



## People are Party to Building Peace

*What role can and do non-governmental organisations (NGOs) play in relation to the EU in the context of conflict prevention?*

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EPLO is the platform of European NGOs, networks of NGOs and think tanks active in the field of peacebuilding, who share an interest in promoting sustainable peacebuilding policies among decision-makers in the European Union.

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## *Introduction*

This paper is intended to answer the question: What role can and do non-governmental organisations (NGOs) play in relation to the EU in the context of conflict prevention? This is not a straightforward question and it would be possible to spend considerable time on defining each of the terms used in the question. I will restrict myself therefore to those of the words in the question which are critical to allow a common understanding of the response to the question contained in this paper.

I will then go on to talk about the process which a specific group of NGOs has undergone in terms of building a relationship with different EU actors in the context of conflict prevention or, better, peacebuilding. This is a story. It is therefore described from a position of the experience of participating in the process rather than in more theoretical terms. That does run the risk of not taking an objective view - of saying things which others who were/are involved might disagree with; it is a risk worth taking.

It is worth stating at the outset that this paper does not attempt to be objective or neutral in any sense of this word. It is not an academic assessment of the field; it is intended to be a story framed by some initial thoughts on what specific terms mean and by some normative conclusions about the role and contribution of NGOs in the field of peacebuilding.

## *Questions of Terminology and Concepts*

My own background has led me to think of organisations which are currently referred to as Nongovernmental Organisations (NGOs) or as Civil Society Organisations (CSOs) as part of something called the charitable or voluntary sector. Both these, maybe older and rather less politically correct terms have all kinds of overtones of 'do-gooding' and 'benevolence'; but that is the background I come from. I have spent most of my working life in this sector. And not only the terminology, but also the sector itself has undergone significant change in the last 35 years. It is therefore important to be clear what I mean by these terms when I use them in the context of this paper.

## **Civil Society**

Civil society is a very broad term and encompasses a range of different groups of people; it does not have to be organised. More important than the question of what civil society is, is the question of what civil society is for. In my view, civil society is the collection of organisations, structures, people, and mechanisms which make a democratic, conflict resilient society work. They represent the space for public debate about matters of social organisation ranging from high level politics to local service delivery. They are there to guarantee that everything provided by the State (by which I mean local, regional, national and international political governance structures) meets the needs of the people - be it justice, be it security, be it health, education, welfare or be it the political context for being part of global society. They must be enabled by the legislative and governance context to ensure accountability of those doing the governing; to play a watchdog function to ensure that fundamental rights are respected and that fundamental needs are met. They must, not least, be an independent, critical voice.

But insofar as we talk about civil society organisations (a rather narrower concept), I include in this non-profit common interest associations, non-profit service providers, the media, faith groups, and trade unions. I don't include in this term political parties. They, in my view, occupy a sector of their own and I am not including them in my considerations below although where they exist they play an important role in the democratic structures of a society.

Despite this, this is still a very broad concept. And because it is so broad, it is also difficult to conceptualise one relationship between this multiplicity of organisations and a particular part of EU activity or even between this multiplicity of organisations and the multiplicity of EU actors.

## **Civil Society beyond the Nation State**

Because society is often conceptualised in terms of the nation state, civil society is often conceptualised as fitting into that nation state idea. It is important to consider whether in a globalized world civil society has to be conceptualised differently. The broad understanding of civil society outlined above, I believe, does allow the application of the term at a local, sub-national, national, regional and global level. Civil society - to be the mechanisms which make a democratic, conflict resilient society work - must adapt to the structures of society. The question of representativeness and of accountability is made more difficult by this fact. And it is important that civil society actors take that fact into account and ensure inclusiveness; that is to say: it is important to ensure that local civil society has ownership of local issues. This is an issue for civil society at every level - even the most local one; it becomes more and more complex and more and more important the further away from the local level civil society operates. I am not claiming that civil society has this issue resolved but it is certainly aware of it.

## **Non Governmental Organisations (NGOs)**

The term NGO is maybe a little narrower. It is understood here to mean non-profit common interest associations and non-profit service providers. I do not include the media here, allocating them to their own 'sector' within civil society. Faith based organisations overlap with the NGO sector. Trade unions, though they have a specific role to play, could be included in this concept of NGOs but they could also and legitimately be seen as a sector of their own.

## **Non-Governmental Actor or Non-State Actor**

A quick search on the internet for both these terms interestingly brings up several references to terrorism. This is where the difficulty with words starts. NGOs and the voluntary sector used to be seen as a force for good in society. Non-State Actors, in today's climate, are often seen as individuals and groups who claim a right to use violence in opposition to governance structures or in the absence of governance structures. And suddenly, the whole of the non-governmental sector, especially in any arena where security is part of the issue, are least potentially suspect.

There are also those who refer to business and private companies as non-state actors. And insofar as they are private security firms, there is a blurring of the edges.

## **Is the Use of Violence the Determining Factor?**

This brings with it a whole new debate: is the use of violence, the justification of the use of violence a determining factor in deciding whether something belongs to civil society or not? Is the use of violence or the use of armed forces the prerogative of the State?

