken to deal with conflicts in this context should be based on the objective of contributing to the implementation of the UN Millennium Declaration.
5. Increased focus on security priorities such as the fight against terrorism and the proliferation of weapons of mass destruction should not undermine the EU's long-term efforts to tackle the root causes of poverty and to promote human rights and democracy.

---

<sup>1</sup> APRODEV, CIDSE –Caritas Europa, Eurostep, BOND

6. Equal participation of women and men, full involvement and recognition of the unique role of women in the prevention and resolution of conflict and in peace-building must be given adequate attention in the European Union interventions. The particular effects of conflict situations on women, such as the increase of gender-based violence, must be adequately addressed in any conflict intervention of the European Union.
7. In its relations with developing countries, EU policy must be coherent (as defined in Art. 178 TEC). It must ensure that development aims are not undermined by military interventions.

### **Comments on the proposed Stability Instrument**

1. We welcome the proposal to provide the EU with an effective, flexible and integrated response instrument in situations of crisis or emerging crisis. However, while recognising the need to improve and revise document COM (2004) 630 final tabled by the Commission, we are concerned by the fact that the Presidency proposal 2004/0223 (COD) **does not respond to the need of a coherent, consistent, rapid and effective response by the EU to crises**. Furthermore this proposal creates confusion between development and security objectives and funding.
2. We therefore urge that the **primary objective** of the instrument be:

***The provision of an effective and integrated response to crises and threats to human rights, democracy and the rule of law, with the overall aim of aiding the establishment or re-establishment of the conditions necessary to permit the effective implementation of the Community's development and economic cooperation policies, its neighbourhood policy and its pre-accession strategy<sup>2</sup>***

rather than the weakened objective proposed by the Presidency 2004/0223 (COD).

We welcome the establishment of an effective EU crisis instrument, yet short-term interventions or aid must be delivered with **a long-term perspective**. Short-term responses to crisis must be consistent with a long-term peacebuilding and sustainable development approach.

We believe that the civilian aspect of crisis management should be reintegrated within the stability instrument as they represent the core of the instrument while military interventions must remain outside. **Locating the civilian aspects of crisis management in CFSP** suggests that a military response will be favoured and that only those crises and conflicts deemed in the **national interest of Member States, rather than meeting the needs of the affected people** will be addressed.

3. The use of the **legal basis 179 and 181a** would allow the European Parliament to participate in the decision making for this regulation. **This is to be welcomed in comparison to the original commission proposal**. However placing the stability instrument under the legal basis for development cooperation, article 179 (which provides for co-decision), has

---

<sup>2</sup> Proposal for a Regulation of the Council establishing an Instrument for Stability COM (2004) 630 final.

implications for the content of the regulation. Art. 179 implies that the actions being performed in developing countries under this regulation should contribute to the objective of poverty eradication. **Various actions mentioned in article 4 of the Presidency proposal 2004/0223 (COD), such as the fight against terrorism as well as organised crime, do not directly contribute to the objective of poverty eradication.** They should therefore be financed from other instruments if 179 is to stay a legal basis for the Stability Instrument.

Similarly a revised Stability Instrument should refer to and be consistent with the Statement on EU Development Policy currently under review. As the European Union has decided to lead the fight against poverty, particularly in the context of the review of the Millennium Declaration in September 2005, as long as the Stability Instrument has Art. 179 as its legal basis, it should be based upon development objectives, including notably the implementation of the Millennium Declaration.

4. We welcome the introduction of **Parliamentary co-decision** in the Presidency Proposal. However, with all reference to peace and security taken out and with the restriction of footnote 5 on art. 5 referring to the Committee on which the EP has no seat, we fear that co-decision **becomes a mere symbol and not a democratic control** of initiatives of considerable political weight. An involvement of the European Parliament in the management procedure might be considered with a view to ensuring real democratic control.
5. We welcome the removal from the revised proposal of any possibility of **development funds** being **used for quasi military purposes**. New security commitments should be covered by additional funding.
6. The Rapid Reaction Mechanism is repealed without any reference to it in the text, potentially losing the experience gained and further aggravating the lack of joint action and policy frameworks.
7. In order for interventions to be effective, we believe that there must be **consistency between CFSP and Community activities**, and between activities carried out through the Stability Instrument and through the other instruments for external action.

The Stability Instrument represents an opportunity to establish a framework to ensure consistency between different actors, particularly as the future of the European External Action Service remains unclear. **The Presidency Proposal aggravates the already existing lack of consistency further, excluding any reference to joint Commission-Council planning of crisis management missions.** The stability instrument should include the exploration of options that allow the European Union to adopt an integrated approach to crises.<sup>3</sup>

8. The **Presidency revised proposal is not based upon any policy framework for Community activity in response to crisis**. Instead, it only provides a mere list of post-conflict activities the Community may support. This is detrimental to effective implementation and linkage to Community development programming, and also to the democratic control of the European Parliament. Therefore, we strongly suggest that a proper

---

<sup>3</sup> see e.g.: EPLO's call for a European Peacebuilding Agency

***EPLO & CONCORD FPs Taskforce***  
***Final 19 August 2005***

policy paper is written outlining both the basis of, and the framework for the EU's "stability policy".

9. The specific role and **added value of civil society** organisations in the prevention of conflicts, crises management and peace building should be fully recognised as well as their essential role in situations of state failure and suspension of official aid. Through long-term partnerships and involvement in a country, civil society actors make a unique contribution to the crisis cycle as a whole, from monitoring and prevention to post-crisis peace building, rehabilitation and reconstruction.
10. We **deplore the omission of the gender perspective in the Stability Instrument**, and reiterate our belief that the particular effects of conflict situations on women, such as the increase of gender-based violence, must be adequately addressed in any conflict intervention of the European Union. Equal participation, full involvement and recognition of the unique role of women in the prevention and resolution of conflict and in peace-building must be given adequate attention by the European Union. We call upon the EU to meet the standards of the UN Security Council resolution 1325.
11. We deeply regret the **deletion of all references to research and training** in the Presidency proposal. The pressing need for training and research in the field of conflict prevention and civilian crisis management is clear.
12. International best practice shows that **DDR** (disarmament, demobilisation, reintegration) can only be effective when all three elements are conducted in a consistent and timely manner, with a high degree of coordination between all actors, civilian and military. **The de-linking of disarmament and the "military" aspect of demobilisation from Community activities in the Presidency proposal appears to imply that there is no role for civilian actions to support disarmament (which runs counter to international best practice), and suggests that an effective, coordinated approach by the EU to the whole process of DDR is less likely.**
13. We request clarification of the **on-going confusion** which is being created by putting responses **to natural and human-made disasters into the same instrument as the response to situations of conflict**. More clarity is needed concerning the relations between the respective mandates of the Humanitarian Aid and Stability instruments especially in post-crisis situations and in relation with the actions in favour of displaced people and refugees. Clarification is also needed with regard to the criteria that will be used to decide which of the three instruments, DCECI, SI or HAI is used and how such a decision is taken.

Non conflict sensitive humanitarian aid can aggravate existing conflicts. Additionally, many apparently non conflict afflicted zones become prone to conflict in the wake of natural or man-made disasters. All rapid disaster aid needs to be conflict sensitive.