EU in the World Update

**Council of the EU:** The Foreign Affairs Council (FAC) met on 22 November and 13 December in Brussels. In November, ministers discussed the Middle East Peace Process and Sudan, and they adopted conclusions on Lebanon and Iraq.

In December, ministers adopted conclusions on the Middle East Peace Process, Côte d’Ivoire and Sudan.

A special meeting of the FAC, including EU ministers for defence and development, took place on 9 December in Brussels. During the defence session, ministers adopted conclusions on military capability development, civil military synergies and EU-NATO co-operation in capability development. They also adopted the budget for the European Defence Agency for 2011. Finally, they discussed the military missions which are currently being conducted in the framework of the Common Security and Defence Policy (CSDP) (NB: Civilian capability development and civilian missions were not discussed during this meeting).

During the development session, ministers took stock of the ongoing reconstruction efforts in Haiti and had an exchange of views on the EU’s development policy in Afghanistan with the EU Special Representative (EUSR) in Afghanistan, Vygaudas Užas. They also adopted conclusions on mutual accountability and transparency between European donors and partner countries, including the introduction of more harmonised practices concerning the disclosure of information on development aid volumes, allocation and forecasts by the European Commission (EC) and EU Member States.

The General Affairs Council (GAC) met on 22 November and 14 December in Brussels. In November, ministers discussed the EC’s work plan for 2011 and the EC communication on a stronger European disaster response.

In December, they adopted conclusions on the EU’s enlargement policy, the stabilisation and association process for the Western Balkans, and strengthening the EU’s disaster response capacities.

**European Parliament:** The European Council met on 16-17 December in Brussels. EU heads of state and government welcomed the first progress report presented by High Representative (HR) Catherine Ashton on the EU’s relations with its strategic partners, agreed to give Montenegro the state and government welcomed the first progress report presented by High Representative (HR) Catherine Ashton on the EU’s relations with its strategic partners, agreed to give Montenegro the state and government welcomed the first progress report presented by High Representative (HR) Catherine Ashton on the EU’s relations with its strategic partners, agreed to give Montenegro the state and government welcomed the first progress report presented by High Representative (HR) Catherine Ashton on the EU’s relations with its strategic partners, agreed to give Montenegro the state and government welcomed the first progress report presented by High Representative (HR) Catherine Ashton on the EU’s relations with its strategic partners, agreed to give Montenegro the state and government 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By Ruben de Koning and Lukas Jeuck

The views expressed in this article are the responsibility of the authors and do not necessarily reflect the views of EPLO or EPLO’s member organisations.

Background

The European Union (EU) is increasingly challenged to take firmer steps against the trade in ‘conflict resources’, commonly understood as natural resources which help armed groups finance their struggle. In September 2010, Belgian socialist members of the European Parliament (MEPs), Veronique de Keyser and Marc Tarabella, suggested a law to ban the import into Europe of goods which contain Congolese conflict minerals. In July 2010, Dutch Green MEP, Judith Sargentini, and Finnish Green MEP, Heidi Hautala, filed a motion in the European Parliament for a resolution on human rights violations in Zimbabwe. This resolution included a call for the members of the Kimberley Process, particularly the European Commission (EC), to broaden the scope of the scheme to exclude not only those stones which are used to finance conflict but also stones which are mined, traded or polished in conditions where human rights are under pressure.

Both initiatives illustrate the need for changes in existing (import) legislation and certification schemes in order to improve the EU’s response to the various security issues associated with the mineral trade. In earlier cases of conflict resource trade by rebel forces in Liberia and Sierra Leone, the solution was relatively simple: a UN Security Council agreement on a total commodity ban. Today’s solutions are more complex since they would need to distinguish between conflict and conflict-free resources in countries which are in transition from war to peace and where both rebels and government forces are involved.

The following sections highlight some of the challenges and opportunities of meaningful EU intervention with regard to the conflict mineral trade from the Democratic Republic of Congo (DRC) and Zimbabwe.

The Democratic Republic of Congo (DRC)

Although there is not yet a concrete proposal, EU import legislation could mimic the United States’ (US) Conflict Minerals Act, which was passed in the Senate in July 2010. Rather than banning all goods containing minerals from the DRC, the act includes a due diligence requirement for importing companies to demonstrate that the metals used in their products are derived from mines which are free from conflict. Consequently, the Secretary of State, in consultation with the United States Agency for International Development (USAID), is supposed to clarify which mines in the DRC are likely to finance conflict; to provide guidance to commercial entities; and to assist government and institutions to both formalise and increase the transparency of the mineral trade.

