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The EU's Involvement in Conflict Prevention – Strategy and Practice **by Reinhardt Rummel¹**

1. TAKE-OFF FOR EU CONFLICT PREVENTION?

The European Union is both a pioneer of and a latecomer in conflict prevention. It is a pioneer with regard to advancing the idea of conflict prevention among the European nation states. In fact, the main purpose of the fifty year old unification process in Europe was to bind France and Germany as well as other states of the continent together in order to ensure that they would not go to war again as in the centuries before. By pooling their sovereignty around a supranational core the Member States of the EU decided to entangle their future in commonly agreed rules and institutions and to invite other European states to join the enterprise. The union has grown to fifteen and will witness the accession of ten more members in 2004, increasing the population of the EU to almost half a billion.² Thus, European states have turned from a tradition of belligerency and repeated fighting to a culture of co-operation and peaceful conflict resolution among themselves.

Now that the European Project is so advanced, many wonder whether the European Union can reproduce such a success story beyond its borders. Here one can notice that the EU is also a latecomer to conflict prevention. Brussels is not yet well enough equipped to reliably assume such international security tasks. The EU's security policy pales in comparison with the Union's status as a world trade power, who has a weighty common currency, an environmental policy with clear contours and whose legal policy positions have proved to be enforceable. In addition, as one of the world's major donor organisations, the Union has

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² Already the announcement and the expectation of the enlargement of the EU is regarded as producing a moderating effect that reduces the inclination toward the use of force. See Reinhardt Rummel, 'Conflict Prevention in Central and Eastern Europe: Concepts and Policies of the European Union,' in Wolfgang Heinz (ed.), *Human Rights, Conflict Prevention and Conflict Resolution* (Brussels, 1996) pp. 51-78. See for the next enlargement round Antonio Missiroli, 'EU Enlargement and CFSP/ESDP', *25 European Integration* (2003) pp. 1-16.

obtained the image of a humanitarian superpower. Thus, the Union's weak record in managing conflicts, in defending itself and in establishing violence-free zones outside of Europe is all the more astonishing.

Policies such as the Common Foreign and Security Policy (CFSP) and the European Security and Defence Policy (ESDP) have been created in part to remedy the above-mentioned shortcomings. However, their creation has been more a formal than a substantial step forward. It remains uncertain whether the Franco-German plans for a European Security and Defence Union and the respective suggestions made at the European Convention for the Constitutional Treaty will substantially change the situation and give the Union a higher degree of independence. Furthermore, attempts to incorporate the concept of international conflict prevention into the Union have also been disappointing. In 2000/2001 the preventative approach was programmatically launched with much optimism and integrated in small operative steps into the Union's foreign, development and security policy activities. But neither have there been many instances of success nor has the EU's international standing changed. Finally, the 'partnership for global prevention,' announced during the Swedish presidency, has not yet materialised.

However, this does not necessarily mean that the direction of development is misguided. Rather, a global 'culture of conflict prevention' (Kofi Annan) is desirable, and the EU remains basically predestined to make a leading contribution. The EU could create for itself an unmistakable profile in this area and thus tip the international strategic scales' balance further towards Europe. The EU's tendencies and tasks allow it neither to remain a civil power nor to become a military superpower.³ Nevertheless, the EU must make its mark internationally. For this to happen, the EU and its Member States must become more decisively committed to preventive policy. Conflict prevention should be anchored in the new Constitutional Treaty as a goal and task, efficiency in decision making should be ensured through qualified majority voting, and actions should be supported by a foreign minister, who

³ Hans-Georg Ehrhart, 'What model for CFSP?' *Chaillot Paper; No.55* (Paris, European Union Institute for Security Studies 2002).

has the right of initiative, along with the ability and the necessary staff to carry out actions.⁴ When this happens, prevention will no longer simply be a label of European foreign and security policy, indeed prevention will then move forward to become the Union's trademark. But is Brussels really moving in this direction? Will EU conflict prevention take off? For the time being the EU is considering preventive engagement rather than practising it. The EU will have to raise the stakes and shift to more risk-taking policies if it really wants to make an impact.

2. CONSIDERING PREVENTIVE ENGAGEMENT

Despite its well accepted plausibility the concept of conflict prevention remains at the margins of the EU's external relations and CFSP. Technically, some rhetoric, goals and measures of prevention have been introduced but the subject has not yet been politically mainstreamed. The concept of prevention has not yet been internalised by EU policy makers. Conflict prevention is not a (let alone *the*) dominant strategic approach. To the extent that proactive activities are launched under the heading of conflict prevention, they are driven by missed opportunities, by financial considerations, and by competition among major actors inside and outside the EU.

2.1. Driven by opportunities missed: Too big to opt out

Today's EU approach to conflict prevention dates back to two main sources. One is connected to developments in the mid-1990s when the EU witnessed mass killings in regions like the Western Balkans as well as in sub-Saharan Africa. Although these conflicts had been recognised as critical cases before they truly ignited, the international community, including the EU and its Member States, did not intervene early enough to avoid genocide and massive

⁴ For detailed policy recommendations see EPLO position paper on the European Convention and Conflict Prevention. 'Building conflict prevention into the future of Europe.' / European Peacebuilding Liaison Office. - Brussels: EPLO, 2002. - <http://www.eplo.org/convpaperfin.doc>. For a detailed discussion of possible priorities for the various Council Presidents see: 'Towards a coherent EU conflict prevention policy in Africa.' Challenges for the Belgian presidency. Conference report and policy recommendations - 17 September 2001, Brussels. / European Peacebuilding Liaison Office in co-operation with the Heinrich Böll Foundation. - Brussels: ISIS Europe, 2001. - <http://www.international-alert.org/pdf/pubII/EPLOconfreport.pdf>, 'Putting conflict prevention into practice.' Priorities of the Spanish and Danish EU presidencies 2002. / Oxfam (and others) in association with the European Platform for Conflict Prevention and Transformation and the European Peace-building Liaison Office (EPLO), 2002. - <http://www.international-alert.org/pdf/pubII/eupres2002.PDF>, and 'Ensuring progress in the prevention of violent conflict.' Priorities for the Greek and Italian EU presidencies 2003. / Saferworld; International Alert. - London, 2003. - <http://www.saferworld.org.uk/Presidency%20rep.pdf>.

destruction. The other development that acted as an impetus to the current EU approach towards conflict prevention is more recent and stems from the EU's experience both in the Kosovo war and after September 11, when Washington dominated international crisis management to such an extent that the Europeans had no choice but to follow the lead of the United States. In the most recent case of Iraq, Washington did not manage to get all the Europeans on board, but, here too, the US created a situation within which – this time after the war – the Europeans seemed to have no option but to join America in rebuilding law and order in the country.

An evaluation of the events that took place since the early 1990s made the EU and its Member States feel that, had they only acted earlier, they could have made a difference by reducing the large scale of human suffering. Likewise, they could have protected their investments in foreign and development aid, which were eventually wiped out within days or weeks by civil war and transborder fighting. It was decided that the human and the material cost of doing 'too little too late' required a change in the EU's approach to the developing world as well as to the states in transition in the Balkans, in Eastern Europe, and in the former Soviet Union.

The opportunities missed in Kosovo to stop the escalation of the conflict between the Serbs and the Albanians and the subsequent military intervention including the heavy bombing of Serbia made the Europeans think twice. It is difficult to see how a European civilian approach could have changed Mr. Milosevic's mind, just as it is inconceivable how an EU policy could have neutralised the Bin Laden driven terrorism or could have driven Saddam Hussein from his authoritarian throne. But European capitals and publics were deeply concerned by the course of these three events, which all led to massive military responses carried out primarily by the United States.

The failure of the United States to obtain a UN mandate for the invasion of Iraq is symptomatic of the aversion that certain EU Member States feel towards simply rubber-stamping American military action. America's decision to proceed anyway reinforced the pre-existing notion in Europe that another approach to crisis management was necessary. This view also prevails in those European Capitals that had opted to support Washington's military approach. Hence the logical conclusion was made that the EU must act earlier, in more forceful, and in better targeted, ways. Brussels was encouraged in these conclusions by the wider debate on the international stage, particularly on the level of the G-8 nations and within

the UN.⁵ These bodies advocated a shift in emphasis from crisis management and postwar reconstruction to early action and the prevention of violent conflict.

