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Building Mutual Trust: Conflict Prevention and Conflict Solution in Europe and East Asia

FACHBEITRAG ZUR KONFERENZ „REGIONALE KOOPERATION: ERFAHRUNGEN AUS EUROPA UND ANWENDUNGSMÖGLICHKEITEN IN OSTASIEN“ AM 10. UND 11. OKTOBER 2006 IN PEKING

In recent decades, Europe has gone through two processes of reconciliation among its member states. The first one started right after World War II, when the European Union was created in order to overcome the belligerence of the past. The second process of reconciliation was started after the end of the Cold War and allowed to overcome the ideological divide in Europe between East and West. Today, European countries have reached a level of mutual trust among themselves that is hardly to be found on any other continent. The experience of these reconciliation processes has been so beneficial to all the parties involved that the EU has now embarked on a new project: Brussels offers its services and experience to other nations and regions where reconciliation and peaceful conflict resolution have not yet taken place.

Having created trust internally, the EU now ventures to assist with the build-up of trust outside of Europe. Brussels knows that it cannot impose solutions and cooperation on others, rather it is looking for like-minded partners in other regions of the world. Countries and organizations in East Asia could be partners with regard to preventing violent conflicts and creating capacities for peaceful conflict resolution.

I. EU AS AN ACTOR IN GLOBAL POLITICAL MANAGEMENT

As soon as one is moving from economic and trade policy to other fields of international relations the EU (and potentially also China) has to be seen as a different kind of actor. Conflict prevention, conflict solution, crisis management and post-conflict reconstruction are relatively new areas of concern for Brussels. These are subjects where the EU as a political entity is less developed as compared to the trade, economic and monetary sectors but where the union is becoming more and more active and ambitious since a number of years, particularly since the end of the East-West confrontation in the 1990s and the dangers of international terrorism after 9/11.

The motivation behind these activities of conflict prevention and crisis management is twofold: First, to complete the Union, second, to share global responsibilities with other partners in the international community. Both require the build-up of mutual trust.

1. Complete the EU

To complete the EU means to try and unite the European member states also regarding their foreign, security and defense policy. This is work in progress with the creation of the Common Foreign and Security Policy (CFSP) at the beginning of the 1990s and the European Security and Defense Policy

(ESDP) at the beginning of this decade. These policies are intergovernmental in nature, not supranational like in trade and monetary questions. They demand the consent of 25 member states, each time a decision is taken on a common declaration or a common action. This makes them clumsy, especially if quick and sensitive diplomacy and action is needed such as in cases where the escalation of a dispute into violent conflict needs to be controlled. Thus, the transformation of the EU from economic to political union is on its way but not completed.

2. Share international responsibility

Shared international responsibility means that the EU is aware of its dependence on global peace, stability, prosperity and reliability (including trust) and that Brussels therefore engages in international tasks in order to contribute to a better world. This international engagement is not to be seen as an altruistic move rather it represents an enlightened understanding of assuring European interest, economic and otherwise. In the European understanding, the EU has to assist with the solving of international conflict and with the prevention of armed conflict in order to allow for fair competition and cooperative relations which are preconditions of economic and cultural exchange in all corners of the world.

II. EU AS A CONTRIBUTOR TO WORLD-WIDE PREVENTION OF VIOLENT CONFLICT

The EU originally started its conflict prevention policy in the mid-1990s on the basis and with the instruments of its supranational external relations and development aid. This required - particularly the European Commission - to become more conflict sensitive and, in a sense, more political with regard to its seemingly non-political economic, financial and other instruments. Dormant as well as hot conflict in many parts of the world including those in Asia became part of the Commission's conflict prevention agenda. Likewise, European soldiers and armed forces had to learn that their profession consists of more than defending your homeland. It includes also po-

litical and other non-military tasks, in fact, most of the operations are in the field of non-traditional security rather than in traditional defence.

1. Commission-centered conflict prevention

European Commission officials, grown up with project work in rural development areas, skilled in supporting the creation of small and medium sized enterprises in developing countries and engaged in human rights and democracy building programs, learnt to include concerns of local, intra-state and regional conflict in their work. Conflict sensitive assistance had also been learnt by private non-governmental organizations who carry increasing responsibility in those failing states where the government is weak and can hardly act as a counterpart for support from outside. A key question in these cases is: Will traditional programs and projects reduce conflict in a given region or will it - unintentionally - stimulate existing disputes and hostilities further? For example: To support the creation of media for all ethnic groups in a country is fine and helps with non-discrimination of minorities, but it may lead to more separation of and animosities among cultural groups instead of leading to mutual respect and cooperation.