In order to create a level playing field for internationally operating processing and electronics companies, the EU would have to follow the US, but will it? The European response to the issue so far has been mainly diplomatic. In 2009, under the office of the EU Special Representative for the African Great Lakes Region, Roeland van de Geer, the EU established a taskforce to identify good practices and formulate policy recommendations in consultation with the Government of the DRC and other development partners, including the United Nations (UN). Following consultations, the Congolese Ministry of Mines made a number of commitments in January 2010, including on the mapping of mines which are under government control and those which are not. Although mapping activities are underway, the Ministry of Mines appears to have limited leverage to address the high level of militarisation of mines by government forces.

Diplomatic engagement does not rule out more formal and legal ways of combating the trade in conflict minerals. However, parallel EU efforts to secure supplies of critical minerals may work against initiatives towards stricter import regulation.

In November 2008, the EC published a new strategy on raw materials: the Raw Material Initiative. This strategy was intended to ensure European industries’ undistorted access to critical minerals, inter alia, through eliminating export restrictions in producing countries. Of fourteen critical minerals identified, five (Cobalt, Tungsten, Tantalum Germanium and Niobium) are found in the DRC. Export restrictions in major producing countries such as China could make the EU increasingly hesitant to enact legislation which would interrupt trade from alternative sources such as the DRC.

A realistic risk is that a legal due diligence requirement for companies will lead to a de facto ban. Companies which start tracing their supply line and discover that the minerals which they are using have come from the DRC are likely to suspend (indirect) purchases from that country in order to avoid damage to their reputation. Companies could, of course, invest in the establishment of a credible traceability system which would allow them to continue to source minerals from the DRC without damaging their reputation, but the financial costs involved are high. Instead, they are more likely to turn to sources in more stable countries which, although possibly more expensive, carry less risk.

The key lesson here is that, on its own, regulatory action at the EU level is insufficient to stem the trade in conflict resources from the DRC. Regulatory action needs to be accompanied by efforts which help the Government of the DRC to improve the governance of its mines. Only once a significant number of mines have been demilitarised and mining authorities are re-established, will companies genuinely be able to fulfil the reporting requirements which a new law would introduce. The EU is not alone in trying to achieve these things and should co-operate with other donors such as the US in order to exert pressure on the Government of the DRC to remove its soldiers from the mines and to support its efforts to improve the capacity of resource management institutions.
Zimbabwe

The EC, as one of the Kimberley Process’ founding members, has repeatedly expressed its commitment to and the usefulness of the diamond certification scheme. Yet, as the recent crisis in the Kimberley Process Certification Scheme (KPCS) in relation to the certification of Zimbabwe’s Marange diamond field illustrates, the current practice of certifying conflict-free diamonds has not lived up to expectations.

Since 2008, a number of NGOs have been reporting severe human rights abuses committed by the Zimbabwean Defence Forces and the Zimbabwe Police. These have included killings which have taken place during operations to clear mining sites of illegal artisanal miners, as well as torture and forced child labour.

In addition to the human rights abuses, there have also been reports of members of the security forces smuggling diamonds into Mozambique, a KPCS non-member.

The EC has repeatedly reacted to these reports and to discussions in the KPCS meetings. In November 2009, it welcomed the adoption by participants in a plenary meeting in Namibia of a joint work plan to end the non-compliance of Zimbabwe with KP rules. However, in response to an inter-sessional meeting in Tel Aviv in June 2010, the EC observed a failure by participants to reach consensus on the way ahead for the implementation of the Plan. According to the EC, the current impasse undermines the KPCS and the reputation of the legitimate international diamond industry as a whole.

In its statements, the EC expresses its commitment to the protection of human rights regarding the production and sales of diamonds. In doing so, it adopts a perspective which goes beyond the current definition of conflict diamonds as set out in a 2001 KP constituting document: ‘rough diamonds used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments’. As a result, KPCS rules lack the potential to tackle human rights abuses by governments which are motivated by the sales of diamonds.

In practice, the KPCS’ decision-making and fact-finding in the plenary meeting is ambiguous. On the one hand, a fact-finding mission’s report from September 2009 identified grave human rights abuses by state security actors. On the other, the Joint Working Plan for Marange did not include measures directed at stopping these abuses.

Instead, measures are mainly concerned with the establishment of government control of the mining area, curbing smuggling and leakages, and supervising the exporting mechanisms.