One could see this change in policy in its embryonic stage, far before the Iraq crisis began, when looking at various policy papers written by those responsible for EU foreign policy. Shortly after the end of the Kosovo war, the heads of state and government assigned the Presidency, the Secretary-General of the Council/High Representative of CFSP (SG/HR) and the European Commission the task of developing a comprehensive conflict prevention policy. As a result, three policy papers were published in short succession:

- *Joint report* of the SG/HR and of the EU Commissioner for Foreign Relations (November 2000)⁶
- *Communication* of the European Commission on Conflict Prevention (April 2001)⁷
- *EU Programme* for the Prevention of Violent Conflicts (June 2001), passed by the European Council during the Swedish EU presidency.⁸

Although each of these papers looked at conflict prevention from a different perspective, certain themes – such as efficient institutional co-operation, a need to strengthen the available instruments, and the involvement of Member States – were prevalent.⁹

After recognising the new strategy that has developed in the Union, it is important to determine to what extent the EU is capable of taking action. What are its constraints and what remains unknown. As mentioned above, the Union is not a superpower in the real sense of the word, and must therefore determine where and how it can most effectively intervene. Thus, those responsible within the Union have the task of selecting from the list of conflicts, those that are most relevant for the EU and then deciding what approach should be taken. For example, an intranational and potentially violent conflict such as that in Algeria demands a different approach than the increasing number of long-term regional conflicts (such as in Central Africa) or the growing situations of postwar support (such as in Kosovo). At the same time, it does not suffice to devote the Union's attention to single critical countries; as long as

⁵ *Brahimi Report*, UN, New York 2000 (http://www.un.org/peace/reports/peace_operations/).

⁶ See Joint Report of the Commission and the Council of 30 November 2000 on Improving the Coherence and Effectiveness of European Union Action in the Field of Conflict Prevention (Doc. No. 14088/00).

⁷ European Commission Communication of April 2001 concerning conflict prevention, COM (2001) 211 final. http://europa.eu.int/comm/external_relations/cfsp/news/com2001_211_en.pdf.

⁸ Swedish Ministry of Foreign Affairs, *EU Programme for the Prevention of Violent Conflicts*, Stockholm, June 2001. Art. No. UD 01.038 <http://www.utrikes.regeringen.se/prefak/files/EUprogramme.pdf>.

⁹ See, in particular, the chapters by S. Duke and J. Niño-Perez in this volume for a more detailed discussion of the various contributions.

'violence-prone' areas are expanding the so-called new risks are increasing on a global dimension, and the exact sources of the most dangerous forms of international terrorism remain diffuse. The EU needs a broader strategy.

In Brussels, the choice of means is undertaken according to Member States' interests and their ability to push through these interests at the EU level, which cannot always be generically determined. Only when confronted with a concrete situation will it become evident in how far the European actors feel affected, to what degree they want to become involved and what efforts they are actually capable of making. As is always the case, the ability to move forward on integration is dependent upon the Member States' political will.

In addition to the Member States however, one must also recognise how the agenda and priorities of the EU are often compelled by external circumstances. These circumstances include such diverse factors as the dramatic situation in the conflict area itself, media influences, campaigns of non-governmental actors and inquiries to 'Europe' by third parties, which the Brussels institutions and some of the more influential EU capitals cannot ignore. Furthermore, global (UN, World Bank) and regional (OSCE, Council of Europe) organisations to which the EU itself belongs force the EU's hand, and that includes pressure on the part of the U.S.A. and other close partners. They all assume that the EU has a potentially strong intervention capability and can thus make a major European contribution to help alleviate international violent conflicts. Because of the numerous expectations, Brussels is relieved of the task of setting its own agenda, for the agenda is already overly full. Adhering to this agenda allows the EU to increase its efficiency while pleasing third parties.

Finally, it becomes noticeable when considering conflict prevention activities that the Union's foreign and security policy is still in an initial and experimental phase. Thus topics on the EU agenda and what happens to them often (inadvertently) become test cases for Europeans' political unanimity, their decisiveness of action, their material independence and the professional execution. For some time, the area of conflict prevention¹⁰ has been developing and is being tested as a new area of European security policy. What have the EU and its Member States set out to accomplish and how far do their ambitions reach?¹¹ These

¹⁰ In this study the term conflict prevention refers to efforts to restrain and prevent violent conflicts, before, during and/or after the outbreak of combat. According to this definition preventive policy is carried out through military and/or non-military means. Furthermore, conflict prevention is distinguished from the term crisis management which is used here so as to include military activities during the war-like phase of a conflict. In EU political practice, this distinction is not consistently used. Even if an EU action is primarily devoted to conflict prevention, it is often described (inaccurately) as crisis management. Military actions classifiable as *pre-emptive strikes* belong in their own category of conflict policy which for the purposes of this article is considered neither as conflict prevention nor as crisis management.

¹¹ For a detailed answer to this question, see Arzu Hatakoy, 'Konfliktprävention und Krisenmanagement in der Europäischen Union', *Aktuelle SWP-Dokumentation, Reihe D, No. 27* (2002).

questions are not only of empirical interest. As such diverse events as the forced regime change in Iraq and the debate in the European Convention demonstrate, the EU's image and influence in the rest of the world are at stake: **Brussels cannot opt out.**

2.2. Financial motivation: protecting the EU's investments

Contrary to common wisdom, conflict prevention is expensive, at least in all those cases where structural prevention is required and certainly in those cases where one wants to be sure that conflict prevention is successful. Is the EU prepared to accept that conflict prevention policy requires 'double' funding: first, for the build-up of those preventive capacities that the EU still lacks, and, second, for running the agenda of day-to-day cases of prevention. Looking at the huge cobweb of financial relations which the EU has built up over the last decades, it seems that both the money and the procedures are in place to support extensive policies of EU conflict prevention.

As the 2001 Report of the European Commission points out, financial assistance to third countries is one of the central components of the Union's external action, alongside trade policy and political dialogue.¹² It is thus an important tool for promoting the fundamental values of the EU and for meeting the global challenges of the twenty-first century, such as conflict prevention and peace building. Brussels is one of the major actors in international co-operation and development assistance, donating just over 8 billion EUR per year since 2001 (see the Overview 'External Action and Pre-accession Aid Budget'). Protecting that investment is an additional motivation for the European Union to be involved in conflict prevention, and in part, it counteracts the huge cost of involvement. Referring to Table 1 below, one can see that the vast majority of the External Action and Pre-accession Aid Budget is dedicated to regional co-operation and assistance, while a little less than a fourth of the Budget is reserved for food and humanitarian aid or other more general co-operation measures, such as the European initiative for democracy and human rights. Another interesting perspective that can be gained by looking at the chart is the fact that more than a third of the entire Budget is allotted to the Pre-accession strategy and aid. Resolving problems in those countries that may one day be members of the Union takes priority. Finally, the further away a region is from Europe, the less that region obtains in aid. In reality, the reverse should be true, given that the costs of stabilisation grow with the distance from Brussels.

¹² Commission Report of 17 September 2002 on the Implementation of the European Commission's External Assistance (Doc. No. 12104/02). This document brings together for the first time all the actions taken within the

Just like other international donors the EU is faced with the challenge of increasing the quality, focus, and impact of its financial assistance throughout the world. This challenge, along with the new focus on conflict prevention, is the main reason why the Commission launched a fundamental reform of its external assistance in 2001. This included concentrating development assistance on a limited number of priority areas with the overriding objectives of poverty reduction in developing countries worldwide and better integration of the partner countries into the global economy. In parallel, the Commission embarked on an ambitious programme of measures to make significant improvements in the quality and the timely delivery of projects while ensuring robust financial management. This reform has been driven further to include security policy goals in EU programmes.

