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ENHANCING EU IMPACT ON CONFLICT PREVENTION

International Alert – Saferworld Submission on the European Commission's

"COMMUNICATION ON THE PARTICIPATION OF NON-STATE ACTORS IN EC DEVELOPMENT POLICY"

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Enhancing the role of non-state actors in conflict-sensitive development

Co-operation with other actors and with stakeholders in a conflict situation is needed in order to achieve sustainable processes and a high degree of ownership.
Implementation of the EU Programme for the Prevention of Violent Conflicts, June 2002

The EU has made significant progress in acknowledging the importance of establishing effective partnerships with civil society through, for example, the involvement of Non-State Actors (NSAs)[1] within the ACP-EU Cotonou Partnership and under the MEDA programme. Based on the recognition that "ownership of strategies by the partner countries is the key to the success of development policies", the Council/Commission *Policy Statement on the EC's Development Policy* (20/11/2000) and the Commission's *Communication on the Participation of Non-State Actors in EC Development Policy* (07/11/2002) have strengthened these processes by aiming to "clarify expectations and inform the debate with partner countries".

This progress is welcome, however, the *Communication on the Participation of Non-State Actors in EC Development Policy* neglects the important contribution and role that non-state actors with a conflict prevention focus can make to sustainable peace and development as well as the particular sensitivity required when engaging non-state actors in conflict affected areas. Greater emphasis and understanding of how development processes impact, and are impacted by, conflict dynamics, would both strengthen the debate, and ultimately improve the effectiveness of EC policy. Lack of explicit acknowledgement of NSAs important role, or policy guidance on how in could be effectively utilised is a significant omission that needs to be addressed.

A. Conflict-Sensitive Development: The Role of Non-State Actors

Development policy and other co-operation provide the most powerful instruments at the Community's disposal for treating the root causes of conflict. Communication from the Commission on Conflict Prevention, 2001

Why conflict-sensitive development?

Poverty reduction now forms a central objective of European Community development policy. Prevention and management of armed conflict is central to this objective and is a key element of poverty reduction strategies. A wide range of EU and EC policy, including development policy has acknowledged the particular necessity to address and prioritise conflict prevention.[2] Armed conflict has become one of the most prevalent causes of poverty in many parts on the world, in particular the regions of Sub-Saharan Africa. It has become even more pertinent in recent years as many of the countries that the EC provides development and humanitarian assistance are suffering from, or at risk of destructive violent conflict. In these areas, the costs of conflict are disproportionately borne by the poor and marginalised. Conflict denies populations (particularly those which are displaced) their basic rights through weakened safety nets and loss of livelihoods. At a macro level, conflicts undermine the development prospects of states through a decline in state capacity in areas affected by conflict, a

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[1] The ACP-EU Cotonou Partnership agreement defines Non State Actors (NSAs) as those in the private sector, economic and social partners, including trade union oranisations; and civil society in all its forms according to national characteristics. It adds that; 'recognition by the parties of non-governmental actors shall depend on the extent to which they address the needs of the population, on their specific competencies and whether they are organised and managed democratically and transparently.
[2] *Implementation of the EU Programme for the Prevention of Violent Conflicts*, Seville European Council, June 2002, *Development Council Conclusions on Countries in Conflict*, May 2002, *Council Conclusions on Conflict Prevention*, July 2001, *EU Programme for the Prevention of Violent Conflict*, Gothenburg European Council, June 2001*, Communication form the Commission on Conflict Prevention*, April 2001. For a fuller inventory see, *Ensuring Progress in the Prevention of Violent Conflict: Priorities for the Greek & Italian Presidencies 2003* (Saferworld & International Alert), April 2003.

shrinking revenue base and diversion of funds to the security sector. Destruction of infrastructure through conflict further undermines economic performance and access to markets.[3] Furthermore, conflict and poverty can become mutually reinforcing, whereby the existence of poverty can present a key conflict risk. This is most likely to happen where poverty is combined with social and political factors such as unequal wealth distribution and access to resources, the marginalisation of one sector of the population and the availability of small arms. EC Development policy that was sensitive and responsive to conflict dynamics, and therefore minimised possible negative impacts and maximised possible positive impact would make an important contribution to sustainable development. This contribution would not only be to strengthen the strategic and political goals of the European Union but also personal well-being of millions of the most vulnerable in the world.

