



**DIRECTORATE-GENERAL FOR EXTERNAL POLICIES
POLICY DEPARTMENT**



**IMPLEMENTING THE EU
CONCEPT ON
MEDIATION:
LEARNING FROM THE
CASES OF SUDAN AND
THE GREAT LAKES**

AFET

DIRECTORATE-GENERAL FOR EXTERNAL POLICIES OF THE UNION

DIRECTORATE B

POLICY DEPARTMENT

AD HOC STUDY

**IMPLEMENTING THE EU CONCEPT ON MEDIATION:
LEARNING FROM THE CASES OF SUDAN AND THE GREAT
LAKES**

Abstract

This report concludes that the European Union can play an important role in mediation efforts to prevent or end conflict, but that to do so most effectively it needs to become more coherent and flexible in its approach. As a pre-requisite, the EU needs to develop a broader awareness of the motivations and strengths it brings to mediation efforts.

Preventing or ending conflict through mediation is a concern for the EU and an area where the Union believes that it can play a useful role. In 2009 the EU adopted the 'EU Concept on Mediation and Dialogue Capacities'. However, despite worthwhile aspirations, this has yet to be fully integrated into EU structures and systems and is not widely known.

This report assesses the Concept and the role that the EU has played in mediation, and related efforts to resolve crises and consolidate peace and stability, through a detailed analysis of two case studies -- Sudan and the Great Lakes region of Africa.

Our research found that at times the EU is well placed to take a leading role in mediation. This was true in the Great Lakes, where the Union has a history of serious engagement and influence. But in Sudan the EU has not been well positioned to be a lead mediator, although it has played a useful role in supporting, and sometimes financing, the efforts of others.

The report suggests that a number of institutional reforms could improve the effectiveness of the EU with regards to mediation. At a time of financial austerity in particular, when member states are constrained in the resources they can commit to mediation efforts, the EU has the opportunity to demonstrate real value as a force multiplier, rather than a duplicator to or distraction from the efforts of member states and others.

The effectiveness of the EU as a mediator is intimately tied up with its effectiveness as a foreign policy actor. Well thought out and effective support to mediation efforts will play an important role in defining the EU's developing external reputation.

This ad hoc study was requested by the European Parliament's Committee on Foreign Affairs.

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EXECUTIVE SUMMARY

This report concludes that the European Union can play an important role in mediation efforts to prevent or end conflict, but that to do so most effectively it needs to become more coherent and flexible in its approach. As importantly, the EU needs to develop a broader awareness of the motivations and strengths it brings to mediation efforts.

Preventing or ending conflict through mediation is a concern for the EU. In 2009 the EU adopted the 'EU Concept on Mediation and Dialogue Capacities', but despite worthwhile aspirations this has yet to be fully integrated into EU structures and systems and is not widely known (Section 1). This report assesses the Concept based on case studies in Sudan and the Great Lakes region of Africa.

Our research found that at times the EU may be well placed to take a leading role in mediation; this was true in the Great Lakes where the EU has a history of serious engagement and influence (Section 3B). However in Sudan although the EU has played a useful role with financial support to the efforts of others it is not well positioned to be a lead mediator (Section 3A). Under such circumstances the EU should aim to support the efforts of others imaginatively, and not duplicate or confuse existing initiatives. The two case studies demonstrate that the EU has been most effective when it has been flexible, adaptive to circumstances and played to its strengths.

The report suggests that a number of institutional reforms could improve the effectiveness of the EU with regards to mediation (Section 4). A key observation is that the High Representative does not have the time to be a visible presence in troubled regions, and given her global responsibilities and remit she is unable to build up high level contacts in Africa (Section 2). A small number of high level political deputies, appointed by the HR, to cover world regions of particular concern would help address this concern.

Skills and staffing limitations were found to negatively impact mediation efforts more generally. EU embassies lack sufficient political staff and the EEAS Headquarters lacks sufficient specialised staff to support mediation efforts. A lack of institutional memory or learning capacity in the EU with regards to mediation was also apparent from research. Responses to emerging crises are often too slow or clumsy. The report concludes that small regional crisis management teams in the EEAS would help remedy this.

Further, the establishment of EU embassies means the appointment of an EU Special Representative (EUSR) may now in some circumstances not be necessary or appropriate, though they have been helpful in the past (Section 3A&B). But EUSRs should continue to be considered as a useful tool where challenges are particularly severe and / or of a regional nature. Whatever the outcome of the debate on the future of the EUSR in Great Lakes (Section 3B), the EU should ensure that it maintains senior political engagement with the region at least at the level of an EUSR or an enhanced political representative of the HR for sub-Saharan Africa.

The number of state and non-state actors engaged in mediation is growing. In Africa there is a clear trend for mediations to be led by African players – as in Sudan, Burundi, Côte d'Ivoire and Madagascar. The US and a number of other countries also engage in mediation (including many EU member states), as do the UN and other regional bodies. A growing number of NGOs including faith groups, development, humanitarian and advocacy organisations, think tanks and policy institutes, and private consultancies, as well as individuals from many backgrounds are also involved at different levels (Section 3A & B). This means that the EU needs to be clear about the distinctive role it wishes to play and why, and ensure this is widely understood by the actors with which it is engaging.

Whether acting in the lead, or in support of others, EU mediation efforts need to be founded on a detailed understanding of the situation and supported with relevant financial instruments. The EU is a

major financial donor but its funds are often cumbersome and slow to be released (Section 2). When considering mediation support the EU needs to be able to provide monetary support quickly, furnishing EU ambassadors with modest but quickly dispersible funds to support mediation efforts would be a useful contribution.

The right financial instruments are vital because often the most helpful contribution will be the provision of money and expertise. This may be in support of the African Union or other regional or state actors (as in Sudan - Section 3A) or it might be assistance to an NGO led process. Expertise to anticipate and manage such support is important. Mediation opportunities can be fleeting and unpredictable; responding quickly and imaginatively relies not only on readily available finances but also on easily accessible expertise within the EEAS and delegations.

These challenges of coherence, flexibility and messaging for the EU spread well beyond mediation; but if they can be addressed, then the EU should find itself well placed to have a positive impact on mediation efforts of the kind examined in this report.

Research confirmed that the EU benefits from a broadly positive reputation as a well meaning and wealthy power and can draw on an incomparable number of informal networks and relationships, as well as expertise, from across its member states and beyond, including across Africa.

At a time of financial austerity in particular, when member states are constrained in the resources they can commit to mediation efforts, the EU has the opportunity to demonstrate real value as a force multiplier, rather than a duplicator to or distraction from the efforts of member states and others.

The effectiveness of the EU as a mediator is intimately tied up with its effectiveness as a foreign policy actor. Well thought out and effective support to mediation efforts will play an important role in defining the EU's developing external reputation.

METHODOLOGY AND REPORT STRUCTURE:

The findings of this report are based on interviews with EU officials, Member State officials, foreign diplomats, governments in the Great Lakes and Sudan, civil society actors, International and Local NGOs, Church groups, journalists, academics, members of security forces, opposition groups in the Great Lakes and Sudan and others. These interviews took place in Sudan North and South, in the Democratic Republic of Congo, Burundi and Rwanda, Brussels, Paris and London and remotely with interlocutors around the world. In all, more than 200 people were interviewed for this report. Interviewees have not been identified since many spoke about sensitive subjects that in some cases may have put them in physical danger. Further desk based research was carried out by the authors.

The report begins with a critical assessment of the Mediation Concept and of the EU Architecture in support of Mediation efforts before presenting the detailed findings of field work in Sudan and the Great lakes. Section four considers the implementation of the concept and finally the report makes recommendations for enhancing the EU's ability to support mediation efforts.

LIST OF ABBREVIATIONS

AEC	Assessment and Evaluation Commission
AMIS	African Union Mission in Sudan
APF	African Peace Facility
AU	African Union
AUHIP	African Union High Level Implementation Panel
CNDD-FDD	National Council for the Defence of Democracy – Forces for the Defence of Democracy
CNDP	National Congress for the Defence of the People
CPA	Comprehensive Peace Agreement
CSO	Civil Society Organization
DDR	Disarmament, Demobilization and Reintegration
DEVCO	Development and Cooperation Directorate General of the European Commission
DFID	UK Department for International Development
DPA	Darfur Peace Agreement
DPP	Darfur Peace Process
EAC	East African Community
ECGLC	Economic Community of the Great Lakes Countries
ECHO	Humanitarian Aid Department of the European Commission
EDF	European Development Fund
EEAS	European External Action Service
ERM	Early Response Mechanism
ESDC	European Security and Defence College
ESDP	European Security and Defence Policy
ESS	European Strategic Study
EUISS	European Union Institute for Strategic Studies
EUPOL	European Union Police Mission
EUSEC	European Union Security Sector Reform Mission in the DRC
EUSR	European Union Special Representative
FDLR	Democratic Forces for the Liberation of Rwanda
FNL	Forces Nationales de Liberation
FPIS	Foreign Policy Instruments Service
GNU	Government of National Unity
GOSS	Government of South Sudan
Göteborg Programme for the	The EU's programme designed to increase the

Prevention of Violent Conflicts EU's awareness of the importance of conflict

(2001) prevention and the need to develop policies that tackle the root causes of violent conflict

HR/VP High Representative/Vice President

ICC International Criminal Court

IFS Instrument for Stability

IGAD Intergovernmental Authority on Development

INGO International Non-governmental Organization

IOM International Organization for Migration

JEM Justice and Equality Movement

LJM Liberation and Justice Movement

MONUSCO United Nations Stabilizing Mission in the DRC

MSG Mediation Support Group

MSR Mediation Support Review

MSU Mediation Support Unit

NCP National Congress Party

NGO Non-governmental Organization

PSC / COPS Political and Security Committee

SLM Sudan Liberation Movement

SPLA/MSudanese People's Liberation Army/Movement

UNAMID African Union – United Nations Hybrid Operation in Darfur

1 CRITICAL ANALYSIS OF THE 'CONCEPT ON STRENGTHENING EU MEDIATION AND DIALOGUE'

The 'Concept on Strengthening EU Mediation and Dialogue'¹ (hereafter the Concept) was adopted by the European Council in November 2009. Our research in Europe and Africa found little awareness of the Concept although most interviewees expressed an understanding of the EU and mediation that was not noticeably divergent from its approach.