This question goes beyond the scope of this paper. Suffice it to say here that the issue of 'one person's terrorist is another person's freedom fighter' is understood. In terms of our question, this is not a central issue. The story we are concerned with involves NGOs which do not support or use violence. The fact that there are those who see themselves as civil society or even as NGOs who do or who might justify the use of violence in certain circumstances does not remove legitimacy from those that don't. What it does mean, however, is a greater need for more differentiated thinking both when talking about NGOs and about governments.

For the sake of clarity for my frame of reference: when I talk about NGOs, I am talking about **organisations** which are **not for profit** and which pursue either service delivery or advocacy for a common good. They may also pursue both at the same time. They will **not** be pursuing either goal through violent means.

## **Legitimacy and Representation**

One of the issues that NGOs are often faced with is the question of their legitimacy or their representativeness. These are valid questions. In the context of European NGOs who advocate at EU level on issues relating to conflict prevention and crisis management, this question is of double importance: the extent to which they 'represent' the citizens of the EU and to what extent they 'represent' the citizens of the third countries whose conflicts and crises are at issue. Neither can be answered simply.

In terms of the first question, this varies significantly from one NGO to another - however, each NGO will have its own governance structure which is transparent and open and which will ensure that those citizens that support the NGO have control over their activities. But very few if any NGOs will be able to claim that they 'represent' citizens or a definable subset of citizens. This is something they probably have in common with most political parties which also base their activities on representing albeit sometimes large minorities.

In terms of the second question, the issue is far more complicated. What can be said is that most European NGOs will be working with local partners in third countries and will take care to ensure that they have good relationships and a reasonable degree of trust between them and their local partners. However, it is also true to say that there is some evidence that the easier access which European NGOs have to EU level decision-making and finance can make them appear to be another obstacle that has to be overcome by local NGOs. It is critical that European NGOs understand this dynamic and counter it as far as they can.

However, this story is also not about that issue. The story is about finding a way of ensuring that EU decision-making and engagement in conflicts and crisis in third countries is seen, at least sometimes and at least to some extent, through an NGO/civil society lens to ensure that this engagement does not leave ordinary people behind. Why is that important? I will come back to that question; but for now let me simply state that peace has to be built by people from the ground out to be sustainable; any intervention, however well intentioned which does not take the people along is bound to fail sooner or later. Everyone in a society must essentially be enabled to see that there is more to be gained from peace than from violent conflict in order for peace to be sustainable. The European Union is a good example of this working well. Europeans, after decades, centuries, even millennia of wars, finally came to the conclusion that this must never happen again. And because the approach was one that played to everyone's best interests, it has worked. It is probably the most enduring example of peacebuilding known to people; it is the best export the EU has.

## **Conflict Prevention and Crisis Management**

When it comes to conflict prevention terminology, the territory is no less fraught with obstacles and potential misunderstanding.

I will lay my cards on the table right from the start. I don't believe in conflict prevention. Conflict is a normal part of every society. The issue is not the prevention of conflicts but the prevention of the outbreak of violence, and in particular, deadly violence, as a result of conflict.

However, this is not the only problem with this term. In the context of the EU, there is a sort of conceptual division between conflict prevention on the one hand - a pillar 1 activity<sup>1</sup> - and crisis management on the other - a pillar 2 activity. This causes significant problems in both planning and implementation of any coherent work to prevent violent conflict and to contribute to conflict resilient societies. Moreover, the fact that conceptually this division implies that conflict needs to be prevented and crises need to be managed shows a rather reverse position to the one I take. If we want to make such a distinction at all, I would much prefer to speak of crisis prevention and conflict management.

Reading the so-called Göteborg Programme<sup>2</sup>, a set of conclusions from the European Council in Göteborg in June 2001, this strange division was not always perceived in this way. In that programme, the prevention of violent conflict is seen as a long term task and is seen as involving both CFSP/ESDP<sup>3</sup> tools and Commission activity<sup>4</sup> - principally through the development and implementation of country strategy papers.

But in the intervening years - and we must not forget that the Göteborg Programme predates the 11<sup>th</sup> of September 2001, if only just - there has been a development away from this broad integrated consensus. This has been informed both by a new focus on hard security - in the wake of the so-called 'War on Terror' - and by a growing reluctance of Member States to see the EU as the principal actor; in other words a greater emphasis in EU relations with the rest of the world on Foreign Policy rather than on External Action.

For those not involved on a daily basis in the Brussels debates, this distinction might be strange; but in EU speak, foreign policy is pillar 2 and external action is pillar 1 and the boundaries are currently drawn quite clearly. To explain this differentiation goes a little beyond the scope of this paper; a full explanation of the tools available to the EU in the context of the two pillars can be found in: Peace and Peacebuilding - Some European Perspectives<sup>5</sup>.

It is also worth bearing in mind that there has been a trend away from prevention of violent conflicts towards intervention in crises. In part, this could be a response to the media who, of course, and for understandable and justifiable reasons focus on crises. However, in a world where we think of crisis management and conflict prevention, rather than of crisis prevention and conflict management, the focus will always be on the immediate, on today's headline; it is so hard to prove that a crisis has been prevented, much easier to see that one has intervened in one. But peace is not about intervening in and managing crises; it is about not having the crises in the first place because the conflicts, which are a normal part of society, have been managed in a non-violent way.

