

EU influence in conflict: power to mitigate or to mediate?

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It is often assumed that the European Union (EU) has the potential to play a serious role in peacemaking. The EU provides generous financial assistance to conflict-ridden countries, and underwrites many ongoing peace negotiations, but is it bringing its undoubted economic and political power and influence to bear directly in mediation efforts?

The EU has numerous assets that could make it an influential player in mediation and peace-making. In addition to being able to offer the carrot of access to one of the biggest markets in the world, the European Community (EC) and its member states are the largest contributors of humanitarian aid and development assistance. EU representatives travel the world, and engage in political dialogue on a daily basis. The EU also has access to a sizeable pool of qualified and diverse personnel, and enjoys support from the embassy network of its member states as well as its own EC Delegations on the ground, including in a number of hotspots.

However, the EU framework for interacting with a world in conflict – i.e. the European Common Foreign and Security Policy (CFSP), the European Security and Defence Policy (ESDP) and EC assistance schemes – does not include explicit provisions for mediation or conflict resolution policies. Instead, the EU has identified conflict prevention and crisis management as the most important strategy in dealing with conflict. This emphasis is based on the assumption that the eradication of socio-economic grievances ultimately promotes democracy, which in turn prevents or contains conflict. Although economic power is undoubtedly an essential ingredient for exerting power internationally, the EU is using this power ineffectively as it has no clear strategy linking economic assistance to democratic performance. Though most relations with non-EU countries are explicitly built around the declaration of common values, and the instruments to finance mediation and conflict resolution efforts clearly exist, there is as yet no defined trigger mechanism to determine when to apply these instruments. Therefore, such initiatives remain very opportunistic and often depend on personal initiatives.

When the EU does get involved in peace-making, it generally does so through offering financial support to the efforts of others. Prioritising the peace building

tasks to follow, the EU may miss opportunities to create the basis for successful and sustainable peace building. In supporting the conflict mediation efforts of other actors, the EU is avoiding duplication of efforts and the proliferation of competing mediation initiatives. However, as this paper will show, the EU still has to find the balance between being a reliable donor and strategically using its influence to promote sustainable peace. Better coordination between the activities of EU member states and institutions will be crucial to improve its strategic awareness and action in this field.

Many actors: what agenda?

Ultimately, EU action with international political and security implications depends on the willingness of all 27 EU member states that are represented in the Council to support such action. However, the Commission is in charge of many of the implementation instruments and financing mechanism and its coordination with the Council is not optimal.

The political coordination of EU external action rests with the European Council², which defines policy principles and general guidelines. Common positions decided on by the Council stipulate the policy direction to be followed by all member states in defining their own foreign policy. The Council also decides on joint actions to be taken by member states on behalf of the EU. Joint actions range from the appointment of special representatives and envoys, the suspension of diplomatic relations or imposition of sanctions to operational action such as ESDP missions. The common policy positions and joint actions taken by the Council have to be supported unanimously by all member states in order to be approved³.

Though the EU is officially represented by the Presidency⁴, the most public face of the EU's external relations is undoubtedly Javier Solana, High Representative for CFSP and Secretary General of the Council. The High Representative formulates, prepares and implements policy decisions and conducts political dialogue on behalf of the European Council.

The Council Secretariat in turn is responsible for preparing meetings of the Council and its preparatory bodies, including agenda items and background material. The Policy Planning and Early Warning Unit (PU) benefits from the political reporting of Commission Delegations around the world and could prove a useful channel in voicing mediators' and peace process actors' concerns. However, it is said to narrowly focus on CFSP/ESDP issues to the extent that synergies between other external policies are often ignored.

The influence of Solana's Secretariat and personality on policy development should not be underestimated. In 2003, Solana presented to the Council his European Security Strategy, which the Council eventually adopted, and which still serves as a guiding framework. Essentially, this is a preventive engagement strategy to stop crisis before it escalates by trying to encourage the transformation of authoritarian and failing states (especially in the Middle East and the post-Soviet countries), and the strengthening of multilateral institutions such as the United Nations.

