

## EPLO Briefing Paper 1/2014

### Support for peacebuilding and conflict prevention in the EU's external financing instruments 2014-2020

May 2014

#### 1. Introduction

Throughout 2012 and 2013, EPLO undertook advocacy aimed at influencing the EU Multiannual Financial Framework (MFF) for the period 2014-2020 and the regulations establishing the EU's external financing instruments for the corresponding period.<sup>1</sup>

The regulation laying down the MFF 2014-2020 was adopted by the Council of the EU on 2 December 2013<sup>2</sup> and the regulations establishing the EU's external co-operation programmes, including the Instrument contributing to Stability and Peace (IcSP), the Development Cooperation Instrument (DCI), the European Neighbourhood Instrument (ENI), the Instrument for Pre-accession Assistance (IPA II) and the European Instrument for Democracy and Human Rights (EIDHR) were adopted on 15 March 2014.<sup>3</sup>

The purpose of this paper is to provide an overview of those aspects of the external action component of the MFF and the new regulations with relevance for the EU's ability to support peacebuilding and conflict prevention in its external actions.

#### Notes

The **regulations** which are cited in this briefing paper are the EU laws which provide the legal basis for the various EU funding programmes ('financing instruments').

The **objectives** which are set out in the regulations specify the purposes for which funding can be allocated under the particular financing instrument. The wording of the objectives is important because all activities for which it can be argued can contribute to their achievement are legally eligible for EU support.

<sup>1</sup> See [What funding for the EU's external actions after 2013?](#) (March 2011) and [EU funding for peacebuilding: EPLO's recommendations for reforming the EU's external co-operation programmes](#) (April 2012).

<sup>2</sup> See [Council Regulation \(EU, EURATOM\) No 1311/2013 of 2 December 2013 laying down the multiannual financial framework for the years 2014-2020](#)

<sup>3</sup> See [Official Journal of the European Union L 77](#)

## 2. Overall – Multiannual Financial Framework Heading 4: Global Europe

The overall MFF 2014-2020 was set at € 959.988 billion.<sup>4</sup> This is significantly lower than the level which the European Commission proposed in June 2011 (€ 1025 billion)<sup>5</sup> and lower even than the level for the MFF 2007-2013 (€ 994.176 billion).

Despite the decrease in the overall MFF, the level of funding available for external actions (Heading 4) increased from € 56.815 billion in the MFF 2007-2013 to € 58.704. However, when inflation is taken into account, this represents a real terms decrease.

The level of funding for external actions also increased proportionally from 5.71% of the total in the MFF 2007-2013 to 6.12%.<sup>6</sup>

## 3. Instrument contributing to Stability and Peace

The Instrument for Stability (IfS), which has been the main EU external funding instrument for supporting peacebuilding and conflict prevention, now includes an explicit reference to peace in its title.<sup>7</sup>

The financial allocation for the 'Instrument contributing to Stability and Peace' (IcSP) as it is now called is € 2.339 billion for the MFF 2014-2020.<sup>8</sup>

The specific objectives of the IcSP (as set out in the Regulation which provides its legal basis – see above) are:

- a) in a situation of crisis or emerging crisis, to contribute swiftly to stability by providing an effective response designed to help preserve, establish or re-establish the conditions essential to the proper implementation of the Union's external policies and actions in accordance with Article 21 TEU
- b) to contribute to the prevention of conflicts and to ensuring capacity and preparedness to address pre- and post-crisis situations and build peace
- c) to address specific global and trans-regional threats to peace, international security and stability.<sup>9</sup>

The IcSP Regulation lists the following as cross-cutting issues to be included:

- a) promotion of democracy and good governance
- b) human rights and humanitarian law, including children's rights and the rights of indigenous peoples
- c) non-discrimination
- d) gender equality and the empowerment of women
- e) conflict prevention
- f) climate change.<sup>10</sup>

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<sup>4</sup> 2011 prices

<sup>5</sup> See [Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – A Budget for Europe 2020 \(COM\(2011\) 500 final Part I\)](#)

<sup>6</sup> See [http://ec.europa.eu/budget/mff/figures/index\\_en.cfm](http://ec.europa.eu/budget/mff/figures/index_en.cfm)