The Concept argues that the EU should use its experience to mediate and assist others in mediating crises – thus avoiding expensive conflict and post-conflict situations and the need to deploy European Security and Defence Policy (ESDP) missions. It recognizes the role played by the United Nations and other organizations in mediation and seeks to work in a complementary fashion. The EU Concept sees mediation as a means for the EU, as an emerging international player, to make a contribution to international peace and security by building on the perceived strengths of the Union.

The Concept states that 'The EU will strive to establish and promote the use of mediation as a tool of first response to emerging or ongoing crisis situations.'² This paper assesses whether this has occurred in Sudan and the Great Lakes region of Africa and, if so, whether these efforts were effective. As is expanded later in this paper the lack of awareness of the Concept tends to indicate that it has not fully achieved these aims. However it is still important to consider the Concept in the light of these aspirations and assess whether it might provide a framework for improving EU efforts in the area of mediation and dialogue. This section considers whether it provides the 'policy basis for the EU's engagement in mediation and dialogue and allows the EU to develop a more systematic and coordinated approach in this area.'³

The Concept assumes that the EU is a 'credible and ethical actor' in conflict situations because of its value-based approach to international affairs. Our research found that this was largely, although not entirely, accepted as a credible claim; however, as the EU becomes a more active and effective global player, perceptions will change and conflict parties will see the EU as a party with interests.

Several interviewees remarked that to be effective, a mediator requires financial, military and political weight to justify its position or to be regarded as highly expert and trusted on a particular issue. The United States falls easily into the first category and a country such as Norway falls into the second, in its engagement on oil issues in Sudan.

At present, the EU is not perceived as a hard power in strategic terms. However, it does wield substantial financial weight, as one of the world's leading aid donors, particularly when the funding power of its central institutions is combined with the bilateral donor weight of its individual member states. Especially in sub-Saharan Africa, this donor clout should provide the EU with the political capacity to wield significant influence.⁴

¹ Available at <http://www.eupm.org/FCKeditor/Images/File/CoEU%20-%20Strengthening%20EU%20Mediation%20-%2015779-09.pdf> (accessed 23 May 2011). The Concept emerged from the evolving external policies and instruments of the Union: the Göteborg Programme for the Prevention of Violent Conflicts in 2001; the European Security Strategy of 2003; the Implementation report on the External European Action Service (EEAS) in 2008; and the Lisbon Treaty of 2010.

² Concept, p. 4.

³ Concept p. 2.

⁴ Susanne Gentz argues that the EU does not always utilize its full financial weight; see 'EU influence in conflict: power to mitigate or to mediate?', Oslo Forum, 2007.

Some commentators have been highly critical of the EU's lack of clarity on its mediation role. 'The role the EU plays in Mediation goes to the heart of EU foreign policy, yet it has no policy guidance on it.'⁵ The changes wrought by the Lisbon Treaty have prevented the Concept gaining widespread recognition and force within the EU. This is not helped by the sporadic nature of mediation training provided.

In theory, the difficulty of reaching consensus among 27 member states and a tendency to operate on the basis of the least risky option or the highest ethical standard could impede Europe's ability to project a resolute image. The EU's ill-defined global ambitions are not well suited for developing specific mediation expertise. However, it has developed particular strengths in two key related areas that are relevant to countries emerging from conflict:

- It has assisted in the establishment of key governance structures and state institutions in new states or those that are just emerging from conflict. Over the past two decades, in regions such as the Balkans or the Caucasus, it has assisted in developing administrative, judicial and policing arrangements. Because of the democratic and good governance principles upon which the EU is based, it is widely seen in Africa as a reference point and source of expertise for the non-military aspects of state-building.
- It has accumulated considerable experience of working with the international financial institutions, other multilateral bodies and bilateral partners in establishing transitional forms of financial support for highly fragile states that are not yet in a position to satisfy the criteria for conventional mainstream partnerships with the international donor community.

The Concept, pitched at an aspirational rather than a practical level, does set out a desire for a 'more coordinated and focused approach [that] will enhance the EU's ability to play a more active international role in this area'⁶ It cites a number of aspirations:

1. To strengthen mediation support capacity;
2. To provide training for, among others, EU Special Representative (EUSR) teams;
3. To support local mechanisms of mediation;
4. To ensure coherence with objectives relating to human rights/transitional justice and the role of women;
5. To cooperate effectively with other mediation actors.

The Concept underlines the importance of working with others and providing support to other mediators. Given the growth of regional organizations and the primacy of the UN in conflict resolution this is a realistic position to take. In Africa the clear trend is for African leadership of mediation efforts and the support the EU gives to the African Union is a demonstration of this reality. It is unlikely that in the future the EU will regularly play a role as a direct mediator outside the Union's immediate neighborhood.

However, the objective to support mediation capacity and provide training has not been carried through since the adoption of the concept. A vague aspiration to provide training is not enough to ensure it happens systematically and in large numbers. Indeed Finland and Sweden proposed in September 2010 that the EU establish the European Institute of Peace, an independent body focusing

⁵ Laura Davis, 'The European Union: Time to Further Peace and Justice.' Egmont Security Policy Brief, April 2011, p. 1.

⁶ Concept, p. 2.

on conflict resolution and peace mediation to address this deficit. It could train Europeans for service in situations where classic diplomacy is not always optimal.

In 2010 the Policy Department of the Directorate-General for External Policies of the European Parliament published an independent briefing that concluded that the 'EU needs added research and analytic capabilities in its pursuit of peace and stability' and that a new EU Institute for Peace was needed, rather than building on existing bodies such as European Union Institute for Strategic Studies (EUISS), the Forward Studies Unit of the Commission, the European Parliament's policy departments and the ESDC.⁷ There has been some support for this proposal, but also opposition particularly from France, NGOs involved in mediation and existing EU institutes: the EUISS, for example, did not want to be button holed as 'the EU War Institute'.

The UN took a different route in 2008 when it established a Mediation Support Unit (MSU) within the Department for Political Affairs (DPA), which provides technical and administrative support to mediation processes around the world and operates a roster of experts for deployment in support of peace processes. The MSU has not been directly involved in the Great Lakes crisis but made some contribution in Sudan on the Doha process on Darfur and the Popular Consultations in Blue Nile and South Kordofan. Interviewees with experience in the MSU had mixed feelings about its use.

The role of EU Special Representatives is under review. There is a view that with the appointment of EU ambassadors under the External Action Service (EEAS), special representatives are redundant. Others argue that complex, regionalized or internationalized crises require a direct representative of the High Representative/Vice President (HR/VP) to add greater EU influence. The role played by EUSRs in mediation should also be assessed as part of this review. As commission delegations become embassies, many responsibilities transfer to EU ambassadors and they may need to engage in mediation support.

The Concept points to the Instrument for Stability and the African Peace Facility as the two funding mechanisms best suited to supporting mediation efforts in Africa. Our research indicates that the EU has difficulty responding to fast-changing or emerging events through the cumbersome process for releasing funds. There is a disconnect between a desire to respond to mediation needs and an ability to provide funds at short notice (sometimes needed in days not weeks). Support for local mediation efforts is recognized as important but there is a danger that bureaucratic procedure makes mediation support efforts unwieldy and averse to innovation. This is not healthy and could be highly counter-productive.

The question of how outsiders can support local processes without corrupting them is extremely sensitive and should be given greater consideration. The desire to promote the values of the European Union – relating to human rights/transitional justice and the role of women – is admirable but these values are hard to put into practice. The need to balance short-term compromises to end a conflict with longer-term objectives to build a sustainable peace will vary. In cases where others have led mediation and are party to those compromises the EU might better support post-conflict efforts.