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Political dialogue: neither power diplomacy nor mediation

Political dialogue is the most common form of EU diplomacy, and is often the tool most readily associated with conflict resolution and mediation among EU policy makers and observers. Generally, however, political dialogue merely enables the EU to engage others on issues of common concern, and entertain diplomatic relations, and rarely has any real, direct conflict resolution role. In the framework of a formal partnership agreement, such dialogue can be very structured and indeed serve as a forum to discuss democratic and economic development. Notably in conflict affected countries that are deemed to be sufficiently integrated into European structures for the EU to exert political leverage, political dialogue can be a forceful reminder of the necessity to observe minimum democratic standards and resolve conflict peacefully. Interestingly, this card was not played convincingly in the case of Cyprus. Generally, however, the promise of integration is a strong argument, at least in the EU's immediate neighbourhood of countries that aspire to become members, but loses appeal in problem countries that have no accession perspective.

Direct political dialogue and diplomacy by the EU attempt to appeal to the conflicting parties' self-interest, assuming that countries will comply in order to benefit from further assistance or preferential treatment by the EU. Engagement on the part of EU member states, either individually, expressing a common position or indeed joint EU action, hardly surpasses the traditional power diplomacy of carrots and sticks. Threatening the parties as opposed to helping them find solutions, however, can only help if threats are upheld and put into practice consistently. Not only does the EU lack a guiding framework for engagement in conflict generally, it also lacks a coherent approach to the conditionality of its assistance. Stronger interlocutors that do not comply with democratic standards, but are of strategic interest to the EU, such as Russia or China for instance, know how to shift the balance of power regardless of the substantial aid and assistance they receive annually. As the EU does not apply the reduction or suspension of assistance consistently, its perceived dependence on energy supplies or market shares can be easily interpreted as lack of confidence, making any threat meaningless.

Enforcing or forcing partnerships?

In addition to diplomatic engagement, the EU's initiatives to address conflict through dialogue and mediation are often triggered by special clauses in existing agreements on trade and development assistance. As such, EU initiatives tend to resemble an enforcement of a contractual relationship with clear incentives and sanctions as opposed to mediation seeking to reconcile the parties. The Cotonou Agreement, for instance, which covers Africa, the Caribbean and the Pacific region, includes specific democracy and human rights related clauses, which allow for a reduction of assistance and even suspension of relations and benefits in case of violation. However, these are considered to be extreme measures, and have been rarely applied and with limited success. For example, faced with gross violations of its principles in the run up to the elections in Zimbabwe in spring 2002, the EU

proved unable to take advantage of its power to threaten a reduction in assistance or to put in place targeted economic sanctions.

In as much as assistance to governments is not necessarily linked to the observance of human right standards, market access and trade benefits too, are not linked to the necessity of economic reform. EU strategies and agreements with specific countries set out goals, but do not define timeframes against which to measure progress and compliance, and the actual monitoring of essential clause obligations in partnership and association agreements is very limited.

Likewise, the commitment to strengthen multilateralism and to lend financial or technical support to the efforts of international and regional organisations, largely frees the support offered from scrutiny and impact analysis. Not only is much assistance money pooled through other organisations such as the UN or regional organisations, the EU also often relies on other membership organisations such as the OSCE or the Council of Europe for the implementation and monitoring, which in some circumstances is subject to approval by other, non-EU countries. OSCE implementation and reporting in the post-Soviet space faces this problem. In addition, the lack of clear criteria for project design and implementation makes it difficult to assess success.

In addition, assistance programmes and involvement in conflict situations hinge on consent of the government of the receiving country. While this acceptance could make an excellent case for the EU as mediator, it limits the opportunities for mediation in practice. A large proportion of today's conflict is internal rather than between states: Indonesia's Aceh province, the separatist regions of Georgia and Moldova, Kosovo, the insurgency in Somalia and even Turkey. Not only are many countries in conflict reluctant to accept guidance on how to conduct their internal strategies, but also the bias to engage governments risks sidelining the other conflict party as well as local reform and opposition movements.

Overall, the EU approach underlines the promotion of government directed political reform as a means for creating stability and containing crisis as opposed to encouraging governments to engage constructively with their opponents.

