Instrument contributing to Stability and Peace

Updates on programming; building links to other EU external financing instruments

Friday 11 April 2014 (13.30-18.00)

Martin's Brussels EU Hotel
Boulevard Charlemagne / Karel de Grootlaan 80, 1000 Brussels

MINUTES

(NB/ The final agenda of the meeting is available to download from the Civil Society Dialogue Network (CSDN) page of the EPLO website.)

1. Welcome

EPLO welcomed the participants and highlighted the fact that this was the first CSDN Funding Instruments Meeting under the second phase of the CSDN (CSDN II).

The European Commission (EC) welcomed participants and reminded them that the Regulation establishing the Instrument contributing to Stability and Peace (IcSP) had been adopted on 11 March 2014.[1] The IcSP will cover the period 2014-2020 and includes an explicit reference to peace in its title in response to the European Parliament's request that peace be included in the Instrument's title and feature throughout it.

The EC also drew participants' attention to Article 9 of the IcSP Regulation which covers dialogue with civil society on the preparation, programming, monitoring, and implementation of all activities under the Instrument.

2. Session 1: Update on the Instrument contributing to Stability and Peace (IcSP) Strategy Paper 2014-2020 and Multiannual Indicative Programme 2014-2017

The European External Action Service (EEAS) provided an update on the draft IcSP Strategy Paper (SP) 2014-2020:

Overall
- The IcSP was published in the Official Journal of the EU on 15 March 2014 (although it entered into force on 1 January 2014).
- There was a strategic dialogue with the EP (Committee on Foreign Affairs) on 10 March 2014.
- The overall budget for the IcSP 2014-2020 is € 2.34 billion (cf. € 2.06 billion reduced to € 1.8 billion for the Instrument for Stability (IfS) 2007-2013).
- The allocation for Article 4 (Assistance for conflict prevention, peace-building and crisis preparedness) has been doubled (5% of € 2.06 billion under the IfS to 9% of € 2.34 billion under the IcSP)
- It is envisaged that the draft SP and Multiannual Indicative Programme (MIP) will be submitted to the IcSP Committee on 2 July 2014 and that the EC will adopt it afterwards.

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[1] See Regulation No 230/2014 of 11 March 2014 establishing and Instrument contributing to Stability and Peace.

- The IcSP Regulation has two Treaty legal bases: development co-operation (Article 209 Treaty on the Functioning of the EU (TFEU)), and economic, financial and technical co-operation with countries other than developing countries (Article 212 TFEU).
- It is applicable to all countries and does not need to meet the Organisation for Economic Co-Operation and Development's Development Assistance Committee's (OECD-DAC) official development assistance (ODA) eligibility requirements. This means it can address the security-development nexus more flexibly, including providing support for counter-terrorism measures. (NB/ However, more than 90% of the assistance provided under the IfS met the ODA eligibility requirements and this will probably continue to be the case under the IcSP).
- It covers a number of new areas of co-operation, including climate change and security, new forms of illicit trafficking, (e.g. in small arms and light weapons) and cybersecurity, and allows for country-specific counter-terrorism assistance.

Programming principles
1. 'Subsidiary instrument'': The IcSP enables the EU to support actions on issues of peace and stability which have an impact on development co-operation or other EU external co-operation policies (e.g. enlargement or the European Neighbourhood Policy (ENP)) but which cannot be addressed under any of its other external co-operation instruments.
2. Added value: Trans-regional and/or global actions (e.g. transatlantic drug trafficking, maritime security, etc.) which exceed the scope of the geographic instruments; counter-terrorism assistance (ineligible under development instruments tied to ODA eligibility requirements); or actions which require a homogenous thematic approach rather than a country-by-country approach (e.g. building capacity on peacebuilding and conflict prevention).
3. Security-development nexus: IcSP co-operation in developing countries addresses conflict and security issues in order to enable development to take place.
4. Complementarity: Actions supported under the IcSP should be complementary to actions funded under other external co-operation instruments.
5. Consistency: Three levels: (1) overall external action, including the Common Foreign and Security Policy (CFSP); (2) policy coherence for development; and (3) consistency with EU internal policies.
6. Comprehensive EU approaches
7. Multilateralism
8. Dialogue with partners and stakeholders: Including civil society organisations (CSOs) and some 20 specialised international organisations.

The EEAS has also taken into account the lessons learned from the IfS, including the various evaluations and corresponding recommendations.