The role of NGOs, civil society and religious groups in mediation is briefly acknowledged in the Concept. It recognizes the need to support efforts by others but it is directed towards efforts led by state or international organization actors rather than NGOs, civil society organizations and religious groups. The success of EU support for Concordis International in Sudan shows that NGO support is important and deserves attention.

⁷ Gunilla Herlof, *Establishing the Knowledge Base of a Smart Power; A Blue Print for an EU Institute for Peace*, European Parliament Directorate-General for External Policies: Policy Department Standard Briefing, EXPO/B/AFET/FWC/2009-01/Lot6/06, April 2010.

An area that our research identified as not fully addressed in the Concept is effective follow-up on an agreement. This includes holding the parties of an agreement to their commitments but also working to alleviate the causes of a conflict. Given the resources available to the EU for development spending, there is an opportunity to contribute targeted follow-up projects in support of peace agreements and stabilization programmes – even if the EU was not directly involved in mediating a situation.

As a statement of general principles the Concept serves a useful purpose, but it is unlikely to lead to the realization of those principles without further concrete steps. The emergence of new structures following the adoption of the Lisbon Treaty and the lack of cross-EU ownership of the Concept means its ability to have an impact has been and is likely to remain limited.

In conclusion, the Concept sets out some worthy ideas and is based on a sound assumption that mediation should be supported and promoted. However, it is vague in terms of dealing with areas where implementation is necessary (training), and addressing shortcomings in funding mechanisms.

2 THE EU ARCHITECTURE IN SUPPORT OF MEDIATION EFFORTS

Mediation efforts by the EU take place within a financial and organizational architecture that is currently undergoing significant and, for some, traumatic changes. Many EU employees expressed frustration that internal reorganization had impeded their ability to work effectively and saw turf battles over control of EU resources and messages as likely to remain a problem for some time.

A number of interlocutors also wanted to see clear political direction and leadership on EU foreign policy, particularly towards Africa, beyond what can be provided through the overall leadership of the High Representative (HR).

2.1 Financial aspects

There are two funding mechanisms used for mediation work and support of mediation by the EU. These are the Instrument for Stability (IfS) and the African Peace Facility (APF) which is funded out of the European Development Fund (EDF).

The key financial instrument in the area of conflict prevention and crisis response is the IfS.⁸ It has a budget ceiling for short-term crisis response of about €140 million in 2011. This has the ability to be used as a 'rapid reaction' provision. Since it is not housed within the normal framework of EU bilateral aid, it is not subject to the lengthy processes of approval and administrative control that would apply to normal aid. Funds can be made available relatively rapidly,⁹ sometimes within weeks if necessary.

Within the IfS, the Policy Advice and Mediation Facility (PAMF) allows allocations of up to €2 million to be processed. The PAMF holds a standard allocation of €20 million, which can be replenished as needed. PAMF money can be used to provide the funding for mediators and their support staff.

There is also a capacity for longer-term actions. This includes the Peacebuilding Partnership encompassing support for NGOs, a funding window for training and collaboration with international organizations, including collaboration with the United Nations Mediation Support Unit, and with the UN and the World Bank in developing common methodologies for assessing the impact of disasters and crises.

The HR submits proposals for the use of IfS funds on a monthly basis to the Political and Security Committee of the Council (PSC or COPS).

IfS funds are overseen by the Foreign Policy Instruments Service (FPIS), a Commission body that reports directly to the HR/VP. The FPIS oversees funds related to crisis, post-conflict situations and issues such as election observation and support.

The other mechanism sometimes used in support of mediation facilities is the APF, funds for which are provided by the EDF and owned by the commission; but policy formulation should be carried out by the EEAS with implementation through the Directorate General for Development and Cooperation of the Commission (DEVCO) at headquarters level. Within the APF is an Early Response Mechanism (ERM) that can be used for emerging situations at relatively short notice. APF funds are used for support to peacekeeping missions and also for capacity-building within the African Union (AU) and regional organizations. Support for the AU High Level Implementation Panel (AUHIP) on Sudan comes from the APF, for example.

⁸ http://www.eeas.europa.eu/ifs/docs/com_0512_2010_en.pdf (accessed 30 May 2011).

⁹ During our research we heard many times that EU funding in support of mediation was neither flexible not quick enough.

Financial instruments that are used for mediation and dialogue activities still suffer from split control and hurdles that impede urgent and efficient deployment when they are needed. For example, supporting a Peace Support operation under the APF, the request from the regional body will be transmitted to the EEAS, who judges its political appropriateness in collaboration with the Commission. This is then passed to a working group of member states and then to the EU PSC. Only once all these stages have been passed will the Commission draw up an agreement that permits the release of the funds. The ERM of the APF allows for speedier agreement but it still takes several months.

The efficacy of these instruments is dependent on a good working relationship between the Commission and the EEAS. However, the perception in Brussels and in EU delegations is that there is a scramble by both institutions to control funds and to remain or become influential through wielding financial clout. The Commission is seen as reluctant to give up its policy role in deciding how funds should be spent. The EEAS suffers from a lack of financial resources to use in overtly political situations such as mediation. While the long-term development benefits of conflict prevention are clear, this work is primarily political and often opportunities are very time-sensitive.

2.2 Organization

2.2.1 High Representative/Vice President of the Commission

The headline change related to external relations of the Lisbon Treaty was the appointment of the High Representative for Foreign and Security Policy and Vice President of the Commission (HR/VP). The first occupant of this post is the British politician Baroness Catherine Ashton. The HR/VP is charged with the operation and coordination of the EU's external relations, and is also responsible for setting up and running the EEAS. The HR has no political deputies and is the only political appointment within the new EEAS.

An important part of the HR role is to take initiatives and issue statements in their own name, rather than having to get clearance from the Council. This is designed to allow stances to be taken on issues of concern that the HR feels member states will support.

The creation of the HR role was designed to give the EU a more coherent and decisive voice internationally. The reality of consensus-based decisions in the area of external policy does impose limits; but in many cases these can be overcome through effective diplomatic coordination between the EEAS and member states.

During the debate over who would be appointed to the HR position there was a frequently expressed desire for someone who 'could stop the traffic' from those who wished to see a stronger role for the EU in terms of leading on foreign policy issues. The appointment of Baroness Ashton points to a desire by member states for a service that complements member states' efforts rather than setting its own path or taking the lead.

Management of the expectations about the role has been difficult and much of the criticism that the HR has received to date has been about her failure to take a lead on issues. In reality, if member states are not willing to delegate responsibility to the EU then there is little she can do. The HR has not so far chosen to take a lead in mediation efforts although her predecessor Javier Solana engaged in the Middle East peace talks and, along with the UK and France, in talks with Iran. Her colleagues argue that the establishment of the EEAS has taken much of her time and that her profile will be raised once the organization is fully up and running.

However, there is a strong case for the appointment of several high-profile political deputies who can act as the EU's face and lead voice in particular regions of the world, especially those where it is a major external influence.

Under the pre-Lisbon structure, this was a role clearly filled in sub-Saharan Africa by the Commissioner for Development, latterly Louis Michel, who provided the political leadership for the EU's action in Africa. Under current arrangements, the Commissioner for Development focuses on development issues. Meanwhile, the HR herself has too many responsibilities to fulfill the political role with regard to Africa with the required level of effective intensive leadership.

2.2.2 EU Special Representative

The main EU instrument for mediation work has been the position of EU Special Representative (EUSR). This concept was introduced in March 1996 when the first EUSR, Aldo Ajello, was appointed for the Great Lakes region. The appointment was a direct response to the aftermath of genocide in Rwanda and included a mandate for mediation and supporting peace and ceasefire agreements.

According to Giovanni Grevi, the DRC became 'the largest laboratory for EU crisis management, together with the Western Balkans. As with the case of the Western Balkans, the deployment of ESDP instruments entailed climbing a steep learning curve'.¹⁰ The EUSR on Sudan was first appointed in 2005 in response to AMIS II (the African Union Mission in Sudan – a follow on peacekeeping force in Darfur) and was the first time an EUSR was given a key operational mandate including for crisis diplomacy. Over the next 14 years 35 EUSRs have been appointed globally. On the ground EUSRs carry out 'mediation, confidence building, conciliation and what has been defined as "transition diplomacy", which entails a close involvement in the politics of the country in question'.¹¹

A number of EUSRs have been mandated to contribute to the resolution of conflicts and to facilitate the implementation of settlements. But initially the role served to provide external political representation and information-gathering functions for the EU at a time when EU missions were concerned with development rather than political representation. Today EUSRs are situated outside the formal structure of the EEAS and report directly to the HR/VP; they are not part of a permanent structure and their teams of political advisers are assembled on an ad hoc basis.

EUSRs are generally located in Brussels and travel to the region for which they have responsibility (a notable exception is the EUSR for the AU, who is based permanently in Addis Ababa). The specific responsibilities of EUSRs vary depending on their mandate – these are now usually issued for a year and nearly always include a mandate to promote stability or encourage a peace process.

Responsibilities include ensuring that the PSC is briefed on the issues being covered, improving coordination across the Union on a particular issue or country, representing the EU at international meetings related to an issue or country and interacting with political/military actors involved in a particular issue or country.