## Hard or soft tools?

There is also the issue of the distinction between so called hard (for which read: military) security and so called soft (for which read: non-military) security. What are the actual differences between

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<sup>1</sup> For a more detailed description of the tools the EU has and how they are divided between pillar 1 and pillar 2, see: QCEA, Peace and Peacebuilding - Some European Perspectives, 2007, accessible at: <http://www.quaker.org/qcea/archive/Peace%20and%20Peacebuilding%20-%20Some%20European%20Perspectives.pdf>

<sup>2</sup> The EU Programme for the Prevention of Violent Conflicts, agreed by the European Council in June 2001, accessed at <http://www.eu2001.se/static/eng/pdf/violent.PDF> on 8 October 2007

<sup>3</sup> CFSP/ESDP - Common Foreign and Security Policy/European Security and Defence Policy: i.e. pillar 2

<sup>4</sup> i.e. pillar 1

<sup>5</sup> QCEA, Peace and Peacebuilding - Some European Perspectives, available at: <http://www.quaker.org/qcea/archive/index.html#download>, especially pp 22 to 31

them? Have these boundaries shifted? Here, I simply want to recap what tools the EU has at its disposal and where they sit in terms of this distinction:

Tool	What is it?	Hard		Soft	
		Pillar 1	Pillar 2	Pillar 1	Pillar 2
<i>Development Cooperation Instrument</i>	Finance			Yes	
<i>European Instrument for Democracy and Human Rights (EIDHR)</i>	Finance			Yes	
<i>Instrument for Stability (IFS)</i>	Finance			Yes	
<i>African Peace Facility (APF)</i>	Finance	Yes		Yes	
<i>European Neighbourhood and Partnership Instrument (ENPI)</i>	Finance			Yes	
<i>Instrument for Pre-Accession (IPA)</i>	Finance			Yes	
<i>European Development Fund (EDF)</i>	Finance			Yes	
<i>Diplomatic Presence</i>	People			Yes	Yes
<i>Diplomatic Action (Joint Actions - CFSP)</i>	Political				Yes
<i>European Security and Defence Policy (ESDP) (Military)</i>	People		Yes		
<i>ESDP (Civilian)</i>	People		Yes		Yes

On the face of it, this table shows a good weighting towards the soft side and little evidence of military activity. This has a number of reasons, not least of which is the fact that military forces are still very much guarded as a matter for Member States. So engaging in military action is actually politically very difficult for the EU. And, in addition, military actions cannot be funded from within EU budgets. Notwithstanding this, there is a sizeable European Union Military Staff and a Military Committee. In terms of number (staff) and weight (Committee) they substantially exceed the civilian side.

There is an anomaly however, with the African Peace Facility. It is a pillar 1 instrument as it is funded from the EDF<sup>6</sup> but it is used almost entirely to fund African military capability development. In fact, nearly € 200m of the € 250m in this facility is for peace support operations (for which read: military peacekeeping missions undertaken by the AU); most of this money has been committed. Only € 35m was set aside for capacity building; this might include training in non-military approaches to interventions; but only about 15% of this has been committed so far (at the time of writing). So even within its own logic, the management of the AFP tends towards emphasising the operational support to the military over the capacity building element which might allow some new

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<sup>6</sup> European Development Fund

thinking. This is not the place to discuss the issues this raises, but it is an important issue in the debate around the relationship between the different EU actors in the field of peacebuilding.

The EU's own concept of its own purpose and history is one of being a peace project. A peace project which has been achieved with entirely non-military means, one might add. This does not however seem to inform the approaches of choice in contributing to peacebuilding elsewhere.

## The relationship between Council and Commission in peacebuilding

We can't leave this discussion of basic concepts without looking at least briefly at the relationship between the Council and Commission in this area. This is very strained although publicly this is not acknowledged.

Structurally, the Commission has a presence in discussions within the Council where matters of CFSP/ESDP are concerned. How far that presence translates into a voice is not something an outsider can comment on; it may well depend on the issue and the people involved.

The Commission has representation in the CivMil Cell which is part of the developing CFSP/ESDP 'architecture'.

The Commission took the Council to court (the European Court of Justice: Case Number C91/05<sup>7</sup>) over a joint action the Council decided regarding the funding of a programme to limit the proliferation of small arms and light weapons in West Africa<sup>8</sup>. In the view of the Commission, supported by the European Parliament, this was a matter to be funded under the EDF within the framework of the Cotonou Agreement and the Council should not have done this within pillar 2. The Council, supported by France, Spain, Sweden, the UK and the Netherlands, argued in a totally opposite direction, denying that SALW could be a development issue at all and that it is only a security issue. The court case is still not finally resolved and will be interesting to see the final text of the judgement and learn from it the extent to which the relationship between the Council and the Commission will be affected by it more broadly.<sup>9</sup>

As if it wasn't sad enough that these two institutions have to go before a Court to resolve their differences, the immediate implications of the pending court case during the whole of the period of negotiation of the financial instruments for external action (which will be in place until 2013 at least) was that the Council effectively removed all reference to peacebuilding and conflict prevention from all the instruments - except the Stability Instrument which is short term in approach. In other words, the EU has put itself in a position where funding coherent, long-term peacebuilding work is now much more difficult than it was and much more difficult than it should be. In the view of the Council, the issue is that peacebuilding (and peacekeeping) are security activities which fall under ESDP and have no place in pillar 1.

