



SSR and Rule of Law Support in EU External Assistance

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OUTLINE

- **PART I: SSR**
- **Part II: SSR and RoL in EU External Aid**



PART I: Security Sector Reform



Context?

Human security

vs.

State security





What is SSR?

Nationally owned process aimed at ensuring that security and justice providers deliver...

Effective and efficient security and justice services that meet people's needs, and that security and justice providers are...

Accountable to the state and its people, operating within a framework of good governance, RoL and respect for human rights.



SSR in practice

POLITICAL dimension - oversight

ECONOMIC dimension – allocation of resources

SOCIAL dimension – actual guarantee of security of citizens

INSTITUTIONAL dimension – institutional structures and their separation



SSR – Actors and Areas

State Security Providers

Armed forces; Police + presidential guards;
Intelligence, border and customs services

State Justice Providers

Courts; Prosecutions service; Correction service

Governance and Oversight

Legal framework, Legislature; political oversight;
HR bodies; Anticorruption bodies

Management

Min of Justice, Min of Interior; Min of Finance

Non-State Security Providers

Unofficial armed groups, militias, private military companies, customary security providers

Non-State Justice Providers

Defence lawyers, victim support groups...

CSOs

HR NGOs, Women's associations, Media

Unions, Academic Institutions, Electorate,
Citizens...

Objectives and Focus

	Development/ governance	Post- authoritarian	Post-conflict	High- criminality
Key problem	Dev/governance deficit	Democratic deficit	Security deficit	Security and justice deficit
Key reform objective	Development Good governance	Democratisation	Peacebuilding/ state or nation building	Rule of law
Specific SSR problems	Excessive military spending; poor management; waste of resources; ineffective provision of security	Legacies of HR violations; oversized military complex/police apparatus; Strong state; weak civil society	Legacies of violence; collapsed or weak government; weak civil society; displaced populations; unintegrated ex-combatants, SALW	High rate of criminality; organised crime; weak law enforcement; privatisation of security



Experiences, problems, dilemmas

- ***Political sensitivities***
- ***Local ownership***
- ***Mainstreaming gender***
- ***Structural problems***
- ***The right partners***
- ***Selecting priorities vs scarce resources***



PART II: SSR in EU external Cooperation





SSR in EU External Cooperation

Lisbon Treaty (Art 21c TEU)

One of the objectives of the EU external action is to

'preserve peace, prevent conflicts and strengthen international security'



EU Support to (J)SSR in EU External Assistance

- *Only civilian*
- *In both countries in transition and developing countries*
- *Combines Member States support with EU long term contributions in more than 120 countries*
- *Complemented by 'crisis management' (CSDP and IfS)*



SSR areas in the EU external assistance

ONLY CIVILIAN:

Strategic SSR Support

Police reform

Criminal justice, penitentiary matters

Border management

Asylum, migration and anti-trafficking

DDR, SALW and mine-clearance

Civilian control, parliamentary oversight and judicial review

RED LINES FOR EU EXTERNAL AID ASSISTANCE:

No substitution of powers

Excluding defence (core military issues) and secret services (intelligence)



EU External Aid Instruments

➤ **Development**

- Development Cooperation Instrument (DCI)
- European Instrument for Democracy and Human Rights (EIDHR)
- European Development Fund (EDF)

➤ **Mixed**

- European Neighbourhood and Partnership Instrument (ENPI)
- Instrument for Stability (IfS)