The European Commission quickly found out that most of its instruments did not allow assisting in urgent cases. Development aid, even if provided with conflict-sensitivity as a goal, would take too much time to show results. Commission measures could help in the long-term and produce important structural impact, but would not be suitable for the short-term.

2. Council-centered conflict prevention

The other lesson learnt was that in some cases development measures would not be successful if applied on their own and that in addition forceful means were needed. In cases like Rwanda and the armed conflicts in the Western Balkans, military and police forces would have been required early on in order to avoid genocide, human rights

abuses and turmoil. The UN was asking for respective resources but the EU was not equipped to respond to the request. This was the moment when the EU member states decided to build up additional conflict prevention and crisis management instruments consisting of specific civilian, police and peacekeeping forces:

- Among the civilian forces you find experts of the rule of law and specialists of civil administration as well as emergency experts, altogether some 6000 personnel.

- Among the police forces the EU registers those specializing in internal security, the combat of organized crime or the securing of borders, altogether also some 6000 personnel.

- Among the peacekeeping forces one would find experts of security sector reform and small battle groups (a dozen with some 1500 soldiers each) able to deter or stop local violence.

Thus, taken together, the EU has gathered a civilian and military reserve force for conflict prevention and peace support missions on very short notice.

3. Commission plus Council: comprehensive approach

In the European concept, prevention policy in many cases asks for more than traditional diplomacy, but less than huge heavily armed defence forces. It asks for a small scale but large variety and well targeted approach because the nature of a conflict is complex and, in order to build trust, you would want to respond in kind to the degree of complexity and thus reflect the reality on the ground. This means that one needs to apply short-term as well as long-term instruments and that the package of instruments needs to include military and non-military personnel that act side by side.

In the institutional framework of the EU this requires the combination of Commission-centered and Council-centered conflict prevention policy, which is not always running well. Specialized agencies and committees

have been added to the Brussels institutional set-up in order to allow for early warning, civil-military planning, decision making and implementation of preventive activities as well as crisis management.

III. EU PREVENTIVE ACTIONS SINCE 2003

Since the ESDP has started its operations in January 2003 some twenty missions have been launched until now (October 2006). Most of the missions are small (10 to 100 experts) or medium-sized (several thousand), some of them have been completed others are ongoing and have been enriched by long-term EU programs. All of the missions have a preventive goal, some more explicit than others. In almost all cases the EU is faced with a situation where crisis and abrupt transformation has occurred before and where Brussels now applies so-called post-conflict conflict prevention in order to help to make sure that violence does not escalate again.

The EU's preventive engagement takes place mainly in its immediate neighbourhood, like the Western Balkans, the Middle East and Africa, but started also to move toward the Caucasus and Southeast Asia. Following is a brief description and illustration of some of the EU's missions.

1. Western Balkans

To assist in stabilization of Bosnia-Herzegovina the EU took over from the UN the task of the International Police Task Force in January 2003 for three years and has renewed its mandate in 2006 for two more years. The approximately 500 police and civil experts are supporting the local authorities regarding the build-up of structures for internal security to be able cope with organized crime and corruption. Likewise, in 2004 the EU took over NATO's SFOR-Operation to run the international Stabilization Force in Bosnia-Herzegovina (EUFOR-Althea) with a total of 6200 soldiers.

In the case of Macedonia (Former Yugoslav Republic of Macedonia), the EU intervened in 2003 first with a peace support operation

(400 soldiers) during a critical phase of tension between the Albanian minority and the Slavic Macedonians. Later, when the situation had somewhat eased, the military contingent was withdrawn and a European police and civilian experts contingent of some 170 moved in. All of this happened on the request of both the UN and the conflicting parties in Macedonia.

2. Africa

In the case of the Democratic Republic of Congo the EU has been asked by the UN to help with several tasks regarding peace and stabilization of the country which has seen more than twenty years of internal fighting, huge destruction, millions of people killed or made refugees. In 2003, the mission Artemis consisted of almost two thousand European peace support troops to fill the gap in between UN missions in order to make sure that the city of Bunia in Ituri Province is continuously protected against mercenaries. Shortly after, the EU returned with both a group of experts on security sector reform (EUSEC DRC) and a small group of police experts to assist the Congolese government in establishing an efficient local police in Kinshasa (EUPOL Kinshasa). In 2006, the Europeans added several thousand peacekeepers in order to reinforce the ongoing UN mission with the goal of allowing free and fair elections in the DRC.