EU presence in conflict zones: EU Special Representatives (EUSR)⁵ and Envoys

The EU's presence on the ground or operational ESDP missions encompass not only post-conflict stabilisation through the strengthening of economic and political reform, but also military and police missions as part of interim arrangements that can temporarily substitute for local administrations. The EU runs different types of operations in the Balkans⁶, the Middle East⁷, and in Africa⁸, and has recently completed missions in the Caucasus⁹ and in Asia¹⁰. It is also present in Afghanistan and engages Iran on nuclear issues, and regularly cautions others not to resort to violence. In addition, the first monitoring missions have been completed, supervising the implementation of peace agreements, and offering good offices to assist in the interpretation of the parties' obligations.

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With regard to direct mediation efforts, the EU prefers to keep a low profile, and though the EU special representatives on the ground usually maintain contact with the parties, they tend to gather and disseminate information as opposed to playing an active role. While especially the presence of the European Commission Delegations and in some cases EUSR provide for immediate communication channels between Brussels and conflict zones, their activity on the ground often concentrates on observing, gathering information and offering follow-up assistance. EUSRs in particular seem to be well placed to conduct mediation efforts, but few have a mandate that specifically mentions the facilitation of a peace process or negotiations.

The EUSR for the Middle East Peace Process currently enjoys such an explicit mandate. In 2005 and 2006, the Commission appointed Marc Otte, who had been EUSR for the Middle East Process since 2003, to participate in the Quartet along with representatives from the US, the UN and Russia. It also provided financial as well as technical and drafting support to Quartet's Special Envoy for Disengagement, James Wolfensohn by seconding staff from Brussels. The process was supported by the EU Troika rallying support from other countries for the peace process through political dialogue. The need for peace in the Middle East, notably between Israel and the Palestinian Authority is an integral part of the EU country strategies and action plans for both countries. In addition to regular financial assistance for various programmes, the EU entertains a monitoring mission to oversee the implementation of the Israeli/Palestinian agreement on operation of the Rafah border crossing point between the Gaza Strip and Egypt. Nevertheless, the example of the Middle East also shows that in spite of EU efforts, individual EU member states often entertain separate efforts that are seldom coordinated properly, if not outright contradictory.

In addition to EUSRs, the Commission can deploy Special Envoys to assess the situation on the ground before deciding on a path of action. The EU's intervention in Timor Leste is interesting in this regard. In March 2006, the security situation in Dili deteriorated dramatically and forces from Australia, Portugal, New Zealand and Malaysia were deployed to contain the crisis. Miguel Amado was sent as an EU Special Envoy for a three week assessment mission, and on his recommendation, a €4 million stabilisation programme was initiated to support the national dialogue in Timor Leste in the run-up to the 2007 elections, and contribute to the efforts of the UN Integrated Mission (UNMIT) that had just been set up. In addition, the EU financed a high-level dialogue between Prime Minister Ramos Horta, the President of the Parliament, Francisco Guterres, the party leaders, the Commander of the Defence Forces, Taur Matan Ruak as well as representatives from the Catholic Church, which had been initiated by the Club of Madrid under the coordination of Former Latvian Prime Minister Valdis Birkavs.

Supporting conflict resolution and mediation efforts of other actors

As shown above, EU conflict resolution related measures are largely limited to intensified political dialogue within the framework of ongoing accession nego-

tiations or in the form of technical and implementation assistance. However, as the example of Timor Leste and the Middle East show, the possibility of direct support to conflict resolution efforts of other actors exists, and has been invoked frequently following the request of a country in conflict or by a high level, eminent personality mediator. Currently, such support is usually understood in financial terms, but can also include the deployment of advisors.

These measures too can only be applied where there is prior EU engagement with regular assistance programmes, or with the consent of the government. Unfortunately, this does not mean that the programmes already in place are sufficiently adapted to enhance the impact of crisis intervention. Also, as the EU does not seem to use the leverage its assistance programmes would offer to encourage a government to engage with its opponents constructively, the parties are seldom challenged.

In the case of Timor Leste, support was offered under the Rapid Reaction Mechanism (RRM), which used to be a special instrument in the hands of the Conflict Prevention and Crisis Management Unit in the Commission's Directorate for External Relations (DG Relex) to complement the regional long-term instruments and rapidly respond to emergencies or crisis.