➤ **Non-Development**

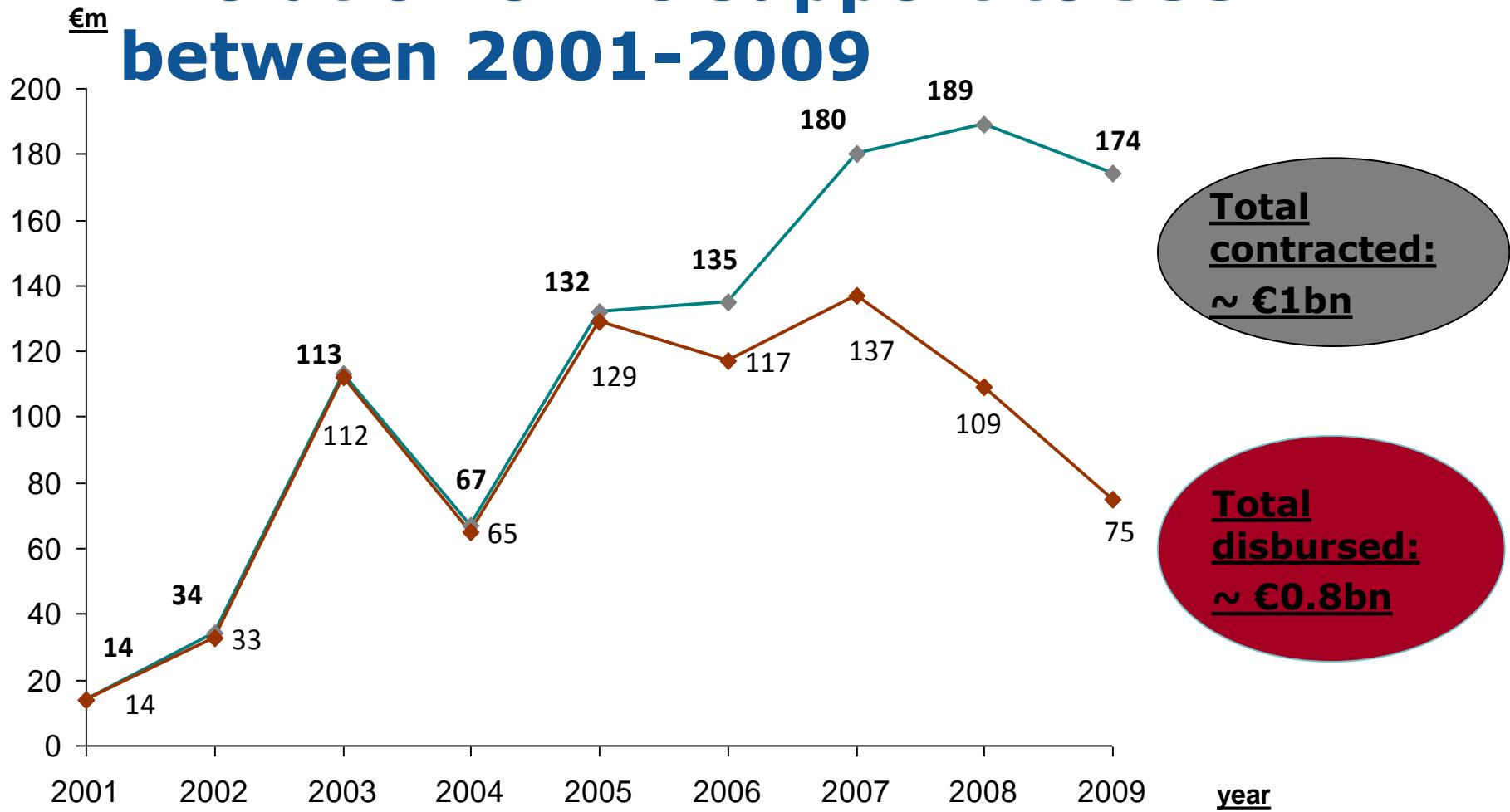
Instrument for Pre-Accession (IPA)



Coordination of EU SSR Support

- ***The High Representative/Vice President of the Commission***
- ***'CivCom'- Council working group on civilian aspects of crisis management, MS, EEAS and EC***
- ***Joint Strategies (Sahel, Horn of Africa)***
- ***Joint Missions***
- ***Joint Trainings***
- ***EU Delegations***

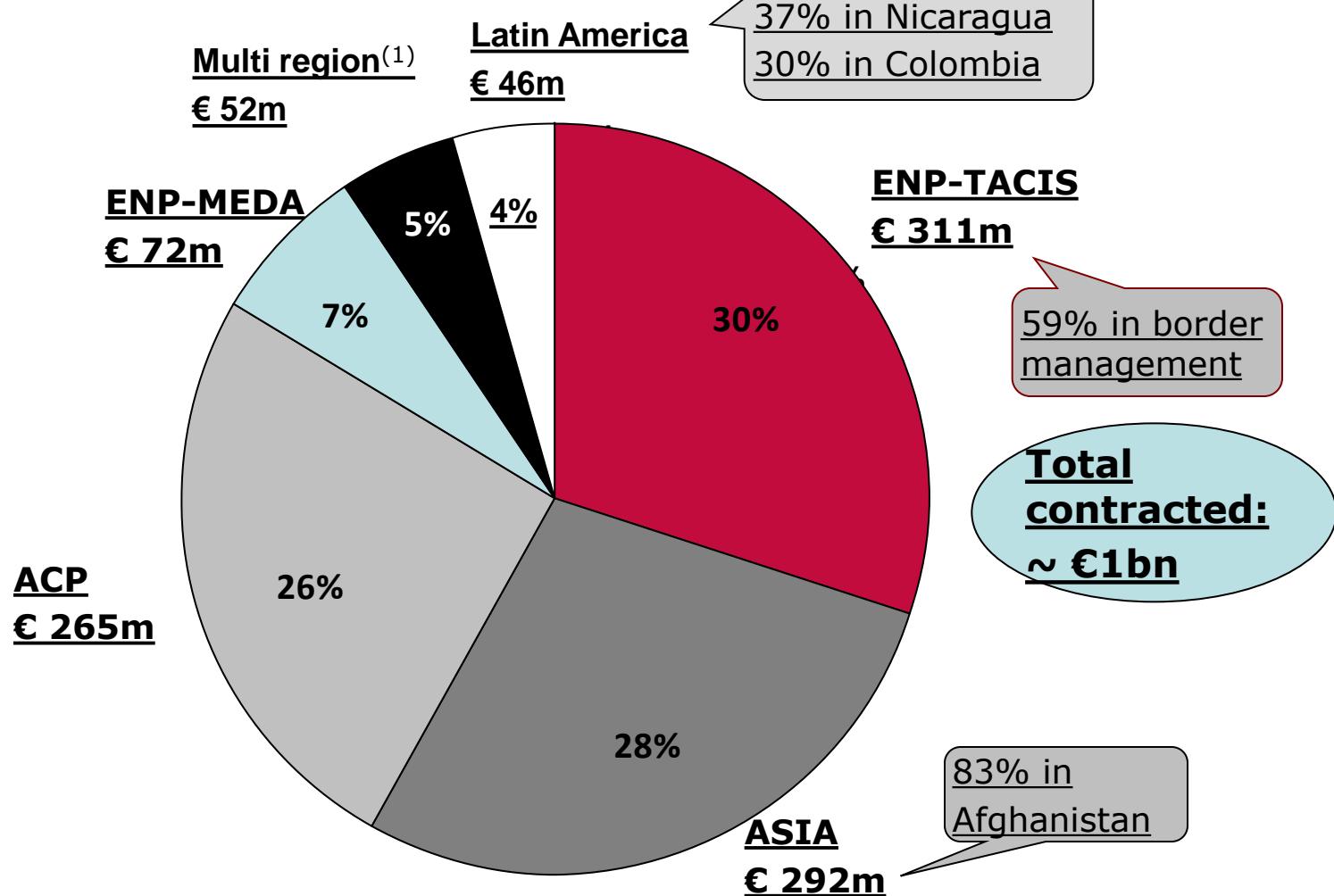
Evolution of EC support to JSSR between 2001-2009