Table 1: External Action and Pre-accession Aid Budget

External Action	Amount (Million EURO)		
	2001	2002	2003
Action defined by geographical area			
Pre-accession strategy	3 240.0	3 328.0	3 386.0
Pre-accession aid (Mediterranean Countries)	19.0	21.0	174.0
Co-operation with the Balkans	839.0	765.0	684.6
Co-operation with Mediterranean third countries and the Middle East	896.3	861.3	753.9
Assistance to partner countries in Eastern Europe and Central Asia	469.3	473.9	507.4
Co-operation with Asia	446.0	488.0	562.5
Co-operation with Latin America	336.3	346.7	337.0
Co-operation with southern Africa and South Africa	122.0	124.8	127.0
Food aid and humanitarian aid operations			
Food aid and support operations	455.0	455.0	425.6
Humanitarian aid	473.0	441.8	441.7
General Co-operation Measures			
Other co-operation measures	389.5	419.6	505.5
International fisheries agreements	273.4	193.2	192.5

framework of the different external aid programmes of the Commission in 2000, except pre-accession instruments, macro-financial aid, CFSP and the Rapid Reaction Mechanism.

External aspects of certain Community policies	71.8	78.7	79.9
European initiative for democracy and human rights	102.0	104.0	106.0
Reserve for administrative expenditure			4.4
CFSP (Common Foreign and Security Policy)	36.0	30.0	47.5
Total	8168.7	8 131.0	8 335.4

Source: EU Budget 2001, 2002 and 2003

Late in 2001 the Commission adopted a Communication which proposes to improve the procedures for funding civilian crisis management under the CFSP. The Commission aimed to circumvent the financial constraints and procedural obstacles to CFSP operations by establishing a new flexibility instrument for funding civilian crisis interventions and facilitating recourse to the current emergency reserve. In parallel, an inter-institutional agreement was concluded with the Budgetary Authority regarding three categories of crisis management operations that can be financed by the EU:

- Operations carried out in the framework of a Community instrument under the first pillar (mine-sweeping, emergency civilian aid, civil protection aid, human rights, strengthening institutions, election observation missions, food aid, rebuilding infrastructure and economic aid);
- CFSP operations without any military or defence implications that are funded from the CFSP budget line (the Council decides on common action and the budget, while the Commission makes commitments, signs contracts and releases funds); and
- CFSP operations with military or defence implications that do not fall under the EU budget (like the deployment of the Rapid Reaction Force).

The Commission concluded that the budgetary procedures applying to CFSP operations are too cumbersome and that the CFSP budget would be insufficient if the EU were to decide to extend, for example, the surveillance mission in the Balkans or to launch a huge policing operation. The Commission suggested to the Council the use of a new crisis flexibility instrument which makes it possible to mobilise funds even when there is no budget latitude left and, more importantly, without having to change the Financial Perspectives in the framework of the habitual Community budget. Thus, it tried to counter the option being examined by the Council (which had the support of a range of Member States) of funding civilian CFSP operations in a crisis situation through a new *ad hoc* fund having recourse to funding from the Member States.

Funding via Member States may appear attractive, but it raises a number of questions:

- the Treaty does not cover the issue of how such a fund would be managed and controlled (unless it were managed by the Commission, like the European Development Fund);
- the lack of parliamentary control would raise serious doubts concerning the obligation to be accountable for the breakdown of responsibility between the two branches of the Budgetary Authority; and
- an *ad hoc* fund outside the regular budget might be seen as a way of getting round the normal budget procedures.

The Commission demonstrated that even if the funding of such operations from the existing budget procedure has been over-bureaucratic in the past, the Community's budget remains the best way to fund operations because it is the best way of ensuring good governance and transparency and the coherence of the EU's actions under both the CFSP and the Community itself.¹³ The question of financing may at first appear minute and simply a matter of bureaucratic reshuffling, but it is actually a matter of how projects should best be organised internally, so that they are efficient and well targeted externally.

In fact, good financial governance may well drive the EU's conflict prevention strategy and future agenda. Budget constraints are likely to raise more fundamental questions regarding alternative spending. EU governments may invest in de-escalation measures rather than crisis intervention or postwar reconstruction. They may want to launch prevention policies as a protection against capital loss of aid in case of civil war and devastation in developing countries.

2.3. Stimulated by competition – Inside and outside the Union

To have more influence in the day-to-day developments in conflict areas, however, the EU must expand its sphere of influence beyond that of humanitarian and financial assistance. This will prove more complicated than one would hope. The complexity of the EU's conflict prevention policy was alluded to earlier, when both the interest of the Member States and that of external actors were cited as sources of influence for the EU's conflict prevention policy. Co-ordinating both internally and externally is a difficult assignment, and one that the Communitarian institutions of the Union have not yet been able to fulfil.

¹³ Antonio Missiroli, 'Euros for ESDP: financing EU operations', *Occasional Paper 45*, (EU Institute of Security Studies 2003).

To date, the developments in conflict prevention constitute a noteworthy expansion of the intergovernmental structures within the EU and thus more responsibility for Member States. The Communitarian institutions, the Commission and Parliament seem to have missed the opportunity to develop more strongly their positions in the new areas of conflict prevention and crisis management. Telling is the development of the High Representative's role, as his function could have been interpreted and shaped as Communitarian. Instead, due to the lack of support from the common foreign and development policy, *Javier Solana* oriented himself towards the Council committees, the foreign ministers and the presidency rather than towards the Commission and Parliament.¹⁴ This institutional shift has had positive effects on the EU's visibility and its will to act, but this runs to the detriment of wide political acceptance and the Europe-wide democratic legitimisation of the often cost-intensive and politically controversial EU interventions.¹⁵

The EU needs to take its fate into its own hands, but it does so only to a limited extent. The EU is aware of this deficiency, but sometimes hides behind the alleged lacking willingness to integrate on the part of some Member States. One can also observe finger-pointing among the EU internal actors, both at the EU level between institutions and between the European and Member State levels. No wonder that the EU is being pressured from the outside to take more initiative and shoulder more responsibility and burdens in this field of external relations.

The Belgian and Spanish presidencies have not noticeably furthered the conflict prevention dossier of the Swedish presidency. Madrid's annual report on EU conflict prevention, presented in June 2002 in Seville, is flimsy.¹⁶ The Danish presidency, too, did not contribute much, and the Greek presidency did not seem to do any better.¹⁷ Both Commission

¹⁴ Solana refutes the broad assessment that his office will lead directly to an expansion of intergovernmental structures in the EU: '... the function of the High Representative, whose conventional description as 'intergovernmental' is, in my view simplistic, and simply wrong.' See: Address of Javier Solana to the External Action Working Group of the Convention of 15 October 2002, p. 9. (Convention Doc. No. S0186/02) http://europa.eu.int/futurum/documents/speech/sp151002_en.pdf

¹⁵ 'The shifting of key responsibilities to the CFSP sector suffers from the serious drawback that these areas of policy are largely outside of the control of Europe's citizens: the European Parliament has effective mechanisms of control available for dealing with the EU Commission, but in the CFSP domain it has only consultative rights and no say in decision-making. Up to now, the degree of accountability and control, which security and military policy have been subject to, has been minimal - restricted, in fact, to the domain of budget proposals. The democratic deficit must be made good.' Tobias Debiel and Martina Fischer, *Crisis Prevention and Conflict management by the European Union*, (Berlin, Berghof Report No. 4, 2000).

¹⁶ See: Presidency Conclusions, Seville European Council, 21 and 22 June 2002. Press Release: Seville (24/10/2002) No. 13463/02; Implementation of the EU Programme for the Prevention of Violent Conflicts, Press Release: Brussels (18/6/2002) No. 9991/02; Presidency Report on European Security and Defence Policy Press Release: Brussels (22/6/2002) No. 10160/2/02. <http://ue.eu.int/en/info/eurocouncil/>

¹⁷ See: Presidency Conclusions, Thessaloniki European Council - 19 and 20 June 2003, Press Release: Thessaloniki (20/6/2003). No. 11638/03 <http://ue.eu.int/en/info/eurocouncil/>

representatives and the Council administration bemoan the Member States' hesitant attitude, their lack of consensus and political will. It has been claimed that the effectiveness of EU initiatives, especially prevention measures, has been decisively weakened.¹⁸

The shift of the main prevention activities from communitarian policies to CFSP/ESDP gives the Member States a larger share of the responsibility and the burden. They do not yet rise to the occasion. Recently, some have worked at making progress on their own, single state prevention policy.¹⁹ But it is those Member States which have not yet declared the prevention of violent conflicts a foreign, security and development policy priority which present a problem. Their participation in improving conflict prevention policy at the EU level leaves much to be desired. They have no understanding whatsoever of the policy area, they have shown a lack of commitment in the wake of several critical cases, and they do not support EU institutions in the new and difficult field.