EUSRs are drawn from a range of backgrounds, most commonly foreign services of member states, although some have been senior politicians. They have had mixed success; the EUSR for the Middle East peace process has had little impact or visibility, and it is often assumed that former UK prime minister Tony Blair represents the EU. The EUSRs for Central Asia and Afghanistan have also had limited success, although the record in Africa, especially the Great Lakes, has been more impressive.

The personality of the EUSR, regional politics and EU clout all contribute to the success of an EUSR. The measure of their success has been a key indicator of the success of the EU as an international actor in the eyes both of parties to mediation and of global partners.

¹⁰ Giovanni Grevi, 'Pioneering foreign policy: the EU Special Representatives', *Chaillot Paper* no. 106, October 2007, p. 114.

¹¹ Ronald Barston, *Modern Diplomacy* (London: Longman, 2006), p. 11.

2.2.3 EEAS structure and staffing

Much of the HR's time has been dedicated to the design and establishment of the Union's new External Action Service – effectively a foreign ministry for Europe, although the words 'External Action' were considered less likely to upset member states.

The EEAS is organized into geographical directorates (Asia and Pacific/ Africa/Europe and Central Asia/North Africa, Middle East, Arabian Peninsula, Iran and Iraq/Americas) and a Global and Multilateral Issues directorate.¹² The responsibility for mediation efforts sits within 'Global and Multilateral Issues' under a Department for Conflict Prevention and Security Policy, although at the time of writing no appointment had been made to the Peacebuilding, Conflict Prevention and Mediation post.

The Department for Conflict Prevention and Security Policy is responsible for developing policy on issues such as the monitoring of potential crisis situations, mediation, and deployment of mediators or observers on the ground in potential conflict zones. The department is currently exploring what needs to be done to enhance the EU's capacity to work in this field, on the ground in troubled regions – for example by training EU ambassadors for mediation and conflict prevention work.

The role of the Peacebuilding, Conflict Prevention and Mediation Division is to develop the EU's capacity to work to prevent incipient crises from developing into outright conflicts and to assist in the restoration of peace and stability when conflicts do occur.

The EEAS is also responsible for the EU delegations abroad. Before the adoption of the Lisbon Treaty these delegations were primarily cooperation and development delegations under the control of the Commission. The only delegation that operated differently was the delegation in Addis Ababa, which in 2008 became a joint Commission and Council office. Koen Vervaeke was appointed as EUSR to the African Union¹³ and also serves as the head of the Commission delegation. The Addis office was the first in Africa to operate as an integrated mission with direction from an individual with primary concern for political relations (he will become an EU ambassador in due course). The mission in Addis Ababa serves as a template for other delegations that are changing under the new regime.

EU ambassadors are now taking formal responsibility for coordinating regular meetings between EU member states in each country in which they operate. In complex situations further improvement in this respect could be valuable; the sharing of responsibilities and specialization by some member states should lead to more effective international engagement.

Staffing for the EEAS is drawn roughly equally from Commission and Council staff along with seconded individuals from member states – which should have the advantage of bringing experienced individuals into the service with the added bonus for the donors of transferring the cost from the national exchequer onto the EU. The EEAS at time of writing was still understaffed, particularly in the area of political officers at delegation level. Building up a politically sensitive and integrated service will take time as people adjust to new objectives; the change-over has led to some confusion and frustration.

2.3 Coordination

The Concept states that an informal Mediation Support Group (MSG) should be established to monitor the recommendations of the Concept and coordinate across the EU structures. It appears that this group met a few times after 2009 but has mainly been dormant. Its activities have been disrupted by the organizational trauma surrounding the establishment of the EEAS and reorganization of the Commission with the establishment of DEVCO. That no one has yet been appointed in the EEAS to

¹² See organogram at: http://eeas.europa.eu/background/docs/organisation_en.pdf.

¹³ Council Joint Action 2007/805/CFSP.

cover mediation means that an institutional voice pushing mediation ideas across the EU has been lacking. DEVCO also intends to establish a unit to match the EEAS unit.

2.4 Mediation capacity and the Initiative for Peacebuilding

The Initiative for Peacebuilding, a pan-European coalition of NGOs, was established in to 'develop and harness international knowledge and expertise in the field of conflict prevention and peacebuilding to ensure that all stakeholders, including EU institutions, can access strong independent analysis in order to facilitate better informed and more evidence-based policy decisions'¹⁴. This initiative produced a series of policy and briefing papers and serves as a basis for ongoing development of EU capacity in this area. However, systematic training of EU staff in mediation techniques and principles has not happened, although some staff attended courses.

A pilot project is being developed by the EEAS to provide a framework for the institutional aspects of mediation and crisis prevention. For example, it will explore training, guidelines for activities, and for a roster of potential mediators. This could be a very useful development since approaches have so far been ad hoc and random.

In order to ensure that a mediator can be deployed rapidly when needed, the EEAS is considering developing arrangements under which contracts with key potential mediator personalities or bodies such as specialist NGOs are negotiated in advance. Thus when it is necessary to deploy mediators to a specific crisis, a contract can be rapidly drawn up on the pre-agreed terms.

¹⁴ http://www.initiativeforpeacebuilding.eu/about_us.php (accessed 21 May 2011)

3 CASE STUDIES

3.1 Sudan and the EU

Sudan is of major interest for a number of European governments, and the EU is a substantial donor to both the North and the South. However, the Union has not emerged as a major influence on the key political issues – the Comprehensive Peace Agreement (CPA) paving the way for the South’s January 2011 independence referendum, the post-CPA negotiations and the problems of Darfur.

Unlike certain EU member states the Union itself is not regarded as a power with clout by the governments in Khartoum and Juba. There are a number of reasons for this: it was not intimately involved in the CPA peace talks between the National Congress Party (NCP) and Sudan People’s Liberation Army/Movement (SPLA/M); bilateral initiatives by some EU members have been seen as more important; and there is resentment in Khartoum over EU support for the International Criminal Court’s March 2009 arrest warrant against President Omar al Bashir on charges of crimes against humanity and war crimes.¹⁵

The EU has attempted to support the mediation efforts led by others – particularly the efforts of the African Union High Level Implementation Panel on Sudan and the AU/UN joint process on Darfur. However, despite providing financial support for this, the EU has not secured significant influence or access to the AUHIP process. EU efforts to provide technical and expert support to the AUHIP have been hampered by administrative mishaps and high-level mistrust, and this has undermined Europe’s ability to shape the evolution of the mediation process.

The main means of EU political engagement in Sudan has been through the office of the EUSR – first Pekka Haavisto (2005–07), then Torben Brylle (2007–10) and since 2010 Rosalind Marsden. The ability of EUSRs to be major players in Sudan has been hampered by the EU’s limited influence. Moreover, it has fluctuated with the different approaches and personalities of successive office-holders.

In this section three areas are identified as EU mediation efforts in Sudan: first **support to processes led by others**, including for the Darfur negotiations and financial and human capacity support to the AUHIP; secondly **support to work by the NGO Concordis International** for peace-building efforts along the North–South border; and finally the ability of the **EUSR to influence events** and encourage a particular course of action.

This section gives an overview and assessment of current areas of actual and potential mediation in Sudan and EU efforts in these areas, before drawing some conclusions.

3.1.1 Current and potential mediation areas

➤ North/South talks

In 2005 the National Congress Party (NCP), in government since 1989, signed the Comprehensive Peace Agreement (CPA) with the Sudan People’s Liberation Movement/Army (SPLM/A), which had been fighting the government of Sudan since 1983. This ended Africa’s longest-running civil war.

¹⁵

<http://www.icc-cpi.int/menus/icc/situations%20and%20cases/situations/situation%20icc%200205/related%20cases/icc02050109/icc02050109?lan=en-GB> (accessed 13 May 2011).

The peace negotiations extended over several stages from 2000, producing a series of protocols covering key issues, such as power-sharing, wealth-sharing, security, and the status of Abyei, Southern Kordofan and Blue Nile states; the protocols on each issue together constitute the CPA.

The CPA mandated a power-sharing six-year interim period running through to July 2011. Two major milestones in this period were to be national elections and a referendum in which the people of Southern Sudan would choose whether to remain within a united Sudan, but with considerable self-governing powers, or whether to secede as an independent state. The agreement was witnessed and guaranteed by Intergovernmental Authority on Development¹⁶ (IGAD), Egypt, Italy, the Netherlands, Norway, the UK, the United States, the AU, the EU, the IGAD Partners Forum, the League of Arab States and the United Nations.

International partners were heavily involved in the process throughout the negotiations, with a strong presence on the ground in support of IGAD. Although decades of war had worn down the antagonists, it is clear that without the IGAD-led mediation process little progress would have been made.

International assistance was organized through the IGAD Partners Forum, which funneled political and financial support to IGAD and the lead mediator. Certain non-African states – the United States, Norway, the United Kingdom and Italy – took a particular bilateral interest in the talks.