So what is the way forward for the EC to deal with the Zimbabwean case? Within the KPCS, the EC will have to work towards broadening the definition of conflict to include government violence motivated by the potential income from mines. However, whereas civil society members and also industry members would be in favour of such a change, certain exporters and importers with a bad track record on human rights are likely to halt reform. The principle of consensus, which requires unanimity on all decisions taken in plenary meetings, will make it extremely difficult for the EC to get all members on its side in the short- to medium-term.

Outside the KPCS there may be more room for the EC to exercise influence in Zimbabwe: namely by advising European diamond groups not to buy diamonds from the Marange fields. It has solid grounds to do so since the parastatal Zimbabwe Mining and Development Corporation (ZMDC), which illegitimately took control over Marange’s key diamond fields with help from security forces, is on EU and US sanctions lists. Sanctions prevent EU and American diamond groups from dealing with the ZMDC.

During the auction of diamonds from Marange in August 2010, the ZMDC is likely to have profited, either as a direct seller or as original source of traded diamonds. As a result, EU and US buyers participating in the auction have run the risk of violating sanctions. Unfortunately the Ministry of Mines refused to publicise any details of the sales, thus making it impossible to know whether this has been the case. As a result of the secrecy about the destination of diamond profits, the US-based Rapaport Diamond Trading Network has already advised its members not to participate in the auctions.

By using existing sanctions on Zimbabwe to advise against diamond purchases from the country, the EC can put the necessary pressure on the Government of Zimbabwe to withdraw its military and police forces from the diamond mines. Of course, the market power of European diamond groups is limited, but – together with the American buyers, potentially significant enough to bring about reform. A stronger EU position against diamonds mined in Marange to the benefit of ZMDC questions the credibility of the current KPCS label. This could stimulate KP members with an interest in a strong and reliable label to advocate a broader definition of conflict diamonds and lead to a long-term change of the KPCS’ rules.

For more information about the issues raised in this article, please contact the authors.
### EU DOCUMENTS

**High Representative (HR) / President of the European Council / Common Foreign and Security Policy (CFSP)**

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<td>Statement by the spokesperson of HR Ashton on the post-electoral situation in Belarus</td>
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<td>18 December</td>
<td>Statement by HR Ashton on the establishment of new coalition government in the Kyrgyz Republic</td>
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<td>17 December</td>
<td>Statement by the spokesperson of HR Ashton on the situation in Côte d'Ivoire</td>
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<td>Statement by HR Ashton on the Middle East</td>
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<td>Statement by HR Ashton and Commissioner Füle on elections in Kosovo</td>
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<td>Statement by HR Ashton on Nobel Peace Prize winner Liu Xiaobo</td>
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<td>Statement by HR Ashton on the announcement of the preliminary results of elections in the Republic of Haiti</td>
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<td>Statement by HR Ashton and Commissioner Piebalgs on the presidential elections in Guinea</td>
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<td>Statement by HR Ashton on the elections to the People’s Assembly of Egypt</td>
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<td>Statement by HR Ashton on the results of the presidential elections in Côte d’Ivoire</td>
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**Council**

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<td>2 December</td>
<td>Statement: Third Africa-EU Summit</td>
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**Commission**

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<td>13 December</td>
<td>Communication on the financing instrument for the promotion of democracy and human rights worldwide</td>
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<td>8 December</td>
<td>Communication on the mid-term review of the European Consensus on Humanitarian Aid Action Plan: Implementing effective, principled EU humanitarian action</td>
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**Parliament**

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<td>16 December</td>
<td>Resolution on the situation in Côte d’Ivoire</td>
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<td>16 December</td>
<td>Resolution on a new strategy for Afghanistan</td>
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<td>15 December</td>
<td>Resolution on the future of the EU-Africa strategic partnership following the third EU-Africa Summit</td>
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<td>Resolution on the Communication from the Commission on the Commission Work Programme 2011</td>
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<td>15 December</td>
<td>Resolution on the draft general budget of the European Union for the financial year 2011, all sections, as modified by the Council</td>
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<td>14 December</td>
<td>Resolution on an EU rapid response capability</td>
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<td>14 December</td>
<td>Resolution on strengthening chemical, biological, radiological and nuclear security in the European Union: An EU CBRN Action Plan</td>
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### EU AGENDA

**Council of the EU:** The next meetings of the Foreign Affairs Council and the General Affairs Council will take place on 31 January in Brussels, and the European Council will meet on 4 February in Brussels. The following Council committees and working parties will also meet in January:

- **Political and Security Committee:** 7, 11, 14, 18, 21, 25 and 26
- **Committee for the Civilian Aspects of Crisis Management:** 3, 5, 10, 12, 17, 19, 24 and 26
- **Working Party on Development Co-operation:** 13 and 27
- **Africa Working Party:** 3, 5, 12, 19 and 26
- **Working Party on Human Rights:** 26