Article 4
- Unlike the IfS Regulation, IcSP Article 4 includes specific references to conflict prevention, peacebuilding and crisis preparedness. As a result, they have gained an increased political profile. In addition, the financial amounts relating to these aspects are significantly increased under the IcSP.
- Conflict prevention is also mentioned in Article 3 (Assistance in response to situations of crisis or emerging crisis to prevent conflicts). It is, therefore, possible to work on conflict prevention, both in short-term crisis response actions and long-term crisis preparedness actions.
- It is envisaged that the EU's partners during the period 2014-2020 will remain the same as under the IfS: CSOs, international, sub-regional and regional organisations, and relevant bodies in EU Member States.
- It is envisaged that the programming process will become more cyclical: focusing on different areas on a rolling basis.
- Priority areas:
  (1) Promoting early warning and conflict analysis: Build on work which has already been done by the EEAS and continue to assist regional and sub-regional organisations to improve their early warning capabilities.
  (2) Building capacity in confidence-building, mediation and reconciliation:
      (a) Mediation support capacity: Deployment of expertise, development of guidance and best practice, and training and coaching activities.
      (b) 'More dialogue, more broadly': Continue support for the CSDN and examine the possibility of expanding it on a regional basis.

(3) Strengthening capacities for participation and deployment in civilian stabilisation missions: Continue ongoing training and explore possibilities of expanding into new areas (e.g. civilian administration).

(4) Linking crisis preparedness with crisis response:
– work upstream on a number of thematic cluster areas in order to have a standing capacity for specific crises. The preliminary list of broad cluster areas includes: (a) resilience/post-crisis recovery, (b) human security, (c) transitional justice.
– implementation of commitments adopted during the Fourth High-level Forum on Aid Effectiveness.[2]

(5) Curbing the use of natural resources to finance conflicts: Support efforts to enhance compliance with relevant initiatives (e.g. the Kimberly Process) and possibly provide input into water and energy diplomacy.

Article 5 (Assistance in addressing global and trans-regional threats and emerging threats)
1. Threats to law and order, the security of individuals, critical infrastructure and public health:
   (a) counter terrorism
   - Geographic priorities: The Sahel, the Horn of Africa, Afghanistan, Pakistan, and possibly Nigeria, North Africa, and the wider Middle East
   - No change in approach: Criminal justice approach with a strong focus on human rights
   - Human rights guidance: The EEAS is working with the EC's Directorate-General for Development and Cooperation – EuropeAid (DG DEVCO) to develop the terms of reference for human rights guidance related to terrorism, organised crime and cybercrime and -security. Drafting should start in the second half of 2014 and it will be an open process during which civil society will be able to provide input.
   - Countering violent extremism (CVE): Work will be undertaken partly in the framework of the Global Counterterrorism Forum (GCTF) and partly through specific actions contracted by the EC. The actions will address violent extremism involving civil society in different countries. The EU will also support the implementation of the United Nations' (UN) Global Counter-terrorism Strategy and engage in political dialogue with the countries in which this threat is present.
   (b) organised crime, including illicit trafficking
   - Drug trafficking: Actions will be extended beyond cocaine and heroin to include a focus on synthetic drugs and methamphetamines.
   - People trafficking: Actions will be aligned with the EU Strategy towards the Eradication of Trafficking in Human Beings 2012–2016. There will be a focus on key countries and routes and taking action not only to repress the phenomenon, but also in terms of prevention, prosecution and protection aspects.
   - Small arms and light weapons: Focus on trans-regional trafficking.
   - Falsified medicines: Focus on reducing and stopping the production of falsified medicines, which represent a major threat to public health and human security.
   - Money laundering: Supporting the implementation of the Financial Action Task Force (FATF) standards and recommendations.
   - Cybercrime: Promoting the approach set out in the Council of Europe's Convention on Cybercrime (Budapest Convention).
   (c) critical infrastructure protection
   - Maritime security: Focus will be expanded from anti-piracy to wider maritime security, including alignment with relevant International Maritime Organisation (IMO) standards and codes (e.g. on security of ports).
   - Aviation security: Focus on the terrorist threat to civil aviation security.
   - Cybersecurity: Focusing on the external dimension of the EU Cyber Security Strategy.
   (d) threats to public health:
   - Combating falsified medicines (see above – organised crime)
   - Mitigating risks of pandemics (see below – chemical, biological, radiological and nuclear (CBRN) risks)
   (e) destabilising effects of climate change and security:
   - Focus on global and transregional security aspects as other aspects are covered under other programmes.