Set against that there are, however, also some more positive developments. There has been a precedent set in terms of effective collaboration in the establishment of a post of Head of the

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<sup>7</sup> Information about the case and its progress can be found at:

<http://curia.europa.eu/en/content/juris/index.htm> accessed on 17 December 2007

<sup>8</sup> Council Decision 2004/833/CFSP of 2 December 2004 implementing Joint Action 2002/589/CFSP with a view to a European Union contribution to ECOWAS in the framework of the Moratorium on Small Arms and Light Weapons.

<sup>9</sup> For a detailed analysis of this see the EPLO Conflict Prevention Newsletter, Volume 2, Number 8, September 2007, *Small Arms and Light Weapons: the End of a Turf War?*, p3, accessed on 5 February 2008 at: <http://www.eplo.org/documents/EPLOCPNL2-8.pdf>

Commission delegation (which is a pillar 1 appointment) and EU Special Representative (which is a pillar 2 appointment) in (*the former Yugoslav Republic of*) Macedonia. This joint or 'double hatted' position continues for now. It may be difficult for those outside of the Institutions to understand that this is a major achievement - but it is.

The newly appointed EU Special Representative to the African Union (appointed on 6 December 2007) will also have a double hatted role.

The Lisbon Treaty, signed in December 2007 and intended to be ratified before the end of 2008, foresees the establishment of a High Representative for the Union in Foreign Affairs and Security Policy, who will also be Vice-President of the Commission, in charge of external relations. The new High Representative/Vice-President's office will be assisted by a European External Action Service (EEAS). This is likely to include officials from relevant departments of the General Secretariat of the Council and of the Commission as well as staff seconded from national diplomatic services of the Member States. The exact structure of this service and the question of exactly which parts of the Commission will be included in this is not at all clear at this stage; but potentially, the development of such a service could aid coherence. At the very least, it should avoid future court cases.

## Where does that leave the NGOs?

Clearly, NGOs are affected by this. And none more so than the NGOs that focus on the prevention of violent conflict, on building conflict sensitive societies, on being conflict sensitive in more general development work, and on security issues as a necessary part of development work.

This takes us to the core aspect of the question: the developing relationship between peacebuilding NGOs and the EU. I will look at the relationship with the Council primarily, but will reflect in part on the relationship with the Commission as well because in my view, the two need to be seen as two sides of the same coin.

## *Developing a relationship*

In the relationship between peacebuilding NGOs and the European Institutions in the context of conflict prevention and crisis management, there are several key players: the European Peacebuilding Liaison Office (EPLO), the Council of the European Union (in the shape of the General Secretariat and the changing Presidencies), the European Commission, and the European Parliament.

## Who is EPLO<sup>10</sup>?

EPLO is the platform of European NGOs, networks of NGOs and think tanks active in the field of peacebuilding, who share an interest in promoting sustainable peacebuilding policies among decision-makers in the European Union.

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.

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<sup>10</sup> For more information about the work of EPLO, see: <http://www.eplo.org/>

It focuses on a number of key messages:

- The link between peace and security
- The importance of civil society in any peacebuilding process
- The importance of giving precedence to long-term peacebuilding over short-term crisis management
- The importance of giving precedence to civilian rather than military means of intervention
- The importance of inclusive processes and especially of involving women in all peacebuilding processes.

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 in this regard.

## Why did EPLO decide to focus on CFSP/ESDP structures?

2002/2003 saw the drafting of the Treaty Establishing a Constitution for Europe. Despite its eventual failure, this Treaty focused the minds of those NGOs that were engaged in peacebuilding activity on three issues:

- First, there was the establishment of the European Defence Agency (EDA) within the Treaty, coupled with a commitment of the Member States to continually improve their **military** capabilities with no parallel developments on the civilian side;<sup>11</sup>
- Second, there was the prospect of a double hatted Foreign Minister and a European External Action Service, which would see a completely new institutional architecture affecting the conflict prevention agenda - even in so far as it had been in pillar 1; indeed, the pillar structure was to be abolished;
- There was a recognition that much of the policy development in peacebuilding was actually going on within the Common Foreign and Security Policy and that at least some of the implementation of peacebuilding (in the form of crisis management) was going on within the European Security and Defence Policy and that both of these could only be influenced through contacts within the Council.

The decision to focus on the presidencies arose from a political recognition that the presidencies set priorities and focus on priority issues; thus, it was important to ensure that 'our' agenda was promoted enough to become a priority issue. But it also arose from the longstanding work of Saferworld and International Alert (both member organisations of EPLO) in drafting their so-called 'Presidency Papers' and presenting them to the Presidencies through the medium of an Interagency Forum which involved the Presidency, the Commission, the European Parliament and NGOs.

## The roots of the dialogue/trialogue

Because of the issues raised by the establishment of the EDA, EPLO advocated for an amendment in the text of the Treaty to establish a European Peacebuilding Agency. This was launched as a proposal at the European Parliament in **March 2004**. This generated enough interest from the Greek Permanent Representation (mixed with some fairly harsh criticism of the modalities proposed) from them to invite an EPLO delegation to their office to discuss this. The problem, it appeared, in pursuing the idea of a European Peacebuilding Agency was the fact that there was no appetite for

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<sup>11</sup> The European Defence Agency does, of course, exist despite the failure of the Constitutional Treaty. The reason for this is that the Agency was set up in advance of the signing and/or ratification of the Treaty by a Council Joint Action in July 2004. It is an interesting political statement to say that the establishment of this agency should be part of a constitutional treaty but at the same time being prepared to set up the agency before that Treaty is agreed and has come into force. In this case, the treaty never did come into force; but the agency remains and has its place in the Lisbon Treaty, too.

another agency or any changes in the 'institutional architecture'. The fact that the European Defence Agency was just such an agency and was affecting the political architecture seemed to be a different issue.