However, one must recognise that a certain reorientation has occurred. Some Member States have taken the Göteborg Appeal seriously and have allocated funds of their own for conflict prevention (Belgium, France, Austria, Italy, Spain), others have increased existing budgets (Great Britain, the Netherlands, Germany, Sweden, Finland). Although individual Member States have done more for their prevention policy, this change is hardly noticeable at the EU level, except in the building of ESDP capacities.²⁰ Not enough momentum has been built to overcome the EU's various structural weaknesses (finance volume, HR/Commission relationship, the use of military/non-military instruments, and points of intersection with the international community).

How can Member States be moved to assume more collective responsibility? Political will certainly cannot be forced through majority decisions in the Council, even though this path –especially in the light of an enlarged EU – should be widened wherever possible. It is more likely, however, that progress can be expected through an increased participation of

¹⁸ In its report, the Commission repeatedly refers to the Member States' obligation (loc. cit. 11). Commissioner Nielson supported this view in a speech delivered in London. 'We cannot have a High Representative on the basis of a low common denominator. The 'C' in CFSP stands for 'Common' not 'Convenient'. A main obstacle to a credible European contribution to conflict prevention are the barely co-ordinated views expressed by member states. I would not be honest with you if I did not point to this obvious lack of political will in member states to accommodate the unity in messages which is absolutely crucial to the credibility of Europe's common foreign policy.' (Speech by Mr Poul Nielson, European Commissioner for Development Co-operation and Humanitarian Aid. *Building Credibility: The Role of European Development Policy in preventing conflicts* Foreign Policy Centre London, 8 February 2001). The HR articulates similar sentiments: 'Efficient structures, access to suitable resources, institutional clarity count little in the absence of real political will on the part of our Member States.' (Address of Javier Solana, loc. cit. n. 14, p. 5).

¹⁹ See Luc van de Goor/Martina Huber (eds.), *Mainstreaming conflict prevention. Concept and practice*. SWP-Conflict Prevention Network (Berlin, SWP-CPN 2001).

²⁰ For a closer look at the matter see Reinhardt Rummel, 'From Weakness to Power with ESDP?' *7 European Foreign Affairs Review* (2002), pp. 453-471.

national representatives in the decision and implementation process in Brussels. That means that the foreign and security policy tasks will be fulfilled more and more on a European and less on a national level. That would fit with the ideas discussed in the European Convention and partly represented in the draft EU Constitution, namely the establishment of a foreign policy bureaucracy within the Council as a quasi-EU Foreign Ministry in conjunction with the aforementioned combination of the functions of the External Relations Commissioner and the HR.

As long as the EU and its Members States are not able to take conflict prevention initiatives or conduct them autonomously, the co-operation with Third Countries and international organisations offers a solution. But such partnerships do not come about by themselves, unless the EU restricts itself to financially supporting other actors' measures. Rather, the overriding experience has been that the various actors in conflict prevention are active without any co-ordination among each other. They co-ordinate neither the development of prevention strategies nor their execution.²¹ Concerted action can most likely be found among declarations of intent. The EU runs into international competition when trying to raise its international status.

The EU has supported the UN Secretary-General and participated in the dialogue with representatives of the UN system. This dialogue has been encouraged during the last decade primarily with the international financial institutions (World Bank, IMF), but has also always dwindled again. Reasons can be found on both sides. Currently it does not seem like the HR or the Commission will be able to sustain and substantiate this dialogue. This is to a large extent, but not entirely, a question of external representation and of the international legal personality of the EU – an issue that was rightfully taken up at the Convention and is evident in the draft EU Constitution. The international financial institutions are partially not capable of prevention because their bylaws explicitly forbid them from intervening in political conflicts, leaving them to concentrate on reconstruction.

On a positive note, the EU has successfully used the G8, in which the EU is represented several-fold (four Member States, presidency, Commission) as a forum for the definition and promotion of the preventative concept, but also for concrete issues (small firearms control, the diamond trade, child soldiers, etc.). Thanks primarily to the EU

²¹ The heads of state and government have realised ever since passing the European Programme that the EU must seek co-operation with other international actors: 'The EU must build and sustain mutually reinforcing and effective partnerships for prevention with the UN, the OSCE and other international and regional organisations as well as civil society. Increased co-operation is needed at all levels, from early warning and analysis to action and evaluation. Field co-ordination is of particular importance. EU action should be guided by principles of value added and comparative advantage.' (European Programme, loc. cit. 7, p. 10).

representatives, the G8 heads of state and government present new initiatives year by year (from Okinawa to Genoa, from Kananaskis to Evian) reminding those in power that worldwide conflict prevention needs improvement, emphasising the role of the UN Charter and advocating the sustainable strengthening of democracy, human rights and the rule of law. Although the G8 regularly goes through the agenda of the most important regional crises, there was little inclination on the part of the participating EU Member States and the Commission to give the group an operative conflict prevention task.²²

In the EU dialogue with regional organisations modest progress has been made, especially within Europe (OSCE, Council of Europe) and in terms of experience exchange and training. Less successful is the attempt to institutionalise an EU-NATO dialogue which, in addition to crisis management tasks, could also address questions of mutual support during prevention operations. Maybe the new Berlin-Plus-Agreement will change this. On the other hand, there are already existing forms of pragmatic co-operation in the field (Western Balkans). Whether the EU's intent to strengthen the prevention capabilities of regional (ASEAN, SARC, AU) and sub-regional (SADCC, ECOWAS, IGAD) organisations with an expandable mandate for conflict prevention can be realised, seems questionable for the time being.

Nevertheless, this direction of increasing local actors' own responsibility in the conflict areas should be supported wholeheartedly. One should not expect miracles from these efforts, especially not in terms of directly taking weight off the EU's shoulders. The HR and the Commission have tried beyond the state level to intensify contact with relevant NGOs, academic institutions and the private sector to promote the cause of conflict prevention. This has been most successful with NGOs, which were assigned tasks within EuropeAid projects including contacts with non-governmental organisations and groups in the conflict region. A similarly close relationship with the private sector and the academic world has not materialised.²³

The improvement of EU bodies in jointly tackling the task of conflict prevention is only a relative progress. The historically ingrained dysfunctional institutional structures are too deep-rooted as that one policy area could make them more flexible. The Member States are reluctant to give up competencies and capabilities to Brussels, but do not take over

²² R. Rummel, 'Advancing the EU's conflict prevention policy', in John J. Kirton and Radoslava N. Stefanova (eds.), *Conflict Prevention: G8, United Nations, and EU Governance* (Aldershot 2004), pp. 224-255. See also the chapter by John Kirton in this volume.

²³ The European NGOs specialising in conflict prevention formed the European Peacebuilding Liaison Office (EPLO) in Brussels in the year 2000 for lobbying and to serve as a contact for the EU institutions. EPLO itself has not yet intervened in conflict regions to support local NGOs there or to assume prevention tasks themselves.

themselves. The EU and its Member States have a wide range of international partners, but the co-operation is sporadic and cannot be concentrated strategically. Among EU institutions and among international actors we still find complacency and competition rather than commitment and co-operation that characterises conflict prevention policies. Which preventive achievements can be realised under these circumstances?

3. PRACTISING CONFLICT PREVENTION

Since its programmes were announced in 2000/2001, all foreign, security and development policy activities of the EU have been under the heading of conflict prevention. The official catalogue of tasks with the express objective of prevention is discussed at the beginning of each new presidency. The list is compiled by the Policy Unit with the help of Council bodies, the Commission and the Member States. Ex post these topics appear in the presidency's annual report, augmented with conclusions for the further development of the EU's prevention policy. The topic list is treated confidentially for good reason, even though conclusions can be made from current EU activities to the operative agendas.