<sup>7</sup> See [Regulation No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument contributing to Stability and Peace](#)

<sup>8</sup> Current prices

<sup>9</sup> IcSP Article 1(4)

The crisis response component of the IcSP (Article 3 – Assistance in response to situations of crisis or emerging crisis to prevent conflicts) is applicable in:

- a) a situation of urgency, crisis or emerging crisis
- b) a situation posing a threat to democracy, law and order, the protection of human rights and fundamental freedoms, or the security and safety of individuals, in particular those exposed to gender-based violence in situations of instability
- c) a situation threatening to escalate into armed conflict or to severely destabilise the third country or countries concerned.<sup>11</sup>

The funding available under Article 3 (at least 70% of the total) will be allocated to:

- a) support, through the provision of technical and logistical assistance, for the efforts undertaken by international and regional organisations and by State and civil society actors in promoting confidence-building, mediation, dialogue and reconciliation
- b) support for the implementation of the United Nations Security Council resolutions on women, peace and security, in particular in fragile, conflict and post-conflict countries
- c) support for the establishment and functioning of interim administrations mandated in accordance with international law
- d) support for the development of democratic, pluralistic State institutions, including measures to enhance the role of women in such institutions, effective civilian administration and civilian oversight over the security system, as well as measures to strengthen the capacity of law-enforcement and judicial authorities involved in the fight against terrorism, organised crime and all forms of illicit trafficking
- e) support for international criminal tribunals and ad hoc national tribunals, truth and reconciliation commissions, and mechanisms for the legal settlement of human rights claims and the assertion and adjudication of property rights, established in accordance with international standards in the fields of human rights and the rule of law
- f) support for measures necessary to start the rehabilitation and reconstruction of key infrastructure, housing, public buildings and economic assets, and essential productive capacity, as well as other measures for the re-starting of economic activity, the generation of employment and the establishment of the minimum conditions necessary for sustainable social development
- g) support for civilian measures related to the demobilisation and reintegration of former combatants and their families into civil society, and where appropriate their repatriation, as well as measures to address the situation of child soldiers and female combatants
- h) support for measures to mitigate the social effects of restructuring the armed forces
- i) support for measures to address, within the framework of Union cooperation policies and their objectives, the socio-economic impact on the civilian population of anti-personnel landmines, unexploded ordnance or explosive remnants of war. Activities financed under this Regulation may cover, inter alia, risk education, mine detection and clearance and, in conjunction therewith, stockpile destruction
- j) support for measures to combat, within the framework of Union cooperation policies and their objectives, the illicit use of and access to firearms, small arms and light weapons
- k) support for measures to ensure that the specific needs of women and children in crisis and conflict situations, including their exposure to gender-based violence, are adequately met
- l) support for the rehabilitation and reintegration of the victims of armed conflict, including measures to address the specific needs of women and children

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<sup>10</sup> IcSP Article 2(4)

<sup>11</sup> IcSP Article 3(1)

- m) support for measures to promote and defend respect for human rights and fundamental freedoms, democracy and the rule of law, and the related international instruments
- n) support for socio-economic measures to promote equitable access to, and transparent management of, natural resources in a situation of crisis or emerging crisis, including peace-building
- o) support for measures to address the potential impact of sudden population movements with relevance to the political and security situation, including measures addressing the needs of host communities in a situation of crisis or emerging crisis, including peace-building
- p) support for measures to promote the development and organisation of civil society and its participation in the political process, including measures to enhance the role of women in such processes and measures to promote independent, pluralist and professional media
- q) support for measures in response to natural or man-made disasters which pose a threat to stability, and to threats to public health linked to pandemics, in the absence of, or by way of complement to, Union humanitarian and civil protection assistance.<sup>12</sup>

Assistance under IcSP Article 3 will be provided through exceptional assistance measures (EAMs) and interim response programmes. The rules governing EAMs have been modified in order to increase their flexibility:

Exceptional assistance measures may have a duration of up to 18 months, which may be extended twice by a further period of up to six months, up to a total maximum duration of 30 months, in the event of objective and unforeseen obstacles to its implementation, provided that there is no increase in the financial amount of the measure.