Follow-up to the CPA

Progress in the peace process since the signature of the CPA has been mixed. The Government of National Unity (GNU) and Government of Southern Sudan (GOSS) were established as planned, and elections were finally held in 2010, but the border demarcation scheduled to take place within six months of the signing of the CPA has yet to be finalized.

By the time the CPA was finally signed, international attention had shifted to the war in Darfur – and campaigning by advocacy groups made Darfur the main preoccupation of Western governments. This had an impact on the mandate of the EUSR to Sudan. In 2005 the first EUSR was appointed to ‘achieve a political settlement’ on Darfur, promote the EU’s support to AMIS and to ‘facilitate the implementation of the CPA’.¹⁷ He focused most of his energies on Darfur.

Only in 2009 did international attention refocus on post-referendum issues and how the Khartoum–Juba relationship would work after the referendum in January 2011.

The impetus for this came from the United States through its Special Envoy Scott Gration. It was the US that brought the parties together to talk about potential problems, although EU member states launched initiatives to raise awareness. These ‘trilateral talks’ re-engaged international partners with the North–South peace process and demonstrated that external actors would need to remain supportive through the transition period and beyond.

The EU’s role remained secondary. The second EUSR continued to focus mainly on the Darfur issue¹⁸ and was seen, even in Darfur, mainly as an observer rather than an actor.

¹⁶ IGADs members are Sudan, Ethiopia, Uganda, Kenya, Somalia and Eritrea. At present Eritrea’s membership is suspended.

¹⁷ http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/declarations/85759.pdf (accessed 13 May 2011)

¹⁸ http://eur-lex.europa.eu/LexUriServ/site/en/oj/2007/l_046/l_04620070216en00630067.pdf (accessed 13 May 2011).

The AU-led process

Under the guidance of the African Union High Level Implementation Panel on Sudan, the SPLM and NCP have tried to reach agreement on the future North–South relationship. Led by South Africa’s former Thabo Mbeki, the panel has a mandate covering both Darfur and the North–South process.

In contrast to General Gration’s hands-on and directive approach, Thabo Mbeki acts more as a facilitator than a mediator. The role taken by the Mbeki panel is part of a wider trend for conflicts and disputes in Africa to be mediated by Africans and African institutions.

The AUHIP was formally endorsed in June 2010,¹⁹ when the SPLM and NCP asked the AU to provide support to their bilateral negotiations. The US, Norway and UK have roles within this process, but the EU does not.²⁰

The problems the EU faces in translating its financial muscle into political influence is well illustrated by the HR/VP experience over the AUHIP process. Thabo Mbeki had kept other international partners away from the NCP/SPLM talks until a call from President Obama resulted in the US envoy being allowed to participate. A similar request by the HR/VP has not resulted in a seat for the EUSR.

This need not be a problem if the EU can support the process. The EU offered three technical experts to the panel and the offer was accepted. This was part of a €2,484,910 grant to the International Organization for Migration (IOM) to support Sudanese institutions as the interim period drew to a close. However, disagreement on the nationality of the experts and disorganization on the part of the AU have led to only one of these positions being filled. The EU appears unable to exercise leverage to ensure this contribution is fully utilized. This is worrying since all parties agree that the AUHIP is struggling to meet its multiple responsibilities.

EU approaches to support the running of the AUHIP have also been hampered by well-documented bureaucratic shortcomings in the AU. It has fallen to the Assessment and Evaluation Commission (AEC)²¹ to provide much of the administrative support the panel requires to operate effectively. Funding for this and for experts housed in the AEC but used by the AUHIP was provided by DFID at short notice. The intervention allowed meetings to happen and the AU to call on useful extra expertise.

The AEC is scheduled to be dissolved in July and the AUHIP will need to seek a replacement to provide logistical support. The likelihood is that there will be much for the AUHIP still to do following Southern independence

One issue is the status of Abyei, which remains unresolved despite the Abyei protocol stating that: ‘Simultaneously with the referendum for Southern Sudan the residents of Abyei will cast a separate ballot [to remain in the north or join the south].’²² The referendum has still not been held because the NCP and SPLM cannot agree the criteria for residence.²³ The SPLM position would limit eligibility to

¹⁹ <http://www.cmi.no/sudan/doc/?id=1283> (accessed 13 May 2011).

²⁰ The EU provided €1,352m (for 15/2–31/10 2010) and a further €1,23m (for 5/2–31/10 2011) to support the running of the AUHIP from the APF’s Early Response Mechanism. These sums are small but important because the AU lacks financial flexibility.

²¹ The AEC was established under the CPA to oversee and report on CPA implementation. Its mandate will expire on 10 July 2011.

²² CPA, Chapter IV – The Resolution of the Abyei Conflict, p. 65.

²³ See Abyei Area Referendum Act 2009, Government of Sudan, particularly 14 (1) and 24.

Ngok Dinka, who are likely to vote to join the South, while the NCP argues for the inclusion of nomadic Misseriya, who are expected to vote to remain in the North.

Although following the decision on its boundaries by the Permanent Court of Arbitration (22 July 2009)²⁴ much of Abyei's known oil wealth is now firmly in Southern Kordofan, the area has particular significance to both parties. For the Misseriya access to dry- season pastures in Abyei and the ability to cross the area are essential to their livelihoods, while for the Ngok Dinka and many in the SPLM leadership the area has great political and personal significance. So far neither side has been prepared to compromise and the recent occupation of Abyei by northern troops demonstrates the fragility of the peace.

If the mooted Darfur Political Process (DPP) goes ahead the AUHIP will require a considerable increase in administrative capacity.

Along with EU monitoring teams headed by MEPs, the EU provided financial support to the election and referendum process in Sudan, €3.25 million for the UNDP referendum basket fund and €12.5 million for the UNDP election basket fund.

➤ **Darfur**

The Darfur crisis has attracted public attention in recent years but international partners have struggled to develop an effective response. It has proved easier to support the African and UN peacekeeping effort (UNAMID) than to move the different players towards a negotiated political and military peace.

The only agreement that is holding is the high-level agreement between Chad and the government of Sudan to stop sponsoring each other's armed oppositions and providing bases for them. This agreement is a reminder that conflicts within Sudan, though primarily driven by local grievances and political calculations, are also affected by inter-state dynamics, and regional powers can play an important role in reducing or fuelling conflict.

Other efforts to find peace in Darfur have been unsuccessful and are compromised by two types of proliferation – of armed opposition groups (some of whom have very few arms) and of peace efforts and agreements (none of which include all or most of the multiple armed groups).

The Darfur Peace Agreement was reached in 2006, based on the CPA but with only one rebel signatory; it has had little effect. Reports from that time indicate that the EUSR Pekka Haavisto was heavily involved in mediating. Unfortunately a rushed and badly organized process did not produce a sustainable result.

Darfur serves as a reminder that the problems of Sudan do not end with the North– South separation. Currently there are three main peace efforts for Darfur:

UN/AU Doha process

The main focus since the Darfur Peace Agreement (DPA)²⁵ of 2006 failed to end the fighting has been the talks in Doha led by the joint UN/AU mediator Djibril Bassolé (since 2008). In an effort to revitalize the peace process the EU Delegation in Sudan gave €3m for the period 22 December 2007 to 21

²⁴ <http://www.pca-cpa.org/upload/files/Abyei%20Final%20Award.pdf> (accessed 13 May 2011).

²⁵ The DPA was concluded in Abuja Nigeria in May 2006 between the government of Sudan and the Sudan Liberation Movement faction led by Mini Menawi (SLM-M), <http://allafrica.com/peaceafrica/resources/view/00010926.pdf>

December 2009 from the Trust fund for the Joint UN–AU Mediation Support Team for Darfur. The continuing lack of progress on Darfur demonstrates that money needs to be spent wisely and in the service of clear political objectives.

There has been a consistent level of international attendance, including by the EUSR, at the Doha meetings.

AUHIP Darfur Political Process (DPP)

The DPP would begin with Darfur-wide consultations building up level by level to a Darfur conference to draft a permanent settlement. By no longer having to rely on the voice of armed protagonists the DPP would, in theory, harness the views of the people for a permanent solution. Critics of this approach suggest that consultation without the consent of the armed groups will be difficult. The DPP is also criticized for detracting and undermining the efforts under way in Doha.

Darfuri activists allege that AU and UN officials are compromised because government minders accompany them as they make enquiries in camps. In contrast the EU was regarded by activists as a trustworthy intermediary – perhaps because it has not been tarnished by previous failures.

Government of Sudan's 'New Darfur Strategy'

A government approach announced in late 2010 offers a new peace initiative that includes a referendum to decide whether Darfur should become a region. This policy is widely denounced by Darfuri groups as an effort to force a solution on Darfur. International criticism has focused on this as a distraction from the main negotiations in Doha, and there are claims that the referendum would undermine the new AU DPP initiative.

The clash between these two initiatives run by the AU is unfortunate. Darfur suffers from a legacy of ineffective and non-inclusive peace agreements. While frustration with the Doha process is understandable, the DPP is unlikely to facilitate a comprehensive solution if armed groups are opposed. Many Western and African diplomats privately acknowledge that without the consent of armed groups the DPP stands little chance of success. It requires ongoing mediation between the government and the armed groups.