The Irish Presidency provided a welcome opportunity for putting the proposal to a wider audience; it hosted the Western European regional conference of the Global Partnership for the Prevention of Armed Conflict (GPPAC<sup>12</sup>) in April 2004 in Dublin. The Council's Committee for Civilian Aspects of Crisis Management (CIVCOM) was meeting in the same venue at the same time and had planned to participate in some of the sessions of the GPPAC conference. We were, thus, able to establish relationships with decision-makers in the Council. This Committee became an entry point for EPLO to engage in discussions and cooperation on peacebuilding within pillar 2.

After the conference in Dublin, EPLO approached the incoming CIVCOM chair (Dutch presidency) and proposed an initial meeting between CIVCOM and EPLO Member Organisations at which we might discuss the idea of the European Peacebuilding Agency.

We met with a degree of scepticism which reflected a lack of clarity about the contribution NGOs might be able to make to the work of CIVCOM and to ESDP more generally. Their take on and understanding of crisis management and security were very 'state' oriented. As far as they could see it at that point, NGOs had their place as service delivery organisations for pillar 1 activities, but as far as pillar 2 was concerned, the issue was hard security - even on the civilian side - it appeared, and this was something for state actors, for people who were already under a state led 'chain of command'. In fact, the term 'chain of command' kept coming up as an issue.

After some initial discussions about how a dialogue at CIVCOM level might be initiated we received an invitation to an informal meeting with CIVCOM after the November 2004 'Civilian Capabilities Commitment Conference'. The timing was chosen to allow CIVCOM to brief NGOs about the results of that conference.

We were prepared by our host not to be too disappointed if only two or three CIVCOM representatives came to the meeting; he was keen that we should not come with high expectations. In the event, there were 17 people - representing 11 Member States and the Commission at the meeting. There was clearly interest on both sides in having the conversation.

We received a briefing on the Civilian Capabilities Commitment Conference as had been promised and then there was a relatively open discussion. The issue at hand was essentially: what could ESDP possibly have to do with NGOs? The question that seemed to sum up the discussion was this: 'How can NGOs contribute to ESDP missions and maintain their independence? How could they be part of a governmental *chain of command* as independent non-governmental actors?' And maybe less explicitly: what do NGOs have to contribute?

This question mapped out the agenda for the next several years. We had a number of things to do:

1. **We had to build trust** - trust that we would keep confidential matters confidential; trust that we did not want 'to take over'; trust that we would deliver when we made promises;
2. **We had to establish an agenda** - what should we have an ongoing dialogue about;
3. **We had to find an answer** to the question on independence that would convince us as much as it would the members of CIVCOM;

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<sup>12</sup> For more information about GPPAC see: <http://www.gppac.net/page.php?id=1>

4. We had to communicate the role of civil society (and NGOs in particular) in conflicts, in conflict management, in crisis management, and in building conflict resilient societies.

## The trust building agenda

### Partners in Prevention: Moving from Theory to Practice

The CIVCOM representative from Luxembourg was enthused by the discussions we had in November 2004 and suggested a conference during the Luxembourg Presidency. This took place in March 2005 under the title 'Partners in Prevention: Moving from Theory to Practice'. The conference was co-hosted by the Luxembourg Presidency, EPLO, the Madariaga Foundation<sup>13</sup> and the Folke Bernadotte Academy<sup>14</sup>. The agenda was focused on working together at Brussels level, working together at operational level in the field, working together on training, and on the nexus between security and development. We also looked at the potential for synergies between the state and NGO sectors in the context of specific practical examples, focusing on issues such as Security Sector Reform (SSR) and Disarmament, Demobilisation, and Reintegration (DDR).

The conference was attended by some 150 people and a successful first step in building common understanding on values and approaches and thus, building trust.<sup>15</sup>

### What Future for EU Conflict Prevention - Five years after Göteborg and how to move on?

The first half of 2006 saw the Austrian Presidency which was highly committed to taking the discussions with NGOs forward; it hosted a workshop in January 2006 and a conference in May 2006. The January workshop looked at very practical issues around the actual peacebuilding work both of the Commission and the Council under ESDP with speakers from both institutions and from the European Parliament addressing the lessons learnt from specific missions; it also looked at issues of training, recruitment of mission personnel, procurement issues, and the role of the national structures in the Member States in this context. All of the workshops were moderated by CIVCOM members and EPLO representatives were able to make a substantial and substantive input. We were talking about real collaboration, but as yet the focus was on service delivery: training, recruitment, assistance with procurement and logistics, etc. There was some discussion about how NGO experts could be brought into missions, but this was still quite new and uncharted territory.

The May 2006 conference, under the title of 'What Future for EU Conflict Prevention - Five years after Göteborg and how to move on' allowed a broad conceptual discussion on 5<sup>th</sup> anniversary of the Göteborg Programme. The major innovation of this conference was that the afternoon session was held in the form of an informal CIVCOM meeting at which a selected number of NGO representatives were able to make an input into the annual review of progress in the implementation of the Göteborg which was taking place.<sup>16</sup>

But there was still little discussion about policy and planning dialogue; the interaction between NGOs (both local and international) and missions in the field was also not really on the agenda.