3. Middle East

Since November 2005 after Israel and the Palestinian Authorities had agreed on opening the frontier at Rafah crossing. The EU was asked to station some 70 specialized police at the border between Gaza and Egypt in order to control the access (Border Assistance Mission). Moreover, European specialists were brought in for a three year project to help with the build-up of a reliable and efficient Palestinian police forces. In 2006, after the Israeli invasion of Southern Lebanon was over, the EU was asked to support the existing blue-helmet forces with several thousand additional peacekeepers in order to monitor the cease fire between Beirut and Tel Aviv.

4. Georgia, Iraq and Ukraine, Moldova

Like in Rafah, the EU was also asked to launch a Border Assistance Mission in the case of Ukraine and Moldova where the traffic between the two countries had reached a high level of seemingly uncontrollable fraud, smuggle, illicit trading and corruption. By helping prevent trafficking of people, smuggling of goods, proliferation of weapons and customs fraud Brussels expects the mission will contribute to a peaceful resolution of the Transnistrian conflict. In both Georgia and Iraq, the EU helped with building up rule of law structures. Respective European experts were sent to Georgia for a year (EUJUST Themis) while Iraqi judicial personnel have been trained in EU member states (EUJUST Lex) since 2005.

5. Southeast Asia

Effective conflict prevention requires close coordination between the short-term crisis management instruments and the longer term measures to tackle the root causes and prevent the re-emergence of conflict. Brussels, therefore, financed the former Finnish President Ahtisaari's peace negotiations between the Indonesian government and representatives of Aceh province using the funds of the EU Rapid Reaction Mechanism.

Then the EU launched the Aceh Monitoring Mission (AMM) to monitor compliance with the peace agreement. At the same time, the EU, working together with the international community, put in place a package of long-term measures to support the peace process. This addressed the structural issues: reintegration of Free Aceh Movement combatants and prisoners; reforms of the local administration and promoting the rule of law, human rights and democracy.

IV. EU-GUIDELINES OF PREVENTION

As can be seen from the above brief description of some of the EU's external interventions, successful conflict prevention has to be designed in a timely and tailor-made fashion which requires not only sophisticated instruments but also sensitive orchestration with local as well as international

partners. After several years of intervention practice, the EU is still learning, but a few guidelines have emerged which should be shared with other conflict prevention actors in the world such as in Asia and which should be improved together. Four constituting guidelines for prevention are characterized in the following.

1. Early warning and thorough analysis

A good knowledge of the dynamics of a respective conflict is needed in order to determine the right moment for intervention and to calculate the mixture of instruments to be applied.

Taking the past five years as a proof, the EU can claim that it has introduced the idea of conflict prevention both at the European and the national level. Certainly, because of its institutional deficits, not all the EU agencies have been fully engaged in the enterprise.

Similarly, some member states have been late to mainstream conflict prevention while others have been forerunners. The Scandinavian countries and the Netherlands are among the most advanced group with the UK taking the lead. With its Conflict Prevention Pools the British Government has managed to overcome some long-standing structural hurdles to exploit the synergies of integrating military, developmental and aid-related capacities.

2. Early action and sustainability

Important is the move from warning to action. Very often, the international community is waiting far too long before intervening. Equally critical is sustainability. Quite often you find helpers for the short term, but long-term engagement on a high level with a broad spectrum of instruments is hard to get.

There is no commonly accepted textbook for the art of conflict prevention. Over the past five years, the EU has devoted some of its energies to developing skills and best practice. From early-warning schemes to conflict impact assessment the EU has developed a

methodology of prevention policy with the list of conflict indicators built into the EU's country strategy papers as well as at a regional level. Taken together, the tools of EU prevention policy aim to be more than just proactive policy. They also go beyond the geographical approach and now target cross-cutting components of instability such as the illicit trade in small arms and light weapons.

3. Partners and mandates

The EU experienced that the multilateral approach delivers the best results. Therefore, all its conflict prevention and crisis management missions are open for other partners to join in. Also, Brussels will not enter another country, not even with civilian experts, if it has not been invited by the government and the conflicting parties concerned, and only if the action takes place within a UN mandate.

When focusing on the outputs of the EU, its record regarding conflict prevention - capacity building is impressive. Capacity building for conflict prevention must be taken as a sign of determination on the European side: there are quite impressive assets but also stunning deficiencies. Part of the deficiency is that some of the EU's most promising tools (such as the civilian elements of the ESDP) lack the experience to serve as conflict prevention instruments in an EU operation. Roughly speaking, the EU's comparative advantage continues to be the richness of its instruments. A major disadvantage is that these instruments are scattered and difficult to coordinate given the institutional and legal arrangements of the EU.

4. Ownership and impact assessment

The approach needs to be inclusive and accountable. It needs to be kept in mind that external assistance cannot replace internal ownership of the conflict and of its solution.