➤ **South-South conflicts**

South–South conflicts are of increasing concern. These are politically motivated violence in South Sudan and violence connected with community grievances and historical rivalries (sometimes referred to as tribal violence but this description can be unhelpful since it ignores the political nature of many of these conflicts; others prefer the term 'people-people conflict').²⁶

The failure also of Disarmament, Demobilization and Reintegration (DDR) programmes in Southern Sudan, which were universally described as having had virtually no positive impact, means that this

²⁶ See Mareike Schomerus, Tim Allen et al., 'Southern Sudan at odds with itself: dynamics of conflict and predicaments of peace.' LSE July 2010.

trend is likely to continue.²⁷ And as long as people with grievances are kept in the armed forces and are armed, their potential to rebel remains.

The SPLM/GOSS regard these as internal matters that should be resolved through the efforts of local players in South Sudan, and international partners have preferred to leave the task to local mediators. Nevertheless the EU might play a useful role in support of peace mediation and stabilization.

Two examples show how resolution can be helped. In 2009 Archbishop Daniel Deng led a group of 200 priests through Jonglei state to try to restore stability in an area that had suffered from severe communal violence. Although not perhaps a classic mediation effort, local initiatives like this do have the great advantage of understanding and being understood by local people.

Another example is the work of PACT Sudan with local partner organizations to build capacity and support peace efforts. This work is funded by grants from the UK government and others, although not the EU. Other International NGOs also play a facilitating role channeling funds from donors to trusted partners. This approach takes advantage of the local knowledge and relationships of NGOs and their ability to respond in a flexible manner to local circumstances. EU support for the work of Concordis International on the border fits broadly into this rubric.

3.1.2 EU support to Concordis International

The EDF provided funds to the NGO Concordis International, which enabled Concordis to carry out workshops along the North–South border.²⁸ This Cross-Border Relations Project was carried out in collaboration with the Centre for Peace and Development Studies at the University of Juba.

Following an initial period of consultation and gap analysis, Concordis decided that there was a need to focus on the relationships among communities living along the border – both to improve local relationships and to build a higher-level understanding of how the border could be managed peacefully. The project involved workshops conducted with officials, traditional leaders and civil society representatives in seven locations along the border, discussing their aspirations for future cross-border relations, and the findings were published. Subsequently, two regional conferences were held, bringing together previous participants and more senior officials from both sides of the border to build consensus about the nature of cross-border relations beyond the referendum and to stimulate cooperation in the management of cross-border issues at the local level. A separately funded project mapping conflict dynamics along the border built upon the outputs of the initial seven workshops²⁹. At the completion of the project Concordis received further funding from the IfS to facilitate high-level policy discussions about cross-border management and security issues.

The project received funding of €1.8 million from the EDF for a two-year period beginning in 2009 and was managed by the EU delegation in Khartoum. There was limited interaction with the EUSR.

The project was widely seen as useful by EU and international diplomats³⁰ and efforts are under way to build upon the work that has been done. This kind of project may show the most effective way for the EU to support mediation efforts at a local or regional level. Channeling funds through respected NGOs, be they international or Sudanese, does represent at least one way in which support can be given to local peace processes.

²⁷ 'Failures and Opportunities: Rethinking DDR in South Sudan', Sudan HSBA – Small Arms Survey No.17, May 2011.

²⁸ <http://www.concordis-international.org/pnp/pbi.html> (accessed 23 May 2011).

²⁹ 'More than a Line: Sudan's North-South border', Concordis International, September 2010.

³⁰ Unfortunately it was not possible to interview participants in the process to ascertain their views.

3.1.3 The role of the EUSRs for Sudan

The EUSR has never managed to become a major player among the myriad of international actors on Sudan, although Pekka Haavisto played an important role in the DPA negotiations and Rosalind Marsden is widely respected.

The US and the AU occupy a first tier of influence while Norway, the United Kingdom, Ethiopia, Kenya and the Netherlands are also influential on particular issues or at certain times.

The EU as a political actor probably comes in ahead of others but rarely has the same influence as the second tier. This is partly a result of the leadership role taken by member states. Sudan has for some time been seen as an important foreign policy area and one where member states have wanted to demonstrate their effectiveness – Italy, for example, was an important player in the Naivasha talks.

The UK has been the pre-eminent EU member state voice on Sudan and along with the Netherlands has rather crowded out the EU. In a situation where foreign players have tended to adopt areas of specialty (oil for Norway, security for the UK, the Three Areas³¹ for the Netherlands) the EU's generalist approach without the hard political clout of the US has led to its finding itself on the sidelines.

A major obstacle to the efficacy of the EUSR has been the position of the EU in relation to the International Criminal Court's (ICC) indictment against President Bashir. EU policy in this area means that it is not possible to engage directly with the President of Sudan (although this seems to be more about public perception than a legal requirement to have no dealings with him). Although all EU member states have the same position on the ICC as the EU, it was apparent during interviews that the EU was held to be most 'at fault' by senior members of the NCP.

Still this may have some advantages in that it allows the EU to push an important point about impunity and enables member states to remain engaged while the EU is blamed for its perceived bias. The EU position on the ICC has also proved popular with Darfur activists.

EUSR Marsden has formed a Sudan taskforce in Brussels to coordinate EU activities towards Sudan. This could prove useful as the Union has expertise in post-conflict situations and South Sudan will require such support to avoid instability.

The EUSR has until recently been the only political voice of the EU in Sudan – the delegations there had focused on development issues and have been reluctant to use that potential leverage to build influence for the EU.³²

As the delegations become political offices this will change, but the level of EU political visibility is at present very limited. Meetings between heads of member-state missions are chaired by the EU heads of delegation. These provide a coordinating forum for member states but it is they, rather than the EU, that still lead in Sudan.

3.1.4 Conclusions

There are three ways in which external partners have been able to assist peace negotiations in Sudan:

1. **Pressure to negotiate.** This is a role most obviously played by the United States, which has leverage to coerce or encourage the parties to take part in negotiations or move in particular directions. Other nations able to exert this kind of pressure are influential neighbours, most notably

³¹ This term refers to Abyei, Southern Kordofan State and Blue Nile State, areas in Northern Sudan with special status under the CPA

³² The former head of mission in Khartoum was seen as having missed an opportunity to take a lead on Darfur before the appointment of the EUSR in 2005 because of his reluctance to have any political engagement.

Ethiopia. Many northern politicians (not just from the NCP) remarked that the EU's position and association with the ICC undermined its ability to influence events in Khartoum. But there was also a widespread perception in Juba and Khartoum that the EU was not a major political player – indeed in many cases politicians regarded the EU as a cash cow rather than a political partner.

2. **Particular expertise.** This is a role associated with Norway. Despite being small in size it is one of the most influential foreign powers in Sudan. This is a result of a long-term strategy to build knowledge and relations in the Horn of Africa and Sudan in particular. Norway has also benefited from the work of Norwegian NGOs in Southern Sudan during the war and the recycling of staff from those NGOs through the Norwegian foreign ministry. Norway has a particularly close relationship with the SPLM and Southern Sudan – it was one of the first countries to open a full consulate in Juba (which reports directly to Oslo rather than the Embassy in Khartoum). However, this close relationship has not prevented Norway gaining the trust of the GOSS and NCP in the specific area of oil. It has appointed a special envoy responsible for understanding the oil politics of Sudan, who is supported by a team of analysts in Oslo. This focus, drawing from Norway's own history as an oil producer, has given it a special place in negotiations to support the parties in reaching agreement on future oil relations. This expertise also gives Norway credibility to engage more broadly with the peace process.
3. **Timely and targeted financial/technical help.** The example of DFID support to the Assessment and Evaluation Commission (AEC) is a good example of this. This is not necessarily about exposure but ensuring that a process can in fact happen. As the trend is toward African-led mediations, partners such as the EU will need to develop mechanisms to provide support in areas where the AU or other regional organizations struggle. The boast that EU funds can be made quickly available is not helpful if they still take months when fast-moving negotiations are under way. Another example of this type of support is the UN provision of transport for local mediation efforts in South Sudan. The provision of financial and technical support to others is the area where the EU has been most active and can have the most positive impact, and it should ensure it has the relevant tools and relationships to provide this support.

There is no shortage of mediation assistance opportunities in Sudan. For the EU, however, the reality is that other international actors have occupied the prime real estate and it will have to be satisfied with playing a supporting role to their efforts.

If the objective is to promote peace in Sudan then this is not worrying, as the EEAS learns to act as the EU's foreign service. The EU should seek to complement the work of others. However, several people involved with EU efforts were concerned that the search for visibility in mediation areas might undermine efforts. Often diplomacy and mediation are most effective out of the spotlight.

The influence of the EUSR position is highly dependent on the effectiveness of the individual chosen. The current EUSR in Sudan is generally considered to be a good appointment given her knowledge of the country. Her ability to coordinate across the EU's activities is an important new initiative.