This helps one to obtain an idea of the extent and ambition of EU activities from a variety of sources, such as Council meeting agendas, missions from HR Javier Solana, the introduction of country strategy papers by the Commission and the official reports and hearings of the European Parliament on foreign policy issues.²⁴ The parliamentary controlling activities, including budgetary debates, offer hints about the effectiveness of EU policy. These need also to include field reports and research analyses in order to assess the contribution of EU measures to the reduction of violent conflicts. Such an evaluative analysis would necessitate extensive investigations which cannot be conducted within the framework of this article. Instead, an overview of recent EU activity concerning acute, regional, and structural cases should help to make a preliminary assessment.²⁵

3.1. Immediate reward: Rapid Reaction Mechanism

²⁴ For a detailed account of some concrete EU prevention activities, see Renata Dwan, in *SIPRI Yearbook* (Stockholm, 2002). For a description of the range of EU conflict prevention activities, see also Reinhardt Rummel, 'EU-Friedenspolitik durch Konfliktprävention: Erfahrungen mit dem Conflict Prevention Network (CPN)', in Peter Schlotter (ed.), *Macht-Europa-Frieden*, Band 30 AFK-Friedensschriften (Hamburg 2003), pp. 178-211.

²⁵ The evaluation of the effects of preventive activities is a difficult task. Neither scholars nor practitioners have been able to develop satisfactory approaches. For an overview of approaches from an EU perspective see Michael Lund/Guenola Rasmøelina (eds.), 'The Impact of Conflict Prevention – Cases, Measures, Assessment', in *CPN Yearbook 1999/2000* (Baden-Baden, Nomos 2000).

When the first efforts of conflict prevention were mounted on the ground, it soon became apparent that the EU did not so much suffer from a lack of funding as from the red tape involved in accessing it as well as the unavailability of qualified intervention personnel. As *Chris Patten* phrased it: ‘The important thing about conflict prevention is that it should be quick and effective, and I repeat the word ‘quick’.’²⁶ Already in December 1999, the European Council of Helsinki assigned the Commission the task of setting up a framework for immediate action. Quite some time later, in February 2001, the General Council accepted an agreement for such an immediate action fund. Since then, the Rapid Reaction Mechanism (RRM) has been used both for necessary immediate action in acute crisis situations (such as in Macedonia in late 2001) and for start-up financing for programmes needing more long-term follow-up measures (such as in Afghanistan in early 2002 and in Central Asia in July 2003). RRM provides quickly accessible funds to help alleviate crisis situations (like in Nepal in August 2002) as well as to support peace initiatives (such as in Congo-Brazzaville and Sri Lanka in 2003).

Since its launching in 2001, RRM has been deployed in numerous situations around the globe. In its first year, RRM was deployed on a total of four occasions, that number more than doubled in 2002 and will again be amply used in 2003 (see Table 2 ‘Deployment of RRM in 2001-2003’). RRM measures should contribute to creating specific conditions to ensure greater success for EU prevention policy and its co-operation and development programmes.²⁷ The edge that RRM has over the previously deployed EU instruments lies in its quick and flexible deployment which allows it to react to tense situations immediately before, during and after crises occur. Or as Commissioner *Patten* emphasised: ‘In times of urgent needs we cannot anymore afford the luxury to be bogged down by bureaucratic constraints and deliver Community instruments with unnecessary delays.’²⁸ RRM can be deployed worldwide and – in combination with other measures – it can be tailored to the demands of a specific crisis situation. The EU and especially the Commission, which administers the fund, are now in a better starting position. Not only can they act quickly by

²⁶ Chris Patten, Remarks made in the European Parliament, Brussels, 17 January 2001. http://europa.eu.int/comm/external_relations/news/patten/rrf_17_01_01.htm.

²⁷ Potential areas of intervention: alleviation of financial crises, human rights work, election monitoring, institution-building, support of independent media, border security, humanitarian aid, clearing landmines, police force training, providing police equipment, emergency aid, reconstruction measures, resettlement, conflict mediation.

²⁸ European Commission, Council adopts Rapid Reaction Mechanism, Press Information, 26 February 2001. http://europa.eu.int/comm/external_relations/cfsp/news/ip_01_255.htm In response to Council Regulation (EC) No. 381/2001 of 26 February 2001 creating a rapid-reaction mechanism, *OJEC* [2001] L 57/5.

avoiding bureaucratic hurdles, they can also make their other traditional instruments more effective.

However, the financial resources are still modest. The total budget for RRM in 2001 was EUR 20 million, of which 18 million were actually spent. The yearly budget was increased to EUR 25 million in 2002 and will remain at this level until 2006. The main purpose of the funds will be to enable quick stabilising measures to be undertaken, usually preceding longer-term aid measures. The concert of RRM and of reconstruction efforts (as in the case of Sri Lanka) promises to become a successful pattern of response.

It is important to distinguish between the application area of RRM and the humanitarian aid guidelines of the EU. Intervention on the basis of RRM occurs with the objective of maintaining and rebuilding social structures necessary for political, social and economic stability. While ECHO, the European Commission Humanitarian Office, is politically neutral, RRM acts in crises situations and pursues specific political goals. Thus the EU does not merely continue in its well-established role as a donor organisation; instead, it, too, becomes a 'player' expressing an interest in shaping the situation. In addition to this politicisation of RRM, the 'Secrecy Code,' which could possibly impede access to written documents concerning 'military or non-military crisis management operations,' causes some to question the level of transparency of RRM-sponsored measures.²⁹ Yet those who initially worked on the concept shared this fear: 'There is a need for maximum transparency in all matters concerning the implementation of the Community's financial assistance as well as proper control of the use of appropriations.'³⁰ This discrepancy is undoubtedly one of the disadvantages of the acceleration process for RRM interventions, but is it a cause for concern?

The EU has not yet undertaken a systematic evaluation of its interventions, thus making it difficult to assess the performance of the Rapid Reaction Mechanism. The Spanish presidency's statements about EU conflict prevention policy are hesitant and even concede that not all EU efforts were successful.³¹ Yet this is far from damning. A true evaluation should be undertaken to determine how effective current EU action is and how it can be improved. Until then, providing the EU with the opportunity to gain experience with this mechanism seems appropriate. Within very tight financial restraints the EU can and should be able to test its ability to respond (early warning plus early action). If the experiences are positive, an increase of funds could be taken into consideration, and, possibly, the SG/HR

²⁹ Jane Backhurst, 'The Rapid Reaction Facility: good news for those in crisis?' *World Vision* <http://www.oneworld.org/voice/jane2b.html>.

³⁰ Council Regulation No. 381/2001, *OJEC* [2001] L 57/5.

³¹ Spanish Presidency Report on Implementation of the EU Programme for the Prevention of Violent Conflicts,

could then be given direct access to the fund as the European Convention and the draft EU Constitution suggest.

Table 2: Deployment of RRM from 2001 to 2003

Time period	Target region	Objectives and measures taken	Costs
August 2001	Macedonia	Programme of trust-building measures Reconstruction of houses destroyed in combat in the regions near Tetovo and Skopska Crna Gora	€2.5 Mil.
October 2001	Macedonia	Programme of trust-building measures to support Ohrid Agreement <ul style="list-style-type: none"> - Improving the infrastructure - Clearing landmines - Other trust-building measures on the civil society level and in the media - Reform of public administration and support of police reform 	€10.3 Mil.
2001	Democratic Republic of Congo	<ul style="list-style-type: none"> - Facilitating inter-Congolese dialogue - Measures to support the reintegration of child soldiers - Support of independent media - Other trust-building measures 	€2.0 Mil.
December 2001	Afghanistan	Programme for initiating the political, social and economic reconstruction of Afghanistan <ul style="list-style-type: none"> - Technical assistance to enable the interim administration to begin work - Support of United Nations efforts, especially those of Special Representative Brahimi - Landmine clearing, support of independent media, support of civil society in Pakistan - Contribution to the preparation of the donor nation conference in Brussels (20./21. December 2001) 	€4.9 Mil.

