

Brussels, 28 April 2017

Dear member of the Committee on Foreign Affairs,

I am writing to you on behalf of the European Peacebuilding Liaison Office (EPLO) with regard to the European Commission's (EC) proposal to amend the Instrument contributing to Stability and Peace (IcSP) to enable the EU to support 'Capacity Building for Security and Development' (CBSD).

In case you are not familiar with my organisation, EPLO is a network of 35 European non-governmental organisations (NGOs), networks of NGOs and think tanks working on peacebuilding and conflict prevention. Our mission is to influence European policy-makers to take a more active and effective approach in securing peace and nonviolent forms of conflict resolution in all regions of the world.

I am writing to you today as EPLO has been following the issue of CBSD since we were asked to organise a civil society dialogue on the subject immediately before the publication of the joint communication in April 2015.¹ As you may be aware, more recently, we also contributed to the public consultation which the EC organised prior to publishing its proposal to amend the IcSP. In our submission to that consultation in May 2016,² we expressed a number of important concerns about CBSD, many of which we feel have not been addressed in the EC's proposal.

Over the past nine months, my colleagues and I, representatives of several EPLO member organisations and various other civil society actors have been raising the following issues in discussions with EU policy-makers. I would like to take this opportunity to share them with you as you undertake your work of scrutinising the CBSD proposal in the coming weeks and months:

- **Justification for EU support for CBSD:** We are not convinced that the EC has sufficiently justified why the EU needs CBSD to provide training and equipment (albeit 'non-lethal') to military actors which it cannot currently do through its other external co-operation tools (e.g. Common Security and Defence Policy (CSDP) missions, security sector reform projects and programmes under geographic financing instruments, various activities under the IcSP, etc.) In fact, our understanding is that a number of the activities which CBSD is intended to support are already being supported through CSDP missions and the IcSP. In this context, we do not feel that simplistic references to the 'Security-Development Nexus' and Sustainable Development Goal (SDG) 16 are adequate to justify such a major change to the EU's approach to external assistance, particularly as they do not seem to be accompanied by proper risk analysis, strategies to avoid harming the populations of countries in which CBSD activities will take place, or evidence based

¹ The minutes of this meeting are available to download from the [EPLO website](#).

² EPLO's contribution to the consultation consisted of a collection of comments from a number of our member organisations rather than a position which had been formally adopted by the entire network.

on other actors' experience that CBSD can achieve its stated objective of contributing to 'sustainable development and in particular the achievement of stable, peaceful and inclusive societies'.

- **Use of the IcSP to support CBSD:** We believe that the IcSP is one of the most important means through which the EU can support conflict prevention and peacebuilding-focused activities in its partner countries. Although the EC's proposal foresees the addition of € 100 million to the budget for the IcSP for the period 2018-2020, including funding which had previously been allocated to the Development Cooperation Instrument (DCI), we are concerned that the future of the IcSP as a cornerstone of the EU's efforts to fulfil its Treaty objective of preserving peace and preventing conflict could be jeopardised by expanding the Instrument to include expensive and potentially highly risky Train & Equip-type activities.
- **Legal issues:** We are concerned that the EC's proposal to finance the provision of equipment to military actors in its partner countries from the EU budget goes against the spirit of Article 41(2) of the Treaty on European Union (TEU) which, as you will be aware, provides that: 'Operating expenditure to which the implementation of this Chapter gives rise shall also be charged to the Union budget, except for such expenditure arising from operations having military or defence implications³ and cases where the Council acting unanimously decides otherwise.' Unless, the activities which are foreseen as part of CBSD are deemed not to have 'military or defence implications', we feel that it is not appropriate to finance them from EU budgetary resources. In this context, we are also concerned about the potential implications for the future of the EU's external assistance which the setting of this particular precedent could have.

I hope that you will take the above-mentioned concerns about the CBSD proposal into consideration as you prepare amendments to Mr Danjean's draft report. We are very happy to discuss them and any other relevant issues with you and/or a member of your staff if you feel that it would be useful.

In the meantime, please do not hesitate to contact me or my colleague Ben Moore (E-mail bmoore@eplo.org; Tel. +32 (0)2 233 37 36) if you have any queries or if you would like any additional information.

Yours sincerely,



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³ EPLO emphasis added