As of January 2007, the RRM was by the Stability Instrument (SI)¹¹, which is now the most important instrument in dealing with conflict prevention, crisis management and conflict resolution efforts. It specifically includes support to "international and regional organisations, as well as state and non-state actors to facilitate a peaceful resolution of disputes, promote the reconciliation of the parties, including negotiation and mediation efforts and monitoring and implementation of peace or ceasefire agreement". In contrast to the repealed RRM, SI financing can exceed six months and is hoped to allow for adapting regular EU or EC run activities to such mediation initiatives.

The most prominent example to date is the support to the peace process in Aceh, Indonesia and the eventual deployment of the Aceh Monitoring Mission (AMM); not least because it demonstrated the complexity of the EU's foreign policy structures, and the extent to which personal engagement impacts the way available instruments are being applied. Following prior EU support to the monitoring and implementation of the 2002 Cessation of Hostilities Framework agreement between the Free Aceh Movement (GAM) and the government of the Republic of Indonesia, negotiations resumed in 2003 under the auspices of former Finnish President Martti Ahtisaari and his Crisis Management Initiative. Though not acting as a representative of the EU, Ahtisaari's process was largely funded under the RRM, and the peace agreement explicitly included provisions for an EU led monitoring mission to safeguard the implementation of the agreement. As the AMM included decommissioning tasks and the destruction of weapons, the Commission's offer to cover the costs via the RRM had been rejected to safeguard the Council's, and therefore member states' political prerogative for ESDP missions of a political sensitive nature or with military implications¹². From an institutional perspective, with no obligation to act, the case could have been dropped given the quarrel about

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financing and the need to react quickly. However, due to the close relationship to Ahtisaari and the strong personal commitment of Solana and other high level officials to push forward the EU's machinery, all available instruments – ranging from an initial monitoring presence to a technical assessment mission – were applied in such a way as to make it impossible to withdraw without exposing the EU's global ambitions.

The Aceh experience also underlines the EU's commitment to cooperate with regional organisation. Headed by Pieter Feith, Deputy Director General for politico-military affairs, the AMM relied on considerable contributions from ASEAN states (Brunei, Thailand, Malaysia, the Philippines and Singapore). Mediation support based on specific provisions for assisting in the prevention of conflict and conflict resolution efforts of regional and sub regional organisations such as ASEAN, the African Union, IGAD or ECOWAS through negotiation and mediation have been applied quite frequently. The African Peace Facility was created to help finance African Union led peacekeeping missions¹³.

The EU has also contributed financing to the IGAD and African Union peace efforts in Somalia since 2002, and has intensified its political dialogue with countries that are incidental to the conflict, such as Yemen, to discourage regional division on the issue. The current process is led by IGAD, but the EU acts as an observer, with Commission staff and advisors on the ground meeting with the parties to offer advice and exchange information. The activities are embedded in the Horn of Africa Strategy, which draws on the African Peace Facility. The process has been approved by the Council, which ensures access to political networks and decision makers, but is essentially run by the Commission.

Similar examples in Africa include support to the IGAD led peace process in Sudan in 2004, financial support to AU mediation efforts in the Central African Republic in 2002 as well as to the 2001 ECOWAS mediation efforts in Côte d'Ivoire, where the Commission financed the meetings between ECOWAS representatives and the parties and the setting up of a secretariat in Abidijan. Also, the mediation by Ketumile Masire, former President of Botswana, in the Democratic Republic of Congo in 2001 benefited from EU financing.

However, the bias towards individual states remains visible. For instance, only a fifth of the annual assistance to individual ASEAN countries is used to fund ASEAN projects. Determined to strengthen regional organisations and their capacity to resolve conflict, the EU nevertheless prioritises individual states in the scope of its financial assistance programmes. Arguably, the possibilities to ensure responsible spending are higher in a state setting, as many regional organisations are still developing, but given the state of many government administrations in conflict settings this advantage is questionable. Rather than supporting the necessary reform of such institutions and create incentives for regional cooperation, the EU continues to prioritise states.