		- Identification of further possible measures in Afghanistan and neighbouring countries	
January 2002	Nepal	Financing an evaluation mission to ascertain possibilities of short and long-term conflict prevention strategies	€2.5 Mil.
Early 2002	Papua New Guinea, Solomon Islands, Fiji Islands	Financing an evaluation mission to ascertain possibilities of short and long-term conflict prevention strategies	
May 2002	Sri Lanka	Financing an evaluation mission to ascertain possibilities of RRM aid in the peace process	
April 2002	Afghanistan	Financing a series of studies (secure nourishment, gender relations and equality, urban reconstruction, education and governance) to gain up-to-date and in-depth knowledge about the situation in Afghanistan and to develop a strategy for peace consolidation	
October 2002	Indonesia	- Supporting Indonesia in the war against terrorism - Financing a group of experts	
April 2002	Afghanistan	Technical assistance to support the interim administration in its anti-drug policies and strengthen law enforceability	€0.5 Mil.
May 2002	Afghanistan	Promoting public support of the Afghani interim administration - Technical assistance for Afghani authorities for the co-ordination of support (AACA) - Strengthening the role of the Afghani interim administration in big cities - Support of print media - Financial contribution for civilian tasks carried out by ISAF (reconstruction of vital infrastructure)	€5.9 Mil.

May 2002	Horn of Africa	Support of the peace initiatives in the Horn of Africa <ul style="list-style-type: none"> - Financing the conference on Somalia's future - Contribution to the UN fund for border demarcation between Eritrea and Ethiopia - Landmine clearing in the Nuba mountains in Sudan 	€2.6 Mil.
June 2002	Palestinian Authority	Emergency aid to restore administrative capacities of the Palestinian Authority which is to guarantee the implementation of other EU programmes	€5.0 Mil.
August 2002	Nepal	Alleviation of effects incurred by the current conflict on the long-term EU aid programmes <ul style="list-style-type: none"> - Promoting local mediation efforts in Midwest Nepal - Sustenance of marginalised social groups in the Midwest and Terai - Guaranteeing access of groups affected by conflict to objective information broadcasting and cable radio 	€0.615 Mil.
September 2002	Sri Lanka	Financing measures to implement key provisions of the cease-fire and to build trust in the peace process <ul style="list-style-type: none"> - Reconstruction of infrastructure - Financial contribution to the peace secretariat - Support of measures of the human rights secretariat 	€1.8 Mil.
December 2002	Indonesia	Support for the implementation of the peace agreement between the Government of Indonesia and the Free Aceh Movement (GAM): financing of up to 50 international peace monitors for a period of six months.	€2.3 Mil.
December 2002	Central African	Support to the mediation efforts of the African Union (AU) in the Central African Republic:	€0.4 Mil.

	Republic (CAR)	- Funding for an AU special envoy and for setting up an AU liaison office in Bangui for a period of six months.	
April 2003	Congo-Brazzaville	Disarmament, demobilisation and reintegration (DDR) of the so-called Ninja Rebels in the Republic of Congo after the signing of a cease-fire agreement between the rebels and the government in March 2003.	€0.713 Mil.
June 2003	Sri Lanka	Support of the peace process: <ul style="list-style-type: none"> - Support for the monitoring of the Cease Fire Agreement - Rehabilitation of electricity lines at the northern checkpoints to improve movement of people between the former conflict zones - Support for the Peace Secretariat in order to facilitate the dissemination of information concerning developments related to the peace process to key stakeholders and the population. - A contribution of €2.35 million to the North East Reconstruction Fund. 	€3.27 Mil.
June 2003	Liberia	Funding for the immediate launching of comprehensive Round-table discussions on Liberia with the former Nigerian President Gen. Abdulsalami Abubakar acting as mediator. The main goal of these discussions is to initiate a comprehensive peace process including a cease-fire agreement.	€0.390 Mil.
July 2003	Central Asia	- To 'kick start' the first phase of the EC's borders management in Central Asia programme (BOMCA) - To contribute to the police assistance programme in Kyrgyzstan, which was set up by the OSCE.	€2.5 Mil.

3.2. Regional prevention activities: building local ownership

As the Overview shows, the lion's share of prevention cases dealt with by the EU were intranational conflicts with escalatory tendencies, possibly expanding to neighbouring states. For an example thereof one should note the EU intervention in Kosovo and in Montenegro, to save the Western Balkans from an expansion of the conflict. Without the conflict containment in Macedonia (including the EU-led mission Concordia), possibly the entire Balkans would have turned into a war zone. South Ossetia, Abchasia, Nagorny Kharabach and Javakhetia appeared to pose similar dangers for the Caucasus region. By intervening in the Fergana valley, the EU tried to prevent an expansion of violent conflicts in Central Asia.

For the same motives, the EU is engaged in the Democratic Republic of Congo (including the EU-led mission Arthémis in 2003), and in Ethiopia, in order to not allow the Great Lakes region or the Horn of Africa to be sucked entirely into the conflicts' vortex. By contrast, this fate looms over Western Africa, where EU efforts in Nigeria, Liberia and Côte d'Ivoire have remained without any notable success. Acute cases of violent escalation such as Angola, Zimbabwe and Aceh were on the EU's prevention list as were regions where co-operative structures and democracy were being developed in order to inhibit the use of violence as a means for particular groups to assert their interests. In some cases, the necessity for acute prevention fell together with the necessity for long-term stabilisation, especially in Afghanistan and in Iraq³² (after the military intervention), in the Western Balkans (stability pact) and in the Middle East (Palestine). The EU's goal is to participate in the stabilisation process of the country and to counter local violent conflicts early on (*post-conflict conflict prevention*).³³

³² In the case of Iraq, the EU's support for the stabilisation process is more conditional than was the case for Afghanistan, with very much depending upon the final draft of a possible UN Resolution. See <http://www.un.org/apps/news/infocusRel.asp?infocusID=50&Body=Iraq&Body1=inspect#> for the most recent developments in the UN.

³³ In this context, a statement made by Commissioner Patten in the aftermath of September 11th is telling: 'We can and should aim to facilitate a political settlement and having facilitated it we then walk away. We have to make sure that a better government which will emerge from that sad embittered country will be able to count on the long-term support of the international community to rebuild in the ruin of the medieval ferocity which has been unleashed on Afghanistan for the last few years.' In European Commission Statement on the Situation in Afghanistan, 2 October 2001. On 13 December 2001, the Commission decided a financial package of EURO 4.9 Million as a RRM to begin the political, economic and social (re)construction in Afghanistan and affected neighbour states. In the spring of 2002, EU representatives in Afghanistan were faced with the task of sensibly using EUR 200 million collected from different programmes. The funds were allocated for reconstruction

The EU's influence seems to be greatest if the country of intervention has some justifiable hope of joining the EU one day. That is certainly the case in the Western Balkans, and this can especially be seen in Macedonia, where the distant hope of future EU membership was paired with well developed prevention and crisis management.³⁴

Case Study: Macedonia

When ethnic Albanian rebels attacked a Tetovo police station in January 2001, it became clear that the country could expect even more serious ethnic conflicts than was previously indicated by its struggles for independence in 1991 and the shadow of heavy fighting in the neighbourhood. Between February and August 2001, Macedonia became embroiled in escalating violent conflict between the ethnic Albanian extremists (UCK) and regular Macedonian troops. The conflict began with local skirmishes before growing to civil war proportions. Together with other actors, the EU contributed to stopping the escalation and introducing a process of stabilisation. Most of the instruments, procedures and infrastructure that Brussels had developed for crisis prevention was used here.