Why non-state actor engagement?
Non-state actors that are legitimate and representative have an important role in preventing violent conflict, crisis management and peace-building. NGOs, grass-root organisations, cultural organisations, human rights associations, women's associations, youth organisations, indigenous people's representatives, trade unions, religious organisations, local businesses in conflict countries and the media can ensure that national and international policies are designed and implemented in ways that are sensitive to conflict risks and the prevailing political, and socio-economic environment. Foreign investing companies and private sector actors contracted into implementing development policy also have a role to play. Evidence suggests, however, that there is as yet an insufficient understanding across the European Commission as to the different role non-state actors can play in (as development partners and specifically in conflict prevention, and of the mechanisms and strategies for engaging non-state actors in conflict prone and affected countries. For example, the current Commission programming guidelines and *Communication on Conflict Prevention* provide little concrete guidance in this respect. This is especially important when engaging non-state actors in development programming and policy dialogue in politically fragile environments. The **"**Communication on the Participation of Non-State Actors in EC Development Policy" can therefore play an important role in this respect by both clarifying the different roles of different non-state actors and mainstreaming the participation of non-state actors across the EU development process in pursuit of specific and over-arching peace and sustainable development goals.

B. Mainstreaming conflict prevention into the "Communication on the Participation of Non-State Actors in EC Development Policy"

Analysis & Recommendations:

Section 1.2: Definitions

Page 6: "Sectors of intervention"
A key aspect for mainstreaming conflict prevention in participatory development policy is clarity of definition of the issues, the actors and the nature of their role. The role of actors as partners for delivering sustainable peace and development must, therefore, be explicitly included in the definitions used in the Communication.

- RECOMMENDATION: Conflict prevention, including a definition of the EC's use of the term, should be incorporated into the "sectors of intervention" (p.6) in which NSA's are involved.

Page 5: "NSAs as profit/non-profit-making"
The Communication is also unclear with regard to the definition of NSAs as profit or non-profit-making. On the one hand, the Communication includes private sector associations and business organisations as NSAs, on the other, the Communication defines NSAs are "non-profit making organisations". Under this definition, the Communication excludes different types of private sector actor as actors (other than with regard to its participation in the development dialogue and policy implementation). However the private sector can in different ways make an important contribution to conflict-sensitive development.

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[3] For an inventory of the effects of conflict on poverty see, *The Causes of Conflict in Sub-Saharan Africa*, appendix 4, DFID, October 2001

The link between the private sector (including foreign investing companies and local businesses in conflict zones) and violent conflict is becoming an issue of growing importance to multi-lateral institutions, governments, civil society and businesses alike. The different types of both positive and negative relationships therefore need to be considered when addressing development issues both in terms of the link between the business community (as NSAs) and development-conflict, and the link between the private sector and other civil society actors in these processes. EU policy to promote corporate social resopnsiblity among European companies operating abroad is framed in terms of their contribution to sustainable development through this voluntary means – but this is not reflected in the Communication. Meanwhile, as investment of EC development resources into supporting private sector initiatives increases, (examples such as supporting Small to Medium Enterprise development or microfinance for IDPs, and larger scale post-war economic recovery) consideration of the links between local business actors and conflict / peace becomes more important. And, the role that companies can play in directly implementing development policy goals through outsourcing and contracting also warrants consideration in this regard.

- RECOMMENDATION: Clarify the different role of different types of private sector actor in participating in EC development policy and explicitly include these within the definition of NSAs (p.5). This needs to be carried through across the Communication which veers between recognising and overlooking the role of private sector actors throughout.

Page 5: "NSAs as humanitarian aid implementers or development partners".
While the importance of the continuum between relief and development through "the increased co-ordination with all players" is acknowledged in the Communication, the nexus between relief, development, crisis management and conflict prevention is not recognised as an integral aspect of building long term, sustainable development. This omission in itself is highly problematic, given that the fact that it is within conflict-affected areas that the continuum between relief and development is most pertinent, and the role of conflict prevention and non-state actors is often the most crucial.