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<sup>13</sup> For more information about the Madariaga Foundation see: <http://www.madariaga.org/>

<sup>14</sup> For more information about the Folke Bernadotte Academy see: <http://www.folkebernadotteacademy.se/roach/rootpage.do?pageld=1>

<sup>15</sup> A full report of the conference can be found at: <http://www.eplo.org/documents/LuxConfRep.pdf>

<sup>16</sup> EPLO has published a paper in this context under the title: *Five Years After Göteborg: the EU and its Conflict Prevention Potential* in September 2006; this was part of the EPLO contribution to the Conflict Prevention Partnership but pertinent to the developments under discussion here. Accessed at: <http://www.eplo.org/documents/eplo5yearafterweb.pdf> on 17 December 2007

## The Financial Perspectives 2007 to 2013

The Financial Perspectives discussions (i.e. how much money the EU would have at its disposal over then next 7 years and broadly how it would be spent) and more specifically the work on new financial instruments for external action was seen as an important element of the discussions between EU and the peacebuilding NGOs. The Court Case between the Council and the Commission, which had been started in 2005, was affecting these discussions (see remarks above).

EPLO had the opportunity to engage with a number of decision-makers in all the institutions and to reiterate the basic message of the importance of peacebuilding as part of both the security and the development agenda, and the importance of the engagement of civil society for all of these.

There was a moment when we thought that the discussions about the Stability Instrument (SI) might bring with it a commitment to establish some entity which might have looked a little like the beginnings of a European Peacebuilding Agency. But the almost successful attempt to amend the Stability Instrument to that effect in the European Parliament failed on the casting vote of the Chairman of the Foreign Affairs Committee.

In fact, the Commission itself was quite keen to see something like this. So, in place of a legal basis in the instrument itself, the Commission agreed in a letter to the European Parliament that they would set up a **Peacebuilding Partnership** under the Stability Instrument.

This commitment is being taken forward and will, hopefully, provide a space for policy dialogue between the Commission and NGOs. The extent to which this might include the Council - in other words be a triologue rather than a dialogue - is yet to be seen. The extent to which it will allow engagement beyond policy dialogue is also something that will become clearer over time. The question of the actual influence such policy dialogue may have will be hard to judge in the short term.

## The Role of Civil Society in Crisis Management

The Finnish Presidency (second half of 2006) was keen to make a substantial contribution to moving the discussion on. It funded a collaborative project under the title 'The Role of Civil Society in Crisis Management' (RoCS) which was undertaken jointly by EPLO, the Finnish Civil Society Conflict Prevention Network (KATU) and Crisis Management Initiative.

The project built on the EU Action Plan for Civilian Aspects of ESDP agreed in 2004 by the European Council, which affirmed that 'non-governmental organisation (NGO) experience and early warning capacity are valued by the EU'<sup>17</sup> and that there should be regular dialogue and exchange between the EU and NGOs. Despite this commitment, and despite all the efforts made under previous presidencies, the 'modalities to deliver regular information exchange both at headquarters and in the field remain undeveloped and little attention has been given to understanding how civil society experience and knowledge might usefully be drawn upon in ESDP capacity-building, including in the areas of training and recruitment.'<sup>18</sup> The project intended to address this gap.

A report was commissioned to address these issues and to come forward with a set of recommendations for all actors involved. The report was based on extensive consultation with both NGOs and with CIVCOM. There was also extensive consultation with the Finnish Presidency which led

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<sup>17</sup> Council of the European Union, 2004, *Draft Action Plan for the Civilian Aspects for ESDP*, Document 10325/04, Article 22, 9 June, Brussels, as quoted in Gourlay, C., *Partners Apart*, p.16

<sup>18</sup> Gourlay, C., *Partners Apart*, p.16

to a commitment on their part to turn any significant conclusions from the project into a formal resolution at an appropriate level within the CFSP/ESDP structures. The resulting publication: 'Partners Apart: Enhancing Cooperation between Civil Society and EU Civilian Crisis Management in the Framework of ESDP'<sup>19</sup> was the basis of a conference hosted by the Finnish Presidency in September 2006. The aim of the conference was to come forward with a set of recommendations which could be agreed by all partners: the Council, the Commission and NGOs.

This conference was not an easy one; the recommendations seemed to be too ambitious to find general acceptance. Whilst there was commitment to go on talking, there was a general reluctance on the part of the institutions to make that dialogue regular, formal or structured.

However, and particularly as a result of the hard work of the Finnish Presidency, a subset of recommendations arising from the report were agreed by CIVCOM in November 2006 and subsequently endorsed by the Political and Security Committee of the Council of the European Union<sup>20</sup>. Importantly, the recommendations envisage regular information exchange, inclusion of NGO expertise in fact-finding or pre-planning missions, feedback from NGOs in lessons learnt processes, the establishment of NGO liaison functions at headquarters and mission level, some degree of collaboration on training, the possible inclusion of NGO experts in national rosters for ESDP missions, and pro-active engagement at policy and operational level. Finally, the recommendations call for a review of progress in 2008.