As a more in-depth analysis of the EU's function in the Macedonia conflict shows, the EU, thanks to Solana and his staff, could for the first time assume both in Brussels and in the field decisive co-ordinating and mediation tasks.³⁵ Supported by a special envoy and equipped with a flexible mandate from the Member States, Solana was able to assert the EU's authority towards the conflicting parties and in its co-operation with other actors, especially NATO and the U.S.A. Weaknesses of earlier prevention attempts were also overcome in this case. Via RRM, immediate action resources were available. There was the necessary co-ordination between the short-term diplomatic missions of the Council and the long-term economic-financial measures of the European Commission. The HR and the responsible member of the European Commission worked well together and developed a joint policy, which maintained a clear

programmes and the support of social networks to prevent fighting from breaking out again and to dry out a source of international terrorism.

³⁴ See Marie-Janine Calic, 'The EU and the Balkans: From Association to Membership?' *SWP Comments* (7 May 2003).

³⁵ For a detailed account of the preventive operation in Macedonia see Ulrich Schneckener, 'Theory and Practice of European Crisis management: Test Case Macedonia', in 1 *European Yearbook of Minority Issues* (2001/2), pp. 131-154.

division of labour, where Solana acted as crisis manager and Patten provided the structural and diplomatic support. The prospect of joining a region of prosperity, stability and balanced interests was an important element of reassurance for all conflict parties, especially during the escalation phase and the uncertain period during the implementation of the Ohrid agreement. It was a blessing for all concerned that Brussels had already initiated the stabilisation and association process for Southeastern Europe (including Macedonia) back in early 1999 and that the EU representation in Skopje had been elevated to the status of permanent delegation of the European Commission in March 2000. The continuous support of this rapprochement and elevation process in parallel with the critical developments in Macedonia was highly effective. In June 2000, the European Council emphasised in Santa Maria da Feira that the EU was still striving for the broadest possible integration of that region's countries into the European economy and political structure and confirmed that 'all the countries concerned are potential candidates for EU membership.'

After the negotiations were closed at the Zagreb summit in November 2000, the Stability and Association Agreement (SAA) as well as an interim agreement were decided on in Luxembourg in April 2001. The interim agreement allowed the trade and trade-related passages of SAA to go into effect as of June 2001. On 3 October 2001, the European Commission decided to implement a trust-building programme in Macedonia with the help of RRM. The primary goal of this programme allocated with EUR 10.3 million was to offer quick support for the guidelines accompanying the Ohrid Agreement, which was signed on 13 August 2001 by the most important political leaders in the government coalition. It was imperative to support the agreement immediately in order to reduce interethnic tension and prevent an escalation of the conflict or it spreading to neighbouring regions. The package was subject to all the constitutional additions being ratified and a new law concerning local administration passed.³⁶

The NATO engagement helped the conflicting parties overcome daunting obstacles in a similar fashion, that is by disarming the UCK, securing the borders to neighbouring states and maintaining law and order. The EU's co-operation with

³⁶ Source and further information: http://europa.eu.int/comm/external_relations/see/news/ip01_1368.htm

other multilateral organisations, primarily NATO, but also the OSCE and the World Bank was just as significant during the critical phase of the conflict as the access to EU subsidy measures. While in many prevention cases not even the exchange of information between the involved international institutions is guaranteed, in the case of Macedonia, there was a basis of a common assessment of the situation and a consensus of goals. The co-operation and joint appearances of HR Solana and NATO General Secretary Robertson in the field contributed to urging the conflicting parties to accept compromise, especially in military matters. The concerted action of the World Bank and other donor organisations can be assessed similarly. In all of these cases, the influence potential of the EU was increased through conditioned offers to the conflicting parties.

The lessons learned from postwar situations in Bosnia and Kosovo could also be applied by the EU to the preventive activities in Macedonia: an important prerequisite for successful intervention is that the international actors have a coherent concept, co-ordinate their efforts and use their respective strengths in a division of labour.³⁷ Finally, a 'lead agency' which takes the initiative and keeps the process going seems to be indispensable.

However, conditions like those in Macedonia probably cannot be found or created easily in other situations. The EU realistically accepts that there are many intranational violent conflicts which are not easily accessible from the outside. The situations in Chechnya and Tibet are among them, but also the warlike conflicts in parts of India or the archaic situation in North Korea and Algeria. In some of those difficult cases the EU has tried either to use pressure or give incentives in order to make governments shift toward more peaceful ways of solving local conflict. Individual states have been warned against reverting back to civil war (Vietnam), taking repressive measures too far (Myanmar) or repressing self-determination rights of ethnic groups with violence (Indonesia). In other cases the EU has threatened to introduce sanctions (Zimbabwe) or to discontinue contractual relations (Iran). All of this has been done with no convincing immediate success, but with the hope of obtaining incremental influence over time.

³⁷ 'The Macedonian crisis ... showed that the EU has to act in concert with other actors, most notably with NATO, the OSCE and the US. Without these combined efforts which significantly increased the external pressure upon the local parties, the settlement and the implementation of the agreement would not have been possible. Here again, the course of the crisis highlighted the serious dangers if these actors are not willing to co-operate, to share information and resources as well as to develop a common platform for action.' Ulrich Schneekener, 'Developing and Applying EU Crisis Management - Test Case Macedonia', *European Centre for Minority Issues*, Working Paper 14 (Flensburg 2002), p. 37.

With the instrument of group dialogue, the EU has forged a path that is also viable for conflict prevention, but this path has of yet been little travelled. The ASEAN countries also see themselves as a security policy group, but they have not yet internalised the concept of prevention. The EU's recommendation is that experiences gained in the OSCE could bring about progress here. The trade and co-operation treaty between the EU and the Andean Group has been restricted to economic goals for too long without addressing the privatisation of violence and the influence of the drug Mafia. Non-state violence and drug Mafia power are neither restricted to Colombia nor the Andes region. The EU, usually craving the blessing of regional co-operation, has not fully used this instrument for prevention purposes. Yet the regional approach to conflict prevention seems to be a valuable one as it can combine both the geographical and the functional approach.

3.3. Functional prevention activities: building international regimes

As when dealing with regional prevention cases, the EU approaches horizontal tasks by concentrating on a few selected areas. In these cases, it is more difficult to determine the degree of success. It may already be considered a success that the EU best recognises the common causes of individual instances of violent escalation and the factors regularly responsible for the outbreak of civil wars, the proliferation of militant rebellion and repression and that in some regions, these phenomena cannot be stopped. The EU devotes itself less systematically here to fighting the root causes than it does when dealing with local and regional conflicts. This is indicated by the fact that there is no urgent agenda at the presidency level for horizontal issues. Nevertheless, EU activities in this field are both quantitatively and qualitatively quite impressive. They should be seen as the functional correlation to the list of individual conflict cases (see above).

The list of functional problem areas that the EU has recently devoted itself to includes: the scarcity of certain resources (land, fuel, water), inequalities of economic distribution (relative poverty, social injustices, underdevelopment), illicit trade (in human beings, drugs, diamonds, arms), child soldiers, money laundering, *war entrepreneurs* and international terrorism. Escalatory conflict factors as determined by the EU include insufficient rights of ethnic and religious minorities, the weakness of government systems and the dominance of non-democratic, often quasi-military leadership elites. In addition to the most notorious outbreak factors for armed conflicts, such as the treatment of refugees and the clarification of

border disputes, the EU has also included little discussed developments like the privatisation of violence as an issue for preventive measures.

The EU rightly assumes that these horizontal factors cannot be combated only on a regional level but must be dealt with globally. There are a number of plausible explanations for this. Beyond merely treating the symptoms that arise in conflict areas, it is desirable to bring about sustainable changes specifically in the structure of the governments, in the society and furthermore in the conflicting parties' attitudes. Without such a frame of reference, it would be impossible to obtain support from such international organisations as the World Bank. However, influencing the dynamics of the local conflict area alone is not enough; in order to achieve long-term reorientation, the immediate environment of the region must be addressed. Some basic causes of conflict are understandable simply on a larger scale and not reducible to local phenomena. And combating conflict causes on a case by case basis is not always efficient and should be complemented by legal-structural measures (international regimes). But experience and knowledge gained from individual cases can be used to generally improve the EU's prevention policy.