In cases of protracted crisis and conflict, the Commission may adopt a second exceptional assistance measure of a duration of up to 18 months.<sup>13</sup>

The crisis preparedness component of the IcSP (Article 4 – Assistance for conflict prevention, peace-building and crisis preparedness) will be allocated to support:

- a) promoting early warning and conflict-sensitive risk analysis in the policy-making and the implementation of policy
- b) facilitating and building capacity in confidence-building, mediation, dialogue and reconciliation, with particular regard to emerging inter-community tensions
- c) strengthening capacities for participation and deployment in civilian stabilisation missions
- d) improving post-conflict recovery as well as post-disaster recovery with relevance to the political and security situation
- e) curbing the use of natural resources to finance conflicts, and supporting compliance by stakeholders with initiatives such as the Kimberley Process Certification Scheme, especially as regards the implementation of efficient domestic controls over the production of, and trade in, natural resources.<sup>14</sup>

9% of the total IcSP funding will be allocated to activities under Article 4.

The long-term threats component of the IcSP (Article 5 – Assistance in addressing global and trans-regional threats and emerging threats) will be used to address:

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<sup>12</sup> IcSP Article 3(2)

<sup>13</sup> IcSP Article 7(2)

<sup>14</sup> IcSP Article 4(1)

- a) threats to law and order, to the security and safety of individuals, to critical infrastructure and to public health
- b) mitigation of and preparedness against risks, whether of an intentional, accidental or natural origin, related to chemical, biological, radiological and nuclear materials or agents.<sup>15</sup>

Under the first part, the available funding will be allocated to support:

- a) strengthening the capacity of law enforcement and judicial and civil authorities involved in the fight against terrorism, organised crime, including cyber-crime, and all forms of illicit trafficking and in the effective control of illegal trade and transit
- b) addressing threats to critical infrastructure, which may include international transport, including passenger and freight traffic, energy operations and energy distribution, and electronic information and communication networks. Such measures shall place particular emphasis on trans-regional cooperation and the implementation of international standards in the fields of risk awareness, vulnerability analysis, emergency preparedness, alert and consequence management
- c) ensuring an adequate response to major threats to public health, including sudden epidemics with a potential trans-national impact
- d) addressing global and trans-regional effects of climate change having a potentially destabilising impact on peace and security.<sup>16</sup>

Under the second part, the available funding will be allocated to support:

- a) promoting civilian research activities as an alternative to defence-related research
- b) enhancing safety practices related to civilian facilities where sensitive chemical, biological, radiological and nuclear materials or agents are stored or are handled in the context of civilian research programmes
- c) supporting, within the framework of Union cooperation policies and their objectives, the establishment of civil infrastructure and relevant civilian studies necessary for the dismantlement, remediation or conversion of weapons-related facilities and sites where these are declared to be no longer part of a defence programme
- d) strengthening the capacity of the competent civilian authorities involved in the development and enforcement of effective control of illicit trafficking in chemical, biological, radiological and nuclear materials or agents (including the equipment for their production or delivery) developing the legal framework and institutional capacities for the establishment and enforcement of effective export controls on dual-use goods, including regional cooperation measures
- e) developing effective civilian disaster-preparedness, emergency planning, crisis response, and capabilities for clean-up measures.<sup>17</sup>

The IcSP Regulation includes an explicit reference to civil society consultation:

The preparation, programming, implementation and monitoring measures under this Regulation shall be carried out, where possible and where appropriate, in consultation with civil society.<sup>18</sup>

It also includes an explicit reference to human rights:

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<sup>15</sup> IcSP Article 5(1)

<sup>16</sup> IcSP Article 5(2)

<sup>17</sup> IcSP Article 5(4)

<sup>18</sup> IcSP Article 9

The Commission shall ensure that measures adopted under this Regulation in relation to the fight against terrorism and organised crime are implemented in accordance with international law, including international humanitarian law.<sup>19</sup>

#### 4. Development Cooperation Instrument<sup>20</sup>

The financial allocation for the Development Cooperation Instrument (DCI) for MFF 2014-2020 is € 19.662 billion.