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[2] See http://ec.europa.eu/europeaid/how/ensure-aid-effectiveness/busan_en.htm

2. Mitigation of chemical, biological, radiological and nuclear (CBRN) risks:
   - Expanding focus from criminal threats to a wider approach taking into account natural and accidental risks
   - Global capacity building through CBRN centres of excellence
   - Addressing trafficking of CBRN materials
   - Continuing work on redirection of scientists
   - Biosafety and pandemics.

Participants raised the following issues:

1. Please provide more details about how the rolling programming will be undertaken. Will all five areas be covered before the end of the programming period?
2. Will the illicit trafficking in charcoal, animals, and natural recourses also be addressed in the SP?
3. What is the role of the EU delegations in the implementation of the SP?
4. Will actions in non-recognised territories also be eligible for funding?
5. Is there a framework for measuring the results of the dialogue with civil society?
6. Will the illegal dumping of waste also be addressed in the SP?
7. There should be a link between the civil society consultation under the IcSP and the EU country roadmaps for engagement with civil society which are being developed by DG DEVCO.

In response, the EEAS said:

1. Programming is annual but the actual projects or actions under each annual action programme (AAP) generally last two to three years. All areas will receive a share of funding during the period 2014-2020.
2. Animal or wildlife trafficking will not be addressed under Article 5. However, trafficking in natural resources will be addressed as part of the fifth priority under Article 4 (see above) although it is not mentioned explicitly.
3. With regard to Article 4, the EU delegations are increasingly playing a larger role in implementation (e.g. under the 2014 AAP, a significant amount of funding should be allocated to the EU delegations for subdelegated calls for proposals).
   The EU delegations also play a crucial political role (e.g. in ongoing co-operation with the UN, coordinating with Member States, including in joint programming etc.).
   The EU delegations are involved in setting the programming priorities and in implementation (e.g. under Article 5, the EU delegations can be in charge of programmes).
4. There are no geographic limitations on funding.
5. The programming principle of dialogue is derived from the Paris Declaration on Aid Effectiveness. In addition to CSOs, it covers partner countries, international organisations, and other relevant institutions. Although there is a particularly strong emphasis on civil society, there cannot be a formal accountability mechanism.
6. Hazardous waste will be included to a certain extent under both CBRN and maritime security measures. It has already been addressed, for instance under the CBRN Centre of Excellence in Southeast Asia.
7. Agreed.

3. **Presentation of the Instrument contributing to Stability and Peace (IcSP) 2014 annual action programmes (AAPs)**

The EC presented the draft 2014 IcSP Annual Action Programme (AAP) Article 4 and the draft 2014 IcSP AAP (Article 5).

Participants raised the following issues:

1. Will assistance provided under Article 5 be used to support any initiatives in West Africa?
2. Regarding organised crime, how does the work which is being supported under Article 5 feed into peacebuilding analysis or other work which is being supported under the other EU external co-operation instruments? How is it coordinated?
3. Are there any there any links between the EC and the EEAS K2 Division (Conflict Prevention, Peace building and Mediation Instruments)? Could there be any areas for conflict of interests?

4. Since you described the AAP for Article 4 as 'Evolution not Revolution' does this mean that it will be largely the same as in previous years?
5. How will the IcSP support the implementation of the New Deal for Engagement in Fragile States, particularly the involvement of civil society?
6. Regarding Action Document 3 (Building and consolidating national capacities for conflict prevention), to what extent do you envisage that meetings between the relevant UN agencies and CSOs in the countries will be covered by this action?
7. When will the list of countries in which subdelegated calls for proposals will be launched under the 2014 AAP be available?

In response the EC said:

1. We are active in West Africa in regard to counter-terrorism and organised crime.
   The mid-term review of counter-terrorism actions in the Sahel has just been published on the DG DEVCO website. One of the issues it highlighted was that the EU is weak in terms of working with CSOs on CVE.
   IcSP Article 5 assistance is only one of many EU tools for addressing security issues in West Africa: security is quite prominent in the priority areas under the EU's national and regional programmes in the region.
   The EC organised a major conference on CVE in November 2012. However, very few participants from EU delegations were able to attend. As a result, it started a training programme under which seminars were organised in Kenya (December 2013), Senegal (January 2014), Abu Dhabi (March 2014) and Rabat (June 2014). Each seminar covers six or seven countries and representatives of the following groups are invited to participate: EU delegations, EU Member States, partner country governments and CSOs.
2. There has been insufficient analysis and thinking on this issue. The EC has redefined the contract for monitoring which it had with the Ministry of Foreign Affairs of Italy and a number of other partners from EU Member States. The new contract being tendered will enable the outputs to be used as more of an analytical tool.
3. There is no conflict of interest. The EC works very closely with the EEAS. The AAP will be implemented in the context of the SP which, as a programming document, is the responsibility of the EEAS. Nothing which will be presented in the context of the AAP will contradict either the policy intentions of the EEAS or any ongoing work. If there is any overlap, it will not be intentional.
4. As explained in the CSDN Funding Instruments Meeting in September 2013, the IcSP Regulation consolidates work which has been undertaken in the past, particularly actions launched and implemented in the period 2010-2013. In 2014, the EC intends to focus on initiatives which have been seen and evaluated as being successful in the past whilst also making space for new actions. In this regard, it will draw upon the results of the independent evaluation of the crisis preparedness (Article 4.3) component of the IfS 2007-2013.[3]
5. It is important to look at what the EC is proposing in the draft 2014 AAP in the context of what it proposed in the 2012 and 2013 AAPs. Account also needs to be taken of 'operationalising' the principle of 'rolling programming' (i.e. the EC will not support actions in 2014 which it supported in 2012 or 2013).
   There was a large investment in fragile states in the 2013 AAP and the EC would intend to follow it up in subsequent years. However, this would depend on the outcomes and, in co-operation with our DEVCO colleagues who are working on fragility and conflict, whether or not there are additional investments to be made in this area which are not being covered by the Development Cooperation Instrument (DCI) or other EU external co-operation instruments.
6. The idea behind this action is to enable the whole architecture for peace to be developed at country level through building the capacity of both international and local CSOs. To this end, the EU (both EU institutions and Member States) and the UN will work to maximise opportunities for co-operation between local civil society and international actors. The EC would like to focus work on countries which have not yet been selected under the earlier action financed under the 2011 AAP.
7. It should be available once the EC decision is adopted (by 31 July 2014).

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[3] This evaluation was conducted September-December 2013. Summaries of the evaluation (in English, French and Spanish) will be published very soon on the Service for Foreign Policy Instruments (FPI) website and the full version (in English) at a later stage.

4. Preliminary exchange of views on support for peacebuilding and conflict prevention under the other EU external financing instruments

The EPLO office presented its [initial analysis of the potential for support for peacebuilding and conflict prevention in the regulations establishing the other EU external co-operation instruments](#).

The EEAS added:

- It is important to separate the possibility for action from the actual situation: there are many commitments in relation to funding peacebuilding and conflict prevention under other EU instruments but, until recently, limited action.
- While DG DEVCO took the lead in terms of negotiating the regulations establishing the new geographic instruments, the EEAS has been active in trying to ensure the inclusion of language which is conflict prevention- and peacebuilding-friendly.
- The EEAS worked hard to include language which took into account the special circumstances of fragile and conflict-affected states in the programming guidelines which are now being implemented by the EU delegations and DG DEVCO.
- There is now growing recognition of the utility of conflict-sensitive programming.
- The EEAS and DG DEVCO have issued a [guidance note on addressing conflict prevention, peace-building and security issues under external cooperation instruments](#) in which the 'subsidiarity instrument' nature of the IcSP was highlighted. Since the programming of the various instruments is ongoing, it is too early to know what effect this will have.
- The EC and the EEAS also produced a [guidance note on conflict analysis in support of EU external action](#) which aims at raising awareness of the need to undertake conflict analysis on a systematic basis.
- There is also a [joint EC-EEAS communication on the EU's comprehensive approach to external conflict and crises](#) which contains useful language on conflict analysis.
- Despite the abovementioned developments, it is unlikely that large amounts of funding will automatically be allocated in support of peacebuilding and conflict prevention under the geographic instruments.