As Sudan enters a new era of being divided into two states, an EUSR that is tied to neither Khartoum nor Juba and can address issues between the two states will be important. Problems in the Sudans, including Darfur, are likely to continue to have cross-border implications.

In order for the EUSR to be effective adequate resourcing is necessary. In tandem, the political role of the EU delegations will expand but this requires more than one political officer. Mediation is a politically sensitive issue and funds and support for mediation should be run on the basis of political calculations. Mediation needs can change quickly and the ability to provide support at short notice is crucial.

Although the EU does not have a key role to play in mediation of local conflicts in South Sudan and Sudan, its financial resources can support local NGOs, churches and INGOs in their efforts. An emergency fund available to the heads of delegation to spend at short notice in support of local mediation or peace-making exercises could be effective.

Specific areas for consideration are the future types of support that the AUHIP will require – this should not just cover financial and expert support but also ensure that the administrative functions assist the process.

Learning from past mistakes is also important. When international attention switched to Darfur after the CPA was signed, progress on the North–South relationship stalled. It is imperative that this does not happen following the independence of South Sudan. The risks of North–South violence are high but so are the risks for widespread violence within South Sudan. These problems cannot be completely prevented by international action but they are more likely to get worse if the international community is distracted. The EU could play a useful and important role marshalling international partners of Sudan to continue to monitor and engage with the relationship between Khartoum and Juba and internally within each country.

3.2 Europe in the Great Lakes crisis

3.2.1 The story so far: from peace enforcement to mediation – and support for stability

The crisis experienced by the countries of the Great Lakes basin from the early 1990s onwards has been one of the most profound and prolonged of the post-independence era in Africa. It has presented a rare combination of challenges:

- the complexity of the political, ethnic and socio-economic issues at stake;
- an intense struggle for control of territory and resources;
- the fragile nature of regional institutions;
- the coincidence of major national crises in several adjacent countries.

These transformed already serious national and local crises into a wider regional pattern of interlinked problems. There has been a question mark at times over the survival of coherent state structures and national governments in some countries.

Consequently, large-scale international support has been crucial in helping the Great Lakes states to emerge from this period of existential crisis and rebuild political and social stability, state institutions and economic activity.

Since the mid-late 1990s, both the EU and some individual member states have been significant contributors to the processes of political negotiation, peace consolidation and the reconstruction of state institutions.

And in partnership with the United Nations and the United States, the EU has sought to strengthen respect for human rights, freedom of expression and accountable constitutional government.

➤ A troubled beginning

Like the wider international community, European governments were slow to respond to the initial signals of accelerating crisis in the early 1990s and were caught off-guard by the launch of the campaign of systematic genocide in Rwanda.

However, the EU and its member states drew the lessons of this sobering experience. In mid-2003, when it became clear that there was a high risk of mass killings in the Ituri province of northeast Democratic Republic of Congo (DRC), the EU rapidly deployed the Artemis military force to protect civilians and stabilize conditions on the ground until a United Nations peacekeeping presence could be organized.

The EU had also recognized the contribution that it could make to the process of mediation between governments, political and military factions and societal interest groups. As a coherent bloc of external partner states and a major aid donor, it had the capacity to exert serious influence in helping towards the resolution of the multiple disputes and conflicts of interest that constituted the Great Lakes regional crisis.

In 1996 Aldo Ajello was appointed as the EUSR to the region. He engaged in a process of regular high-level contact with national leaders and other senior figures, pursuing a highly personalized diplomacy that was a natural complement to parallel activities of UN and US envoys, and the envoys of some member states. At a time when relations between national leaderships in Great Lakes states were often characterized by deep mistrust or breaches in contact, high-level international envoys played a vital role in opening up avenues for negotiation and understanding; the EUSR was among the most significant.

In 2007 Ajello was succeeded by Roeland van de Geer. Alongside the UN and US special envoys to the Great Lakes, de Geer mediated the negotiations in Nairobi that produced a settlement of the dispute between the DRC and Rwanda over the activities of armed groups operating across their mutual border: representing a wide swathe of diplomatic, financial and strategic clout, the envoys worked together to maximize pressure on the two governments to reach a compromise.

Subsequently, de Geer's political team provided valuable support to the internal Congolese 'Goma process' of negotiation and agreement between a range of factions and interest groups in the east of the country. Team members spent extended periods of time in Goma (the main city in the fragile eastern Congo), working with local political players. One team member has been based in Kampala (Uganda), monitoring the African and international efforts suppress the Lord's Resistance Army rebellion, which has committed many atrocities in the DRC, Uganda, the Central African Republic and Sudan.

The EUSRs also supported the Burundi internal peace process. Negotiations were chaired by South Africa – ex-president Nelson Mandela and, later, the minister Charles Nqakula. The South Africans created a 'political directorate' of external players – the EU, UN, AU, Tanzania and Uganda – who provided a united front of pressure and support for the completion of the negotiations in Arusha and Sun City.

Because of its weight as a source of financial assistance and technical support for security and development in the Great Lakes, and some member states' close relationships with governments in the region, the EU is a key partner for the wider process of stabilization and longer-term recovery and development.

This support for the process of peace consolidation in the wider sense is at least as critical as the direct mediation role that the EU has played in the Great Lakes. Indeed, it is difficult to separate the two roles.

➤ **The current role and the route forward: underpinning stabilization and development**

The role that the EU can play in the Great Lakes varies from country to country, reflecting different local conditions.

In **Rwanda** state institutions are well developed. The EU maintains a political dialogue with the government but its principal role is as a development partner, and its experience in forging a regional economic space is relevant to Rwanda's ambitions to play a major role in the East African Community (EAC).

In **Congo** conditions are radically different. With 71 million people, a national territory of 2,267,600 sq km and a history of conflict, corruption, weak administration and poor economic management, Congo faces massive challenges.

The country faces a critical test with presidential elections this year and legislative elections due shortly but the government has stated unambiguously that it no longer sees a role for external mediation at intergovernmental level. Bilateral relationships with neighbouring states are now managed from the presidency and the ministry of foreign affairs.

Support from the EU therefore still makes a critical contribution to the consolidation of peace and stability. As the principal financier of the forthcoming elections, the EU plays a role in seeking to ensure that the process will be fair and transparent.

The Congo government is reorganizing its security forces and if this is successfully completed it should help consolidate peace. The EU plays an essential role here as a technical partner: the UN mission

MONUSCO is charged with the training of Congolese military personnel, while the EU provides support for reform of the security administration. In particular, it is providing biometric identity cards for military personnel, to establish a definite headcount and ensure soldiers are paid on time and in full.

The EU ambassador in Kinshasa chairs weekly meetings of member-state ambassadors and can thus speak to government with the full weight of shared European views and financial clout.

However, some international officials argue that the EU should provide much more financial and practical support for the International Security and Stabilization Support Strategy for the DRC.³³

In **Burundi** conditions are different again. The country is characterized by a highly diverse and openly expressed culture of political debate and competition. Civil society groups are well developed and active. However, the situation is fragile and elements of the FNL former rebel group have returned to military activity in rural areas, where tensions are rising, in recent months FNL civil activists have been victims of extra-judicial killings, which independent observers believe are linked to elements close to sections of the intelligence service. Independent civil society and media figures also face risks to their safety.³⁴ The president and government have been reluctant to speak out on these issues and most opposition parties boycotted the 2010 elections, leaving the governing CNDD-FDD dominant in representative institutions. There is a serious risk that Burundi could slide back into overt conflict or instability.

South Africa has indicated that it will not become engaged in any fresh mediation effort.

In this context, the EU and its members are seeking to leverage their influence – Burundi is one of the world’s poorest countries and aid covers more than half the cost of the state budget – to promote better governance and renewed political dialogue and engagement. The EU has also embarked on an initiative to support and help protect human rights activists.

3.2.2 The role of the EUSRs to the Great Lakes³⁵

➤ **Role in times of ‘hot crisis’**

Our interviews with a wide range of African, European, and international interlocutors found that both Ajello and de Geer were regarded as effective and dedicated professionals with a capacity for distinctive personal diplomacy. Ajello had been mediator of the internal peace process in Mozambique, while de Geer had headed the Africa department in the Netherlands foreign ministry.

The EUSRs played a critical mediating role during the period from the late 1990s onwards, when Rwanda/DRC relations were characterized by misunderstanding, mistrust and, often, a lack of direct high-level contact. This situation persisted until the Nairobi process of 2007 and the negotiation of a bilateral understanding between Presidents Joseph Kabila and Paul Kagame.³⁶ (These, and the internal Goma accords³⁷ among DRC factions, settled the dispute between Rwanda and Congo over the activities of the CNDP rebel movement in eastern Congo and established an understanding between internal players in eastern Congo.)

³³ *Stratégie Internationale de Soutien à la Sécurité et la Stabilité, Rapport Trimestriel de octobre à décembre 2010.*

³⁴ Investigative reporting by the newspaper *Iwacu*, Bujumbura, April 2011.