- RECOMMENDATION: In line with the Communication from the Commission on Conflict Prevention, 2001, the linkages between development, humanitarian response and conflict prevention must be made explicit in the section: "NSAs as humanitarian aid implementers or development partners" (p.5).

Page 6: "Development co-operation process from the NSA perspective".
There appears a gap in the process of how the "relevant authorities" are informed and make decisions on which NSAs should participate in informing and implementing EC co-operation objectives. The assumption cannot be made, for example, that this will include a conflict or gender-sensitive approach to the selection process, or that the actors selected are legitimate and/or representative.

RECOMMENDATIONS:

- Ensure that the criteria for identification and engagement of non-state actors, particularly those affected by conflict, are clear and developed as transparently as possible with civil society engaged at all stages. This process can be used as a key vehicle for building confidence between the state and non-state actors.

- As exclusive rather than inclusive approaches are likely to feed conflict and unsound policy it is important to ensure that civil society actors engaged in development cooperation are drawn from a broad range of organisations, both modern and traditional, from a broad geographical area (i.e. not simply the capital city) and from across the political spectrum (including marginalised groups).

- Ensure that non-state actors with a specific research and policy insight on conflict prevention and peace-building inform national development objectives, country support strategies and the programming process. Organisations currently undertaking this role are weak and need their capacity and skills invested in and supported.

Section 1.3. Practices by instrument and by region

1.3.1. Humanitarian aid
EU instruments available are wide-ranging, including humanitarian aid, trade and private business investment, conflict prevention and peacebuilding. This range of instruments is, however, not well reflected in the Communication - humanitarian aid is, for example, the predominant instrument referred to (see section 1.3.1, p.7).

Where reference has been made to the role of non-state actors and civil society organisations in conflict prevention, the activities referred to do not move beyond track II diplomacy (see p.9). This excludes the important advocacy and monitoring role, and participation in track I conflict resolution and reconciliation processes, NGOs and other civil society actors play nationally and internationally in promoting/monitoring good governance, human rights, equitable economic policy, and the perspectives of marginalised groups. In addition there are a complementary range of other activities fulfilled by non-state actors such as offering research and analysis and advice on the possible impact of development interventions on conflict and peace, the training in conflict resolution skills of a wide range of stakeholders, the holding of inter-cultural events initiatives, and balanced local media reporting that diffuses tensions.

1.3.2. Thematic budget lines
There is also a lack of clarity in the level and source of funding available for different activities relating to NSA participation in conflict prevention. There is a lack of coherence, for example, across the funding mechanisms: EIDHR, EDF and RRM. Funding for local, national and international policy research and advocacy work undertaken by NGOs in relation to conflict-sensitive development is also neglected, particularly as the focus for funds tends to be geographical, rather than thematic.

RECOMMENDATIONS:

- Incorporate a specific section on the role NSAs play in conflict prevention, conflict-sensitive development, trade and private business investment.

- Ensure that the range of activities NSAs play in conflict prevention is adequately reflected in the Communication.

- Clarify the funding mechanisms available for different activities relating to NSA participation in conflict prevention, including track I, II, III diplomacy and other related activities.

- Recommend an increase in the levels of funding for conflict prevention within EIDHR. It was only 4 million euros globally in 2002.

- Recommend capacity building of civil society actors to undertake policy research, advocacy, conflict management, and mediation in order that they can effectively engage with the EU and national governments on a range of conflict prevention and peace-building issues and, where necessary, input into track one conflict resolution and reconciliation processes.

Section 1.3.3: Geographical Instruments
The Cotonou Agreement signals a positive development with regard to the involvement of NSAs within the ACP-EU partnership. It also provides an important pilot framework for legally binding, structured engagement between national authorities and NSAs for translation into other regional co-operation frameworks (e.g. MEDA, ALA, South East and Central Asia co-operation). Capacity building is seen as one of the key aspects to strengthening NSA's complementary role in these partnerships, however, where civil society actors are involved within the development and peacebuilding implementation process it is important that they are seen as partners that have a key role rather than simply as 'implementing agents' in service delivery. It is important also not to neglect the capacity building of state institutions, particularly where they are weak and under-resourced, to enhance their capacity to develop successful partnerships with non-state actors including legitimate and representative civil society.