**European Parliament:** The next European Parliament plenary session will take place on 17-20 January in Strasbourg. The following European parliamentary (sub-)committees will also meet in January:

- **Foreign Affairs:** 12, 13 and 25-26
- **Development:** 25-26
- **Security and Defence:** 25 and 27
- **Human Rights:** 10 and 24-25
- **Women’s Rights and Gender Equality:** 26-27
- **Budgets:** 26-27
- **Constitutional Affairs:** 26 and 31

For more information about meetings in the EU institutions, please visit the EU Events section of the EPLO website.
NEWS AND PUBLICATIONS FROM EPLO’S MEMBER ORGANISATIONS

Job vacancies

Crisis Management Initiative
Adviser on Multi-Track Peace Processes for the Africa Programme, Helsinki, Brussels or Accra, (Deadline: 31 December 2010)
Analyst on Gender Based Violence and Mediation, Helsinki (Deadline: 31 December 2010)

ESSEC IRÉNÉ
Programme and Training Officer, Paris

International Alert
Consultant - Sierra Leone

International Crisis Group
IT Manager, Brussels (Deadline: 31 December 2010)
Senior Analyst - Central Africa
Office Manager / Researcher, Seoul
Operations and Security Manager, Brussels, (Deadline: 31 December 2010)

Interpeace
Accountant, Geneva

Nonviolent Peaceforce
Field team members

Search for Common Ground
Country Director - Democratic Republic of Congo
Country Director - Morocco
Line Producer - Middle East and North Africa - Common Ground Productions (CGP), Yemen

swisspeace
Postdoctoral Fellowship - Dealing with the Past Programme, Bern (Deadline: 21 January 2011)

World Vision International

Internships

Crisis Management Initiative, Helsinki (Deadline 31 December 2010)
International Alert, London
International Center for Transitional Justice, New York (Deadline: 31 January 2011)
International Crisis Group, Beijing, Brussels, Nairobi, New York, Pris-tina and Washington DC
Life and Peace Institute, Nairobi
Nonviolent Peaceforce, Brussels and Minneapolis
Search for Common Ground, Washington DC and Brussels
swisspeace, Bern

tina and Washington DC

News and Publications

Berghof Conflict Research: From Revolutionary War to Democratic Revolution: The Farabundo Martí National Liberation Front (FMLN) in El Salvador (November 2010)

Conciliation Resources: Choosing to return: Challenges faced by the Lord’s Resistance Army’s middle-ranking commanders (October 2010)

Crisis Management Initiative: Supporting Democratic and Peaceful Change in Burma / Myanmar (October 2010)

Fundación para las Relaciones Internacionales y el Diálogo Exterior (FRIDE): The EU and the Western Balkans: preparing for the long-haul (December 2010)

International Alert: The complexity of resource governance in a context of state fragility: An analysis of the mining sector in the Kivu hinterlands (December 2010)

International Center for Transitional Justice: Children and Truth Commissions (November 2010); Transitions (November 2010)

International Crisis Group: Dangerous Little Stones: Diamonds in the Central African Republic (December 2010); CrisisWatch No. 88 (1 December 2010)


Pax Christi International: Newsletter No. 203 (December 2010)


Saferworld: A matter of trust: Public perceptions of safety and security in Kosovo 2009/2010 (November 2010); Saferworld Update 51 (October 2010)

Search for Common Ground: Common Ground News Service

swisspeace: KOFF Newsletter No. 93 (1 December 2010)

World Vision International: World Vision eNews (November 2010)

Training Courses

Academy for Conflict Transformation: Violent Group Conflicts and Approaches to Intervention: Opportunities and Limits of Civil Conflict Transformation (9-11 February 2011, Bonn, Germany)

Austrian Study Centre for Peace and Conflict Resolution: International Civilian Peacekeeping and Peacebuilding Training Programme: Core Course (27 February - 12 March 2011, Stadtschlaining, Austria)

Glencree Centre for Peace and Reconciliation: Conflict Resolution, Mediation and Peacemaking Certificate Course (8-13 August 2011, Glencree, Ireland)

International Peace and Development Training Center: Systemic Peacebuilding, Conflict Transformation and Post-War Recovery and Reconciliation (PCTR) (6-10 June 2011, Cluj Napoca, Romania)
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 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 members through common policy positions and consequently advocating for those common positions. EPLO disseminates information and promotes understanding of EU policies of concern to its members. The Office also builds solidarity and co-operation amongst its members 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.