Hence, EU supports for the development of regional conflict prevention capabilities. The EU used to be regarded as a civilian power lacking the will and the potential to use mili-

tary force in international relations. Surprisingly, there was no collective EU military force worthy of mention until quite recently. This has changed with the build-up of the ESDP since 1999 and its peacekeeping force (including a dozen so-called battle groups). The EU has autonomous and specialised forces to offer when asked to assist with a UN stabilisation mission, as in the case of the Lebanon peace force, or when called on by a regional organisation to support a preventive operation, such as the request from the African Union (AU) to the EU for logistical support in the Darfur case.

The EU was wise enough, however, to exclude participation in any pre-emptive strike. It knows that 'none of the new threats is purely military; nor can any be tackled by purely military means'.¹ Not only can violence not simply be countered with violence, the comparative advantage of Brussels is its variety of instruments and skills.

V. EU AND EAST ASIA CONFLICT PREVENTION

Why should the EU be active in conflict prevention and conflict resolution in East Asia? The EU has given the answer to this question many times over. It has officially addressed the question in its Conflict Prevention Program of 2001 as well as its European Security Strategy of 2003: The nature of today's conflicts and global security challenges is such that your first defence line may have to be located well outside your national or continental boundaries. You cannot narrow your international activities to trade and investment, a stable environment within which you can do business is equally important, if not a precondition. The EU has engaged in this more enlightened broader international agenda and looks out for partners to share this analysis and the subsequent responsibility.

Experience in many parts of the world tells the EU member states that they should be ready to act before a crisis occurs. In Javier Solana's words, 'you can never act too early.' Nevertheless the EU, for obvious reasons, has been more active in neighbour-

hood regions such as the Balkans, the Middle East or Africa rather than Asia or even East-Asia. Objective factors may ask for different regional preferences. Yet, conflict has not been absent from East-Asia and the EU has been affected by many of its consequences as admitted in its respective strategy papers.²

A wide range of non-traditional security threats with cross-border effects in the East-Asia region include smuggling, the small arms trade, maritime crimes (including piracy), environmental hazards, unregulated and illegal migration, drug and human trafficking, and terrorism. On a more local plane, there has been an increase in instability among several States in East and Southeast Asia, posing challenges to regional stability and human security alike. Numerous maritime and territorial disputes continue to exist in the region. Several States are also experiencing recurring acts of political violence.

In a few of these cases the EU has been assisting local actors with preventive inputs from outside thus putting the promises of a 'strategic partnership with South-East Asia,' as designed already in mid-2003, into practice.³

1. Aceh

As mentioned above, the EU contributed since 2005 to a peaceful settlement of the dispute between the government of Indonesia and the claims of its Aceh Province. The interesting innovation in this case was that ASEAN countries joined the EU's intervention with civilian experts and military advisers of their own. This led to a discussion and cooperation within ASEAN which the organization had not dared to enter into before. No crisis management and conflict prevention procedures had been prepared for such a contingency but the EU's initiative triggered some further thinking of both the people in the ASEAN Secretariat as well as the member states.

On the side of the EU, new ground was entered as well in this case given that the European Commission and the Council Se-

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cretariat developed and implemented an integrated overall intervention strategy.⁴

Question:

Could one imagine a development in ASEAN like in the case of the African Union (and its sub-organizations) where a conflict prevention and crisis management capacity is in the making? The EU would most likely be able and willing to assist with its experience in this field and would even support some of the necessary build-up of its infrastructure.

2. DPR of Korea

The EU has been playing a marginal role in preventing escalation during the period when KEDO was launched to which it had been invited. The EU has not been part of the Six-Party-Talks. At present, these talks do not seem to be leading to very promising results. The situation has been complicated by allegations of the US regarding the DPRK's involvement in drug trafficking, etc. The DPRK's test of a nuclear device on 9 October 2006, a move that has been clearly rejected by the international community, may trigger a further proliferation of nuclear armament in East-Asia – and, as a potential consequence, in other parts of the world. The EU wants to do all it can to avoid such development. It has supported the UN Security Council resolution that condemns the North Korean move and suggests sanctions against the regime.

Already have the EU and particularly its big powers demonstrated their strong interest when negotiating with the Iranian government regarding its nuclear program. Brussels would certainly be willing to join.

Question:

Would it be useful if the EU (together with others) proposes a package of measures designed to deal with two main issues, the security of North Korea and its economic needs? Such a proposition would could be included in any further resumption of the Six-Party-Talks. The rationale for such an offer would follow the experience that an efficient strategy requires both 'sticks' and 'carrots.'