Participants raised the following issues:

1. How do you see the implementation of the guidance notes by the EU delegations? Might it not be more useful to have a more practical tool such as a checklist?
2. Could CSOs play a role in easing the bottlenecks of communication between headquarters and the EU delegations?
3. The analysis of the new regulations should also cover the DCI thematic programme on 'Civil Society Organisations and Local Authorities'.
   The Agenda for Change was a bit of a distraction as it included a number of other issues (e.g. energy and food security) which absorbed significant amounts of funding. This is important in terms of the selection of priorities for EU co-operation in conflict-affected countries.
   The Fragility and Crisis Management Unit in DG DEVCO is also an important actor.
4. Guidance notes cannot replace the existence of human resources dedicated to peacebuilding in the EU delegations: peacebuilding work requires analysis of local structures and systems.
   Have you analysed the European Development Fund (EDF) for potential synergies between the IcSP and the DCI 'Pan African Programme' and the African Peace Facility (APF)?
5. Regarding the EDF, certain CSOs and officials from DG DEVCO seem to believe that broadening support for peacebuilding equates to increasing the amount of funding available for the APF. How can we convince them that support for civil society peacebuilding is completely different to what is currently being supported under the APF? Similarly, how can they be persuaded of the added value of supporting peacebuilding through the geographic instruments?
6. Is there a risk that the inclusion of conflict analysis and conflict-sensitive programming in the geographic instruments jeopardises the IcSP's status as an 'instrument of last resort'?

In response, the EEAS said:

1. The impression in the EEAS headquarters is that the EU delegations do read the guidance notes carefully.
   The EEAS did not develop another checklist as it wanted to avoid adding to the EU delegations' workloads.

A problem for the EU delegations can be that they receive guidance notes but do not always have the opportunity to discuss them with those officials based in Headquarters who have drafted them.

2. Many of the issues covered by the new guidance notes have not been addressed before. It is, therefore, to be expected that there will be a number of questions about them.
   The EEAS aims to raise awareness about conflict analysis and conflict sensitivity by organising events and training seminars in various EU delegations.
   Part of the philosophy of conflict analysis is to include other perspectives, including those of civil society.
3. The limitation to three priority areas for EU co-operation is – to some extent – intended as a means of burden sharing: the EU should focus on what it can do well and let other donors, including the UN, focus on other areas.
   The EU delegations need to focus on what they see as important.
   DG DEVCO is largely responsible for the programming process.
4. Unfortunately, budgetary constraints mean that it is not possible to have more people working on conflict analysis in the EU delegations.
   At the strategic level, the EEAS has undergone an internal process of trying to ensure complementarity between the different instruments.
5. The apparent resistance to the inclusion of support for peacebuilding under the geographic instruments may be due to the fact that, until recently, they were largely viewed as purely development instruments. This is slowly changing and there is greater coordination between the various instruments but it will take time.
   The EEAS and CSOs both need to make the case.
   The vast majority of the activities which have been supported under the IfS can be classified as ODA ('DAC-able').
6. In this context, the term 'subsidiarity instrument' is more useful to describe the IcSP: it should only be used when a particular action cannot be supported under the relevant geographic instrument.

The EPLO office added:

3. The section of the DCI Regulation which covers the thematic programme on 'Civil Society and Local Authorities' does not include any specific references to peacebuilding.
   EPLO had applied to participate in the Policy Forum on Development in order to provide a peacebuilding perspective in the dialogue between the EU institutions and civil society on EU development policy but its request was denied.
   The Agenda for Change includes a number of positive aspects including the security-development nexus, a focus on fragility etc.
   There are potential benefits of limiting the EU's co-operation priorities to three per country and there are derogations to the limit for countries in situations of fragility.
   EPLO supported the establishment of the Unit for Fragility and Crisis Management and it hopes that it is working well with the geographic units in order to ensure that support for peacebuilding is included in the various country and regional programmes.
5. The vast majority of civil society peacebuilding activities are DAC-able. It is important to highlight this whenever the perceived 'securitisation' or 'militarisation' of development assistance is cited as an argument for not supporting peacebuilding through development programmes.
6. There should be clear links between activities which are supported through the crisis response component of the IcSP and the geographic instruments.

5. Closing remarks

EPLO thanked the speakers, moderators and participants, and reminded them that the IcSP 2014 AAP and SP should be published before the summer break and that planning was ongoing for a follow-up discussion on support for peacebuilding and conflict prevention under the other EU external co-operation instruments.

Civil Society Dialogue Network

The Civil Society Dialogue Network (CSDN) is a mechanism for dialogue between civil society and EU policy-makers on issues related to peace and conflict. It is co-financed by the European Union (Instrument for Stability) and managed by the European Peacebuilding Liaison Office (EPLO), a civil society network, in co-operation with the European Commission (EC) and the European External Action Service (EEAS). The second phase of the CSDN will last from 2014 to 2016. For more information, please visit the EPLO website.