Source: EC database (CRIS) and ADE analysis



European
Commission



⁽¹⁾ Multi region : as encoded in CRIS; covering several regions.



What is the (perceived) potential?

*The EU has the **potential** to provide added value in several ways:*

- ***Supranational nature and perceived « neutrality »***
- ***Combines policy and critical mass of financial support***
- ***Wide geographical and sectoral coverage***
- ***Wide array of instruments***
- ***Long-term thematic experience***
- ***Continued presence enabling long-term partnerships***
- ***Can draw on MS experience in SSR***



What are the weaknesses?

*Effectiveness undermined by the **weaknesses** of the EU Policy Framework and internal capacity limitations*

- ***Not sufficiently strategic, political approach to SSR***
- ***Not enough use of local knowledge in programme design***
- ***More emphasis on civil management bodies than on civil oversight***
- ***Greater emphasis on capacity-building rather than service delivery***
- ***Procedures not sufficiently flexible - Lack of Long-term approach***



Improving further engagement by:

1. Policy, instruments, procedures

- ***Agenda for Change***
 - Concentration: Good Governance, Human Rights, Democracy
 - Security Development Nexus
- ***New Approach to Budget Support***
 - Good Governance and Development Contracts (focus on pol gov)
 - Sector Reform Contracts (focus on service delivery)
 - State Building Contracts (focus on fragile states)
- ***New Multi Annual Financial Framework & Reform of Instruments***
 - Programming based on national plans
 - Concentration on 3 sectors
 - Diversification + Greater concentration on fragile states



Improving further engagement by:

2. Support to the Delegations

- ***Policy guidance + technical practical support***
 - new EC guidance on *Support to Justice and the Rule of Law*
 - *Development of Operational Guidance on SSR*
 - *Toolkit for bridging the gap between international and national justice*
- ***Better Provision of Expertise***
 - *PODs: Pools of Deployable experts*
 - *Regional Hubs*
- ***Better analysis***
 - *Conflict analysis, Policy and Economy analysis*
 - *revision of Program and Project Cycle Management*



Improving further engagement by:

3. Better design & implementation

- ***Ensure service delivery outcomes drive assistance strategies (+measurig results)***
- ***Tailor programmes design to reflect local conditions and priorities (but: limits of alignment) + use time to build capacity & trust***
- ***Anticipate difficulties of operating in a conflict context; realistic expectations in terms of timelines and budget***
- ***Leverage the Commission's financial weight with non –financial support (political dialogue)***



Improving further engagement by:

4. 'Whole of the EU' /Comprehensive approach

Why? Growing demand for the EU to become a **more capable, coherent and strategic global actor**. Need for a truly comprehensive EU approach that mobilizes **all different tools at the EU disposal** in a coherent way.

- **Better coordination between CSDP missions (rather short term) and Commission Assistance Programmes (long term)+ IfS**
- **Some good examples (EUNAVFOR Atalanta, EU TM)**
- **Comprehensive approach in practice**
 - *Horn of Africa,*
 - *Sahel Strategy*



Thank you for your attention !