### **Partners in Conflict Prevention & Crisis Management: EU and NGO Cooperation**

In the run-up to the German Presidency, negotiations started about a follow-up project. This project, under the title: 'Partners in Conflict Prevention & Crisis Management: EU and NGO Cooperation' was undertaken collaboratively by EPLO, Crisis Management Initiative, the Bertelsmann Foundation, and the German Foreign Ministry. This time, the emphasis was on both conflict prevention and crisis management, including activities from both pillar 1 and 2, and it included two case studies to look specifically at the level and extent of cooperation between EU actors and (international/European) NGOs in the field (i.e. fragile states/societies).<sup>21</sup>

The two case studies commissioned by the project, one in Somalia/Somaliland<sup>22</sup> and one in the Democratic Republic of Congo (DRC) focussed on the extent to which there was civil society engagement and exchange with EU actors (in Somalia/Somaliland that was only the European Commission as there is no ESDP mission there; in the DRC there was scope for examining this in relation to both the Commission and ESDP missions). The case studies examined whether there was any engagement and exchange between civil society (here, mainly international NGOs), how that exchange and engagement worked and what the impact/effect of it was.

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<sup>19</sup> Accessed at: <http://www.eplo.org/documents/Partners%20Apart.pdf> on 17 Dec. 07

<sup>20</sup> Recommendations for Enhancing Co-operation with Non-Governmental Organisations (NGOs) and Civil Society Organisations (CSOs) in the framework of EU Civilian Crisis Management and Conflict Prevention, Document 15741/06, 22 November 2006, accessed at: <http://www.eplo.org/documents/CivCom%20rec%20final%2015741%20en06.pdf> on 9 October 2007

<sup>21</sup> Of course, it has to be remembered that ESDP is not the whole of CFSP and therefore even this approach was only looking at a subset of the EU engagement; but it represented a cross pillar subset and it was a little wider than before.

<sup>22</sup> The term Somalia/Somaliland is used here deliberately to indicate that there is a dispute between Somalia and Somaliland regarding the independence of the latter.

The Project involved two expert policy seminars in March 2007 at which the results of the case studies were discussed. Not only did these seminars attract a number of field experts from a wide range of NGOs, they were also well attended by staff of the Commission, the Council, Member States and the Presidency. It became clear in the discussion that many of the findings of the case studies echoed the experience of others in other countries and other situations. In short, there was evidence that engagement with civil society was taking place, was working and was working better if it did not exclude local actors. It was clear that both the work of the European Commission and the work of ESDP missions could benefit from engagement with civil society.

### **CIVCOM Briefings by NGO Experts**

The German Presidency made another leap forward. This, too, was part of the project. On 5 separate occasions, NGO experts were invited to address CIVCOM on specific issues. This focused on the following missions:

- Afghanistan
- Kosovo
- the Democratic Republic of Congo
- the Palestinian Territories
- Bosnia and Herzegovina.

What was important in all these presentations was the fact that the experts were real experts with real recent field experience; what was also important was the fact that the experts - briefed by EPLO and QCEA prior to the presentations - were clear about who they were addressing, where in the structures CIVCOM fits in, what the key concerns of that committee are and why they were looking at the particular issue. The result of this combination was that the briefings were found to be useful by both CIVCOM members and by the experts themselves.

The experience showed that a degree of trust had been built and it contributed to cementing that trust.

The project culminated in a high level conference in **June 2007** in Berlin. What was tangible at that conference was that there had been a quantum shift; in the conference venue the clusters of people straddled institutions and sectors more than before; the presentations from the podium - both in the plenaries and in the workshops were about a common cause not about what divides us; the conclusion was that working together is not a question of whether but one of how. The report of the project and of the conference goes into much greater detail than is possible here.<sup>23</sup>

### ***Where next?***

#### **No room for complacency**

The work with future presidencies on developing this level of cooperation continues. The Portuguese Presidency is continuing the CIVCOM presentations, with briefings on Afghanistan, Kosovo, civilian peacekeeping, and Guinea Bissau, and has proactively involved EPLO with other Council bodies (e.g. Working Group on the Joint EU-Africa Strategy); and the Slovenian Presidency is firmly committed to continuing CIVCOM briefings as well as detailed joint work in the area of Children Affected by Armed Conflict.

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<sup>23</sup> Partners in Conflict Prevention and Crisis Management - EU and NGO cooperation; final report accessed at [http://www.eplo.org/documents/Report\\_RoCSII\\_engl.pdf](http://www.eplo.org/documents/Report_RoCSII_engl.pdf) on 17 Dec. 07

There is still much to be done; we want to ensure that dialogue at the level of the Political and Security Committee can also be developed. We need to establish - again and again - what the role of NGOs in conflict prevention and crisis management is; we must continue to press the message of the need for long term peacebuilding rather than short term crisis management; we must translate the understanding that local civil society must own the process of peacebuilding for it to be sustainable into the planning of policy and operations.

### ***What contribution can and do NGOs make?***

Sometimes this process has seemed like talk about talking rather than talking about substance. This criticism is not entirely warranted. If nothing else, the report of the second RoCS project under the German Presidency reflects the fact that we are talking significantly about substance. But of course, as will all such criticisms, there is also a bit of truth in the complaints.