3. Joint preventive activities

The EU has discovered early on that intervention for preventive purposes even when mandated by the UN and agreed upon with the conflicting parties usually includes two types of challenges. The intervention becomes quite burdensome over time and the receiving parties grow intolerant as the intervention drags on and implies painful changes on their part. After all, the intervention may be a soft and sensitive one but its consequences could be quite far reaching including regime change. The EU knows that it could not in all cases carry the physical burden of too many interventions at a time and that it also needs to distribute the heat that it may receive from the parties involved on various shoulders.

Question:

Could a wider cooperation between the EU and East-Asian nations and organizations be contemplated with the aim of joint intervention for conflict prevention purposes in critical regions of the world such as the Middle East, Central Asia and Africa. In all of these regions, both the EU and the East-Asian nations have a substantial interest (among others regarding economic interests). A high degree of stability in those regions is of utmost interest to them all in order to allow for economic progress, prosperity and, finally, internal stability to be ensured at home. In all of these critical regions European and Asian nations are increasingly harsh economic competitors. The build-up of mutual trust could be a by-product of their joint conflict prevention activities.

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EU-Asia: Strategy Paper & Indicative Program in Asia 2005-2006 Executive Summary

This paper provides a framework for programmes covering more than one Asian country. These multi-country programmes are intended to supplement bilateral programmes in areas, where they are more effective than bilateral programmes.

The paper proposes multi-country programmes in the following areas:

- (1) Asia-wide programmes on trade and investment, on higher education, and on environment.
- (2) A programme to support the Association of South East Asian Nations (ASEAN), focused on implementing the new strategy on South East Asia including issues such as deeper trade integration with EU and anti-terrorism.
- (3) A programme to support the South Asian Association for Regional Cooperation (SAARC), focused on trade integration among South Asian countries.

These programmes have been selected because they respond to specific EU sub-regional agreements with ASEAN and SAARC and/or because the support can best be delivered at the multi-country level.

These programmes do not attempt to address all priorities in the EC's strategies with Asia. National programmes and other instruments in the EC's policy mix will be used to address those issues not covered here.

The number of priorities is limited to ensure focus and a concentration of resources, key requirements placed on the EC by the reform of external assistance. At the moment the Commission runs more multi-country programmes in Asia than foreseen in this paper. Where they do not correspond to priorities, ongoing programmes will be phased out. The strategy maintains flexibility to launch additional multi-country actions during the duration of this strategy paper, if such additional programmes are needed.

This strategy paper and indicative programme cover a relatively short period of time (2005-2006) in order to bring the programming cycle for multi-country programmes in line with the cycle for bilateral programmes.

In 2005 – 2006 the budget allocation for the activities in this paper will be € 85–100 million (indicative budget in chapter 6.2.).

South East Asia Communication - General Affairs & External Relations Council Conclusions 26/01/04

In July 2003, the European Commission adopted a Communication on a "New Partnership with South East Asia", setting out a comprehensive strategy for future EU relations with the region. The strategic priorities identified in the Communication include:

a) Supporting regional stability and the fight against terrorism: A strong ASEAN is probably the best guarantee for peace and stability in the region. The EU can contribute through using ASEAN and ASEM as frameworks for conducting policy dialogue, and through providing its expertise in regional integration, if asked. The EU stands ready to continue support to actions in the area of conflict prevention and conflict settlement. Regarding terrorism, the EU is prepared to assist countries in taking measures against international terrorism without prejudice to the respect by the countries concerned of basic human rights principles and peaceful political opposition.

b) Human Rights, democratic principles and good governance should be promoted in all aspects of EC policy dialogue and development co-operation, through building constructive partnerships with ASEAN and national governments based on dialogue, encouragement and effective support. The EU and particular countries in the region may decide to launch Human Rights-specific bilateral dialogues.

c) Mainstreaming Justice and Home Affairs issues: In striving to create in the EU an area of freedom, justice and security, it is essential to incorporate this dimension in

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our external relations. Issues of migration, trafficking in human beings, money laundering, piracy, organised crime and drugs are therefore to be incorporated systematically into our regional and bilateral dialogues with South East Asia.

Notes

¹ European Council, A Secure Europe in a Better World, 13 December 2003, p. 7.

² See Annex: EU-Asia: Strategy Paper & Indicative Program in Asia 2005-2006.

³ See Annex: South-East Asia Communication - General Affairs & External Relations Council Conclusions 26/01/04.

⁴ "The Council noted with satisfaction that the EU successfully mobilized its different instruments in a comprehensive manner to support the peace process in Aceh. The Council will consider how further to strengthen the EU's relations with Indonesia and with the wider ASEAN region." (Council conclusions, Brussels, 27 February 2006).