Conclusions: the EU and conflict mediation in practice

The EU understands its external activity as to provide key enablers for peace and stability, as opposed to the EU itself actively and directly seeking to solve conflict through mediation. Overall, the role of the EU is largely that of mitigating the consequences of conflict, as well as creating the conditions for and supporting post-conflict development. These priorities of assistance and conflict prevention are relatively well established and unlikely to change radically. The current EU approach to conflict mediation can be summarised as follows:

- Commitment to support peace processes and mediation initiatives by others, including international and regional organisations;
- Prioritise efforts to stabilise fragile environments and quickly re-establish the conditions for reconstruction, rehabilitation and regular assistance. The assumption of such action is that the promise of long-term assistance will not only sustain peace processes financially, but also strengthen the commitment of the parties to an agreement;
- Action hinges on the receiving country's consent, and is based on prior engagement, e.g. via a partnership and association agreement;
- The Commission will also consider financing and supporting a mediation process if approached by a high level mediator that is accepted by all parties to the conflict; responsibility lies with the conflict prevention and crisis management unit in DG Relex;
- Preference for strong ad hoc eminent person initiatives, and for well defined mediation initiatives such as cease fire agreements. ■

Endnotes

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- 2 It comprises the Heads of the Member States, the Ministers for Foreign Affairs, the President of the European Commission and the Commissioner for External Relations, as well as the High Representative for CFSP.
- 3 In the case of ESDP missions, costs of deployment for instance lie where they fall. Therefore, the possibility of constructive abstention has been introduced so that member states do not have to block a decision to avoid involvement. Once a decision for joint action has been made, the details of its implementation may be decided on by qualified majority voting. Qualified majority voting weighs the votes in relation to the population size of a member state and subject to a majority of member states in favour of the proposal.
- 4 Alternatively, the troika, which includes the next Presidency and the High Representative for CFSP and sometimes the relevant Commissioner, can also fulfil this function.
- 5 The High Representative currently has nine Special Representatives on the ground: Torben Brylle has just replaced Pekka Havisto in Sudan; Pierre Morel in Central Asia; Erwan Fouéré in the Former Yugoslav Republic of Macedonia (FYROM), who is the only one that combines the position of EC Delegation Head with that of EUSR; Peter Semneby in the South Caucasus; Francisc Vendrell in Afghanistan; Kálmán Mizsei who is tasked to contribute to a peaceful settlement of Transnistria conflict in Moldova; Christian Schwarz-Schilling in Bosnia and Herzegovina; Marc Otte who is tasked to observe and support the Middle East Peace Process; and Roeland van de Geer who has recently been appointed to contribute where requested to the negotiation and implementation of cease fire agreements in the Great Lakes region. On occasion, Personal Representatives of the High Representative can be appointed. In 2006 Miroslav Lajčák was charged to facilitate negotiations among political factions in Montenegro in the run up to the referendum on independence.
- 6 Currently: EUFOR Althea, an EU military operation and EUPM, a police mission in Bosnia and Herzegovina, as well as a planning team in Kosovo to explore a future role in the rule of law sector.

- 7 Currently: EUPOL Copps, a police mission in the Palestinian Territories; EU BAM Rafah, a border assistance mission at Rafah crossing point in the Palestinian Territories; and Eujust LEX, and integrated rule of law mission for Iraq.
- 8 Currently: EUPOL Kinshasa, a police mission in the DRC; EUSEC DR Congo, a security sector reform mission; and EU support to AMIS II in Darfur.
- 9 Eujust Themis, a rule of law mission in Georgia.
- 10 Aceh Monitoring Mission (AMM), monitoring the implementation of the peace agreement, including decommissioning.
- 11 Along with the Stability Instrument, proposals for a Peacebuilding Partnership were raised. This component, which is still pending approval by European Parliament at the end of May, envisages a round table with a peace and mediation component. Under this component, organisations active in conflict mediation and peace processes could apply to become part of a rapidly deployable mediation support roster. There are also plans for a special mediation capacity building component, but this needs to be specified further and might still be rejected.
- 12 About two third of the required funds were eventually borne by the CFSP budget, whereas the remaining expenses were covered by willing member states, largely in kind.
- 13 The financing is limited to operational costs, and is not supposed to include armoury or ammunition.

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