So it is important, at times, to reiterate why NGOs are important and what contribution they can make. In this final section of this paper, I want to make another attempt at clarifying this. Let me go back to what I said at the beginning about what the role of civil society is:

Civil society is the collection of organisations, structures, people, and mechanisms which make a democratic, conflict resilient society work. They represent the space for public debate about matters of social organisation ranging from high level politics to local service delivery. They are there to guarantee that everything provided by the State (by which I mean local, regional, national and international political governance structures) meets the needs of the people - be it justice, be it security, be it health, education, welfare or be it the political context for being part of global society. Civil society must, not least, be an independent, critical voice.

Seen in this light, civil society is the essence of democracy; and to make this work in situations where there are no democratic institutions, where such institutions are weak or have become undermined by conflicts, civil society must be a central part to making the whole structure work again. There is much evidence of people doing just that. The inspirational and inspiring collection of writings 'People Building Peace'<sup>24</sup> is testimony to that.

So NGOs (both local and international ones working locally) can contribute local knowledge, understanding of context, contact with people on the ground (rather than the 50 people who speak English as Lakhtar Brahimi so aptly formulated during the Berlin conference last June), and in very many cases a long term track record and the credibility that comes from delivering much needed services to local populations.

They also contribute specific skills and capabilities including (but this list is by no means exhaustive): monitoring, mediation, programmes to foster alternatives to violence, gender issues, child safety issues, needs assessments, civilian protection for activists and human rights defenders; in short, the ability to make local people part of the process.

If we look at this in terms of the stages of intervention at which NGOs have a role to play it becomes obvious that this must involve all stages (and again, this is not exhaustive):

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<sup>24</sup> People Building Peace, GPPAC, accessible at <http://www.peoplebuildingpeace.org/thestories/> accessed on 4 February 2008

Stage	Contribution of NGOs (examples rather than an exhaustive list)
Policy Development	Bringing expertise to needs assessments; if the view of the people concerned is not fed into the process here, there is a much higher risk of failure. NGOs are more likely to have been engaged in the area for a much longer time than EU Institutions.
Early Warning	NGOs have on the ground knowledge and understanding; they have a presence; they can read the early signs. They have people on the ground; they know people on the ground. They understand conflict dynamics and they understand the causes of conflict.
Planning of Interventions	NGOs bring the perspective of 'what makes sense within a given context and within the relevant stages of a conflict'.
Implementation	Operational planning on the basis of context expertise, the provision of experts and the delivery of aspects of the action; trust building with local civil society to develop the democratic capacity in parallel with institution building.
Training	<p>NGOs have training material for field work already developed which could be useful and used for state actors;</p> <p>NGO training material will take account of the needs of local people and the need for local people to be involved in the policy formulation process;</p> <p>Undertaking training which includes state and NGO actors builds trust and confidence in each others capabilities, expertise and approaches;</p> <p>Training provides a useful space for dialogue;</p> <p>NGO training goes beyond the specific categories of ESDP missions and contextualises them in a broader assessment of what makes societies work.</p>
Recruitment	NGOs have experts; knowledge of experts; and expertise in recruiting people for deployment in the field.
Lessons Learnt	<p>It is important to include both international and local NGOs in a formal and informal 'lessons learnt' process to establish:</p> <ul style="list-style-type: none"> <li>• What worked for local people?</li> <li>• What didn't work for local people?</li> <li>• Who has benefited?</li> <li>• Who has not benefited?</li> <li>• Who was included?</li> <li>• Who was excluded?</li> <li>• What does any of this mean for future conflict potential?</li> <li>• Why did things happen the way they did?</li> <li>• How should international/European NGOs 'intervene' in a local context?</li> </ul>

## *Are we being heard?*

The question of effectiveness has to be answered, too. In other words, do NGOs working in this way with decision-makers have an impact? This is probably the hardest question to answer. First, this is because impact of this kind takes time. And because it takes time, it is not possible to identify the impact within the kind of timeframe that log frames and other management tools might like to see.

Second, this is because this is a highly political field and the decision-makers, and especially those at the highest levels of decision-making have a clear interest in taking credit for the decisions they make. This is as it should be. But it also means that the people working in the background, bringing along some of the political and technical expertise that inform those decisions can't and won't claim credit for the outcome.

Third, those NGOs whose overarching aim is peacebuilding will only ever be satisfied with the outcome of their work when there is peace, visibly, measurably, more peace than there was before. We are a long way from that.

What is clear is that we have established a basis for dialogue that was not there before we started this process; what is clear is that decision-makers in the Institutions are continuing to talk to us and appear to find interesting what we have to say. They are busy people; let's be optimistic and assume that they get benefit out of spending the time.

## *List of Abbreviations and Acronyms*

CFSP	Common Foreign and Security Policy (pillar 2 of the European Union)
CIVCOM	Committee for Civilian Aspects of Crisis Management
CSO	Civil Society Organisation
EDA	European Defence Agency
EDF	European Development Fund
EEAS	European External Action Service
EIDHR	European Instrument for Democracy and Human Rights
ENPI	European Neighbourhood and Partnership Instrument
EPLO	European Peacebuilding Liaison Office
ESDP	European Security and Defence Policy (part of CFSP)
GPPAC	Global Partnership for the Prevention of Armed Conflict
NGO	Non-governmental organisation
IPA	Instrument for Pre-Accession Assistance
QCEA	Quaker Council for European Affairs
RoCS	Role of Civil Society in Conflict Prevention and Crisis Management



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