- Provide support to governments to enhance their capacity to develop successful partnerships with non-state actors including legitimate and representative civil society, and where necessary undertake an assessment of and support to the development of legal frameworks for state-civil society relations.

- Delink the process of channeling funds and the process of dialogue to ensure that civil society do not see engagement within the framework of Cotonou or other frameworks simply in terms of potential funding.

Section 2. EC Expectations regarding NSA involvement in the development process

2.1. NSAs in EC development policy including trade

EC expectations, outlined in the Communication, to involve NSAs in the five different stages of the development process is an encouraging step forward. However, the general eligibility criteria for access to funding in the "key development areas" should include actors working on conflict prevention, peacebuilding and reconstruction.

Section 3. Improving the quality of the participatory approach

3.1. Respective roles of EC Delegations and Headquarters

With appropriate staff and mechanisms and regional oversight, the EC Delegations would be best placed to make informed judgements in terms of the mechanisms and agencies to deploy in engaging non-state actors in EC Development Policy in any given country. In the era of deconcentration and with appropriate support from Headquarters this is an initiative that should be led by EC Delegations.

- Provide headquarters and delegations with guidance and specialist staff with the adequate local knowledge and an understanding of non-state actors, participatory conflict sensitive approaches, and gender awareness. These staff would assist in making informed and impartial judgements in terms of EC engagement with non-state actors.

- Provide additional financial resources to support this engagement.

3.2. "Respective roles of Northern and Southern NSAs"

The Communication encourages the process of Northern NGOs identifying, supporting and building capacity of Southern NGOs in developing countries for the mutual interest of both parties. It encourages "bottom-up" and "inclusive" processes and recognises the role that southern-based NSAs can play in using their knowledge for early warning and risk reduction purposes.

These approaches are welcome, however, there still appears to be a tendency in practice towards taking a top-down, paternalistic approach at the expense of the valuable resources, experience and expertise of local NGOs and private sector actors on the ground. Under the EIDHR budget line, for example, the funds available to international and southern-based NGOs can be divergent, skewed to the advantage of international NGOs. These discriminatory processes suggest a Euro-centric attitude and an inherent mistrust in the abilities of southern NGOs. While there is no doubt that the capacity of southern NGOs needs to be built in many areas, direct access to EC resources to facilitate this, as well as partnership with northern NGOs is an important way to address this deficit.

In addition, south-south exchanges are also important partnerships that need to be fostered by the EC and governments' in-country to feed into dialogue, reflection and learning for better practice with the delegations and other country specific and regional development processes.

RECOMMENDATIONS:

- Greater sensitivity to the specific capacities, resources and needs, as well as the unique experience and expertise of civil society and local private sector actors in the South when identifying partners and allocating EC funds.

- Support the development of regional platforms of civil society organisations that work on regional conflict and development issues and provide a vehicle for mutual support and exchange of information, experience and learning.

Section 4. Conclusion

Many of the principles of engagement outlined in the Communication are important steps in the right direction which should be commended. This includes, for example, having country-specific approaches, systematic consultation with a balanced, representative civil society, setting up appropriate monitoring systems and clear and comprehensive delivery of information to civil society. These approaches are welcomed. There remains, however, a tendency to be "conflict-blind" in applying these approaches to a wider peace-building community that supports and enhances the potential of meaningful and sustainable development practice.

RECOMMENDATIONS:

The following should be incorporated into the final outline of standards by which NSAs should participate in EU development policy and practice:

- NSA should be active participants of peace processes, including a proportionate representation of women.

- State that early warning, conflict prevention and resolution, and peacebuilding is a shared objective and "key development area" for the EC and NSAs.

- Support the integration of specific tools and guidance for engaging civil society and different private sector actors in conflict affected or prone countries within programming guidelines and guidance for staff in delegations - including political and stakeholder analyses.

- State that 'conflict-sensitivity' within all EC development policy is a necessary prerequisite to it achieving its goal in conflict and conflict prone areas.

Key associated material:

Ensuring progress in the prevention of violent conflict: Priorities for the Greek and Italian EU Presidencies 2003, (London: International Alert & Saferworld, in association with the European Peacebuilding Liaison Office, 2003)

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