Standards have been set for dealing with subjects like the rule of law, good governance, illicit trade (in human beings, drugs, weapons, precious metals, diamonds, among others), and child soldiers. The Kimberley Accord on the diamond trade and the Small Arms Convention³⁸ have allowed us to learn lessons in reducing the destabilising and escalation effects of trade. More sensitive is the trade in enriched uranium or biological and chemical substances, which can be used – possibly by terrorists or unauthorised governments – to produce weapons of mass destruction. The strengthening of non-proliferation regimes (including missile capability) has recently been moved to the top of the EU's agenda.³⁹

Case Study: Small Arms Regimes

A typical horizontal task is regulating the proliferation of small arms, and the EU is intensively committed to this task. Unlike arms control regimes which largely originated in the Cold War era, there is no long-standing tradition of contractual commitment and verification for controlling small arms ('micro-disarmament'). Possession and use of small arms can traditionally be traced to non-governmental

³⁸ Joint Action 1999/34/CFSP of 17 December 1998 adopted by the Council on the basis of Article J.3 of the Treaty on European Union on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons, *OJEC* [1999] L 9/1.

³⁹ Council of the European Union 10 June 2003 regarding the Basic Principles for an EU Strategy against Proliferation of Weapons of Mass Destruction, No. 10352/03. In addition see the Action Plan for the implementation of the Basic Principles 13 June 2003 No. 10354/1/03.

actors who use them for illegal deals, criminal purposes or for some sort of political motivation. They contribute to the destabilisation of entire regions and can, in special cases, be the decisive factor for the violent escalation of political conflicts, as seen by the armament of the UCK in Macedonia. On the other hand, small arms in the hands of state security bodies can be important prerequisites to enforce law and to create domestic security. Where these elements are absent, there is the danger that citizens will resort to self-defence and want to use weapons of their own.

A series of guidelines and decisions of the EU Council as well as countless reports of the European Commission and resolutions of the European Parliament have addressed the uncontrolled trade of small arms for many years.⁴⁰ The EU as a whole has taken the lead in the fight against the destructive effects of the small arms trade, for example with the code of conduct⁴¹ for export to Third Countries, (already passed in 1998), and with a Joint Action of the Council of Ministers,⁴² which declares war on the destabilising proliferation and agglomeration of small arms. In terms of prevention policy, the small arms trade is named in the *Joint Report* as a central, long-term priority (see Paragraph 19).

These activities have made the EU one of the most active members of the UN Conference on small arms and light weapons⁴³; thanks to the Joint Action, the EU could assume a clear and well-defined position. The EU is striving for legally binding measures which would allow export control criteria, the labelling and

⁴⁰ Second Annual Report on the implementation of the EU Joint Action of 12 July 2002 on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons (2002/589/CFSP) and repealing Joint Action 1999/34/CFSP, and the EU Programme on illicit trafficking in conventional arms of June 1997 (8 October 2002). The Rt. Hon Chris Patten, Commissioner for External Relations: Commission statement on arms exports, European Parliament - Plenary session Strasbourg, 2 October 2001. Gary Titley, Report on the Council's Third Annual Report according to Operative Provision 8 of the European Union Code of Conduct on Arms Exports (European Parliament, Committee on Foreign Affairs, Human Rights, Common Security and Defence Policy), 10 September 2002.

⁴¹ European Union Code of Conduct on Arms Exports 5 June 1998 No: 8675/2/98 REV 2: http://ue.eu.int/pesc/ExportCTRL/en/8675_2_98_en.pdf.

⁴² Joint Action 1999/34/CFSP of 17 December 1998 adopted by the Council on the basis of Article J.3 of the Treaty on European Union on the European Union's contribution to combating the destabilising accumulation and spread of small arms and light weapons, *OJEC* [1999] L 9/1.

⁴³ Herbert Wulf, 'Kleinwaffen - die Massenvernichtungswaffen unserer Zeit. Die Bemühungen der Vereinten Nationen um Mikroabrüstung.' - In 49 *Vereinte Nationen* No. 5 (2001) pp. 174-178. United Nations Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects. New York, 9-20 July 2001 <http://disarmament.un.org/cab/smallarms/>

search for arms as well as information exchange, and these measures would take into consideration ways and means to prevent overproduction and other market controlling measures. Brussels is pushing for a continuation of the activities initiated at the UN Conference. In the EU's view, the import and customs sectors in conflict-prone countries deserve special attention as trade, also small arms trade, can be best regulated from there. The EU has concentrated on critical countries and regions in order to enforce control based upon UN and OSCE standards as well as its own code of conduct. In Bosnia, one of the most efficient EU programmes has devoted itself to establishing the Customs and Fiscal Assistance Office (CAFAO), not least to keep the uncontrolled flow of small arms better in check. Despite the positive examples, it has become clear that the internal obstacles within the EU still present an even bigger problem.

Experiences from such initiatives at functional conflict prevention have also proven valuable for all other horizontal activities. Part of the lessons learnt is the sober fact that the good intentions connected with conflict prevention may turn out to be untrue or may lead – in some cases – to a negative impact. Even the panacea of democratic development⁴⁴ must be re-evaluated in terms of whether it does not actually accentuate the conflicting parties' antagonisms towards each other instead of leading them towards peaceful competition. Similarly, the effect of the media in conflicts can be ambivalent; at times it can glorify violence, but also, as independent sources of information, it can guarantee transparency. It can dangerously exaggerate ethnic differences but also foster dialogue between different ethnic groups. Even more critical is the question, or even unspoken reproach, that the EU's development policy could itself contribute to the escalation of local conflicts. The notorious incompetence of local partners gives birth to the justified fear that Brussels could inadvertently help anchor repressive structures in certain countries because of the necessity of co-operating with whoever is in power. That is why the issues of good governance and the emphasis of participatory politics are increasingly significant.

Pitfalls and deficiencies of the above-mentioned kind are not only limited to functional conflict prevention. It must be assumed that they occur in cases of acute and regional preventative activities as well. This is not a motivating environment. Disillusionment must be

⁴⁴ This is not the place to evaluate individual human rights or other programmes. But it is necessary to mention at least in passing that some of these programmes have become alarmingly reduced to rote, assembly-line activities. The often cited example of Brussels' praised first measure for the democratisation of Congo – the purchase of several hundred ballot boxes – is no exaggeration. Naturally, a group of merchants has emerged,

considered as a limiting factor when planning to extend investments in conflict prevention. It would be wrong to conclude that prevention does not work, rather the lessons should be used to do better and to improve the record. Prevention is a profession with a long learning curve.

4. RAISING THE STAKES AND MAKING USE OF THE UNION'S ASSETS

As the results of the first phase of targeted prevention activities show, the EU is still in the infant stages of a learning process in terms of a systematic and successful conflict prevention policy. Although it has introduced the concept of conflict prevention into all its institutions and was able to shorten the span from conflict warning to early action, the measures taken and their actual effects remain modest. Either the measures were taken in geographical proximity (the Balkans) or they affected horizontal issues of a limited range (small arms code of conduct). An intensive examination of each case and topic that the EU has dealt with in the context of conflict prevention could help the EU to more selectively widen the arsenal of conflict prevention instruments and to develop a more efficient prevention strategy in the future.

The rather chequered balance sheet could also be due to the fact that it is simply too early, and the fruits of the most recent reforms still have to grow before progress is more recognisable. On the other hand, it cannot be denied that introduced internal changes are too weak for a number of reasons to consistently retool the EU as a conflict prevention actor and prepare it for an internationally significant role. The creation of capabilities, procedural agreement, joint declarations and actions of the Fifteen are already hailed as successes. The actual effects of these achievements in the conflict areas themselves are a different story. Indeed, the EU shies away from the difficult violent conflicts (such as Chechnya) or curbing the proliferation of weapons of mass destruction (as in North Korea).

It seems that the arsenal of motivation which drives the EU to run more ambitious conflict prevention activities is not strong enough to allow for wider risk taking and to focus more on the outcome than on the output of its policies. From the start, the EU has set its sights on a lower level of addressing international conflict. Brussels did not aspire to the role of a leading power in the area of conflict prevention. It seems driven by the restrictions of its operative options rather than by the strategic reach of its responsibilities. The Union talks abundantly about its particular assets, but it forgets to use them.