The DCI does not include any references to peacebuilding or conflict prevention in its overall objectives.<sup>21</sup>

However, conflict prevention is listed among the issues to be mainstreamed in all programmes together with:

(...) the promotion of dialogue, participation and reconciliation, as well as institution building (...).<sup>22</sup>

The DCI Regulation also lists 'development and security, including conflict prevention' as one of the areas of co-operation to be supported under the geographic programmes.<sup>23</sup>

It also provides for funding to be left unallocated 'in particular in fragile, crisis and post-crisis situations'.<sup>24</sup>

The DCI Regulation also provides for attention to be paid to 'conflict prevention, State and peace building, post-conflict reconciliation and reconstruction measures' in programming countries and regions in crisis, post-crisis or situations of fragility.<sup>25</sup>

More details about support for 'Development and security, including conflict prevention' in the DCI geographic programmes are set out in the first annex to the DCI Regulation:

- i) addressing the root causes of conflict, including poverty, degradation, exploitation and unequal distribution and access to land and natural resources, weak governance, human rights abuses and gender inequality as a means of supporting conflict prevention and resolution and peace building
- ii) promoting dialogue, participation and reconciliation with a view to promoting peace and preventing outbreaks of violence, in accordance with international best practice
- iii) fostering cooperation and policy reform in the fields of security and justice, the fight against drugs and other trafficking, including trafficking in human beings, corruption and money laundering.<sup>26</sup>

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<sup>19</sup> IcSP Article 10

<sup>20</sup> See [Regulation \(EU\) No 233/2014 of the European Parliament and of the Council of 11 March 2014 establishing a financing instrument for development cooperation for the period 2014-2020](#)

<sup>21</sup> DCI Article 2

<sup>22</sup> DCI Article 3(3)

<sup>23</sup> DCI Article 5(3)

<sup>24</sup> DCI Article 10(6)

<sup>25</sup> DCI Article 12(1)

<sup>26</sup> DCI Annex I A III

It also includes a number of references to issues with relevance for peacebuilding and conflict prevention in the section which covers specific areas of co-operation per region:

- (g) addressing the security-development nexus (Latin America)<sup>27</sup>
- (a) encouraging regional integration and cooperation, in a result-oriented way through support for regional integration and dialogue, in particular through the South Asian Association for Regional Cooperation and promoting the development objectives of the Istanbul (“Heart of Asia”) process (South Asia)<sup>28</sup>
- (f) supporting the efforts of the region to enhance democracy, the rule of law and citizen security, including through justice and security sector reform, and the promotion of inter-ethnic and inter-faith dialogue and peace processes (North and South East Asia)<sup>29</sup>
- (f) promoting good neighbourly relations, regional cooperation, dialogue and integration, including with countries covered by the European Neighbourhood Instrument and the Gulf States covered by the Partnership Instrument and other Union instruments by supporting integration efforts within the region, indicatively on economy, energy, water, transportation and refugees (Middle East)<sup>30</sup>

The third annex of the DCI Regulation sets out the objectives of the Pan-African Programme, including ‘peace and security’.<sup>31</sup>

## 5. European Neighbourhood Instrument<sup>32</sup>

The financial allocation for the European Neighbourhood Instrument (ENI) for MFF 2014-2020 is € 15.433 billion.

The general objective of the ENI includes:

developing a special relationship founded on cooperation, peace and security, mutual accountability and a shared commitment to the universal values of democracy, the rule of law and respect for human rights in accordance with the TEU.<sup>33</sup>

One of the specific objectives of the ENI is:

- (e) promoting confidence-building, good neighbourly relations and other measures contributing to security in all its forms and the prevention and settlement of conflicts, including protracted conflicts.<sup>34</sup>

More details about the abovementioned specific objective are set out in the second annex of the ENI Regulation:

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<sup>27</sup> DCI Annex I B I

<sup>28</sup> DCI Annex I B II

<sup>29</sup> DCI Annex B III

<sup>30</sup> DCI Annex B V

<sup>31</sup> DCI Annex III

<sup>32</sup> See [Regulation \(EU\) No 231/2014 of the European Parliament and of the Council of 11 March 2014 establishing an Instrument for Pre-accession Assistance](#)

<sup>33</sup> ENI Article 1(1)

<sup>34</sup> ENI Article 2(2)

— confidence-building and other measures contributing to the prevention and settlement of conflicts, including support to affected populations and reconstruction.<sup>35</sup>

## 6. Instrument for Pre-accession Assistance II

The financial allocation for the Instrument for Pre-accession Assistance (IPA II) for MFF 2014-2020 is € 11.699 billion.

The general objective of the IPA includes:

contribute to stability, security and prosperity in the beneficiaries listed in Annex I.<sup>36</sup>

One of the specific objectives of the IPA II includes:

- (iii) regional cooperation and good neighbourly relations
- (iv) promotion of reconciliation, peace-building and confidence-building measures.<sup>37</sup>

More details about the abovementioned specific objective are set out in the second annex of the IPA II Regulation:

- (m) Promoting reconciliation, peace-building and confidence-building measures.<sup>38</sup>

## 7. European Instrument for Democracy and Human Rights<sup>39</sup>

The financial allocation for the European Instrument for Democracy and Human Rights (EIDHR) for MFF 2014-2020 is € 1.333 billion.

The EIDHR Regulation provides that the available funding will be allocated *inter alia* for:

- (ix) supporting measures to facilitate peaceful conciliation between segments of societies, including support for confidence-building measures relating to human rights and democratisation<sup>40</sup>
- (iv) by promoting the peaceful outcome of electoral processes, the reduction of electoral violence and the acceptance of credible results by all segments of society.

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<sup>35</sup> ENI Annex II

<sup>36</sup> IPA II Article 1

<sup>37</sup> IPA II Article 2(1)

<sup>38</sup> IPA Annex II

<sup>39</sup> See [Regulation \(EU\) No 231/2014 of the European Parliament and of the Council of 11 March 2014 of 11 March 2014 establishing a financing instrument for democracy and human rights worldwide](#)

<sup>40</sup> EIDHR Article 2(1)



## **8. Conclusion**

The references to peacebuilding and conflict prevention which are included in the DCI, the ENI, the IPA II and the EIDHR provide the legal basis for the EU to support those activities in its external actions.

Whether or not it does so, depends largely on decisions made by those EU officials who are responsible for programming the assistance which is available under the various external financing instruments.

## EPLO MEMBERS

Berghof Foundation

Budapest Centre for the International Prevention of Genocide and Mass Atrocities

Catholic Organization for Relief and Development Aid (Cordaid)

Causeway Institute for Peace-building and Conflict Resolution

Centre for Humanitarian Dialogue (HD Centre)

Civil Society Conflict Prevention Network (KATU)

Conciliation Resources

Crisis Management Initiative

Democratic Progress Institute

Dialogue Advisory Group

ESSEC IRENÉ

European Network for Civil Peace Services

Glencree Centre for Peace and Reconciliation

Global Partnership for the Prevention of Armed Conflict

International Alert

International Center for Transitional Justice

International Crisis Group

Interpeace

Kosovar Center for Security Studies

Kvinna till Kvinna

Life & Peace Institute

Nansen Dialogue Network

NGO Support Centre

Nonviolent Peaceforce

Oxfam International

Partners for Democratic Change International

Pax Christi International

Quaker Council for European Affairs

Saferworld

Search for Common Ground

swisspeace

World Vision International

## EUROPEAN PEACEBUILDING LIAISON OFFICE (EPLO)

EPLO is the platform of European NGOs, NGO networks and think tanks which are committed to peacebuilding and the prevention of violent conflict.

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

EPLO advances the interests of its member organisations through common policy positions and consequently advocating for those common positions. EPLO disseminates information and promotes understanding of EU policies of concern to its member organisations. The Office also builds solidarity and co-operation amongst its member organisations and with other relevant NGO networks.

Finally, EPLO raises awareness about the contribution the EU should make to peacebuilding and the need to hold the EU accountable to its own political commitments of helping secure peace within and outside its borders.

## EPLO BRIEFING PAPERS

EPLO's briefing papers are succinct and accessible guides to EU policies on conflict prevention, peacebuilding, security and development. Their purpose is to inform those working in the broader peacebuilding field about developments at the EU level.

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