³⁵ *Strategy, not Bureaucracy: The Role of the EU Special Representatives in the European External Action Service* Adebahr, Forschungsinstitut der Deutschen Gesellschaft für Auswärtige Politik, July 2010.

³⁶ *Joint Communiqué of the Government of the Democratic Republic of Congo and the Government of the Republic of Rwanda on a common approach to end the threat posed to peace and stability in both countries and the Great Lakes Region*, Nairobi, 9 November 2007.

³⁷ *Acte d’Engagement, République Démocratique du Congo*, Goma, 23 January 2008.

Success in Nairobi resulted from the EU, UN and US mediators collaborating to persuade the two governments to send senior figures to talks in Kenya – and then creating a negotiating context in which these government representatives recognized the critical need to reach a deal.

The EU's central participation in this process was vital, partly because the Great Lakes government figures involved had a certain familiarity with Europe (some of them have had close personal ties in EU member states). They were also aware of the EU's clout as one of their most important donors for reconstruction and development, and a key trade partner. So 'Europe' was perceived as both a sympathetic partner and one that could exert real leverage.

But the process of political engagement was highly personalized. It was therefore essential that the EU was represented by an individual who could build personal working relationships with senior Great Lakes decision-makers.

It was also essential that the EUSR was known to have been mandated at a high level in Europe and enjoyed the freedom to operate in a rapid and flexible manner, unconstrained by a narrow pre-defined policy brief. It was seen as highly useful and effective that the EUSR was supported by a small specialist team which could produce working documents and legal drafts at short notice and develop specialist initiatives, and which had the skills to maintain a close monitoring presence on the ground – in Goma, for example.

To play a helpful and effective role in mediating between individual states and between states and non-state actors in the Great Lakes crisis in 1996–2008, Europe needed to deploy a trusted high-level individual dedicated to the process, free to act quickly or travel at short notice and accorded wide flexibility and practical working support.

In a region where decision-making is concentrated in the hands of a small number of senior individuals, Europe needed to deploy its own individual special envoy. This was also a natural counterpart role to the high-level envoys assigned to the Great Lakes by the UN and the US.

Moreover, the EUSR fulfilled a useful institutional role during the years before the Lisbon Treaty, when the EU lacked the foreign policy machinery to handle its growing engagement in international peace and security politics in regions such as the Great Lakes.

➤ **Role during periods of relative 'normality'**

Today the Great Lakes region continues to face major problems. But the risk of major conflict has probably diminished -- at least outside Burundi – and the region's governments are themselves managing the high-level contacts. Indeed, senior government sources in Kinshasa have stated that they see no role for outside mediation. The DRC now handles bilateral disputes with neighbouring states directly. Over the past few years it has become increasingly difficult for special envoys of the EU, the US or the UN to secure meetings with senior government figures.

Meanwhile, the EU's capacity for action through its permanent diplomatic representation in Kinshasa has grown stronger. The Congo government, sees the EU ambassador as its main European interlocutor on politics, governance, security and human rights.

This is broadly welcomed by member states' ambassadors, even those that have close bilateral ties to Congo. Member states' embassies see the activities of the EU delegation as complementary to their own.

Indeed, the European diplomatic community in DRC feels that the political capacity of the EU delegation in Kinshasa should be enhanced, to enable it to develop expertise across a wider range of

politically important areas. Some suggest the ambassador should be supported not only by a head of cooperation – as at present – but also by a senior head of political affairs.

Member states see a strong EU political presence as an essential accompaniment to their own bilateral assistance to Congo, because the Union can exert a degree of leverage that they, as individual states, cannot.

The enhanced role of the EU ambassador is strongly welcomed by the Congolese authorities. They prefer to deal with a senior figure permanently based in the DRC who speaks for Europe across a full range of policy issues.

Some member-state diplomats strongly advocate establishing an EU diplomatic presence in Goma, where the Union supports security-sector reform but lacks a permanent diplomatic presence.

Three EU member states, and the US, maintain low-key bilateral representation in Goma; the DRC authorities would prefer to see these reduced or removed. But diplomats argue that the EU should stress its need to have a close understanding of local conditions in the most fragile region of a country where it is making such a major financial and practical contribution to state-building and recovery.

In other Great Lakes capitals there remains a stronger interest in a continuing role for an EUSR for the region.

In Rwanda, where the government maintains a strong and centralized administration, some diplomatic sources believed that an EUSR could play a useful role in delivering messages at a high level, above that of routine diplomatic contact.

In Burundi there is concern for a situation that remains extremely fragile, with a real risk of a slide back into open conflict. Here Europe needs to deploy all the tools that it can muster to exercise influence in favour of political compromise, improved governance and respect for human rights and a renewed attempt to draw the leaders of resurgent armed activity back into peaceful engagement.

Many of our interlocutors drew a distinction between the need for everyday pan-regional official activity and expertise -- which could be accommodated within the External Action Service -- and the occasional need to deploy high-level specifically political influence, through personal contact with heads of state and other senior government figures.

For the routine but important regional tasks or events, such as the summits of the Economic Community of the Great Lakes Countries (ECGLC), Europe has lacked the capacity to be represented at a senior level, and on a regional basis, other than through the EUSR.

We have examined the way this issue is handled by one or two EU member states that have their own regional envoys for the Great Lakes region. Their capacity to develop regular contacts³⁸ and regional expertise without being encumbered by normal administrative tasks indicates a useful role that could be accommodated within EAS structures.

It was suggested that it might be wise for the HR to appoint senior political figures as deputies with specific regional responsibilities for major world regions of concern to the EU. Such individuals would be politicians with an established foreign policy track record and public profile and a capacity to secure access to leaders in, for example, sub-Saharan Africa, at times of special crisis or concern.

³⁸ For example, in March 2011 Belgium's envoy, Frank De Coninck, met Burundi's President Pierre Nkurunziza for the second time in just six months.

The High Representative has responsibilities as vast as those of the US Secretary of State. But the latter is supported by high-profile deputies, such as the Assistant Secretary of State for Africa (who exercises major influence south of the Sahara and has ready access to senior African leaders), while the HR is not.

➤ **Tensions between the EUSR and the EEAS**

Over the last couple of years a rift has developed between the team working for EUSR de Geer and the geographical section of the former development directorate – now the central Africa section of the EEAS.

The EUSR team addressed a range of issues that it saw as critical to the consolidation of peace and that were not being prioritized by other EU institutions (such as conflict minerals, relations with NGOs and transitional justice, including the pursuit of FDLR exiles in Europe accused of major human rights crimes).

The geographical service felt that the EUSR was straying beyond his mandate and some geographical officials were advised not to cooperate with the EUSR team. By early 2011, as it became clear that the EUSR post might not be renewed, the EUSR team became marginalized from discussions about the future. This resulted in an atmosphere of mistrust among key EU officials, and important initiatives risk being abandoned or neglected because of the lack of transparency and consultation.

There has been confusion between two distinct issues: the question of whether there is still a need for an EUSR in the Great Lakes, and the most effective way to maintain EU action and support relating to cross-regional issues.

The EUSR's team has been highly active in cross-regional issues. Member states have invited the EEAS to set out how work on these issues should be sustained, but the proposals so far put forward lack detail. On 20 May 2011 Belgium held talks with other member states to discuss concerns that the EEAS proposals had failed adequately to address how key regional issues would be dealt with if the EUSR post was abolished.

In conclusion, our research in the Great Lakes region suggests that while there may no longer be a need for a specific regional EUSR as such, an enhanced political capacity is needed, at three levels:

- Within the EEAS headquarters in Brussels there needs to be enhanced political capacity to handle broad regional political and human rights issues that cross national boundaries – for example sexual violence in conflict zones.
- EU delegations in Great Lakes countries need substantially expanded political staffs, in the DRC in particular.
- Given the fragility of the Great Lakes region, there is a need for an individual of senior rank within the regional EEAS team who has the capacity to travel widely and frequently, engaging across the board on regional issues and representing the EU in key regional fora such as regional conferences.
- The case for this enhanced EU capacity to take a strategic approach to the Great Lakes is clear. Although 'hot conflict' has ended, the region remains highly fragile and requires sustained engagement. South Africa recently decided to appoint a special representative to the region and in the US there is Congressional pressure for the administration to consider appointing a new special envoy.

- Moreover, there could soon be a need for Europe to play a higher-profile role in the Great Lakes. Some senior UN officials believe that the DRC may not wish to prolong the mandate of MONUSCO beyond the next two years. Europe would then be widely seen as the natural candidate to step forward as the principal external partner for the consolidation of state constitutions and democratic governance.
- Such an enhanced pan-regional role would require the sort of strategic regional leadership that the EEAS currently seems poorly organized to provide if relying solely on its conventional geographical unit structure.

3.2.3 EU contribution to mediation and state-building

Mediation, narrowly defined as the direct involvement of European representatives in assisting negotiations between parties in conflict or dispute, is no longer a prime activity for the EU in the Great Lakes region. The political and diplomatic process has evolved to a point where such an external bridging role is not needed.

However, Great Lakes countries still face huge challenges. The situation is fragile in Burundi; serious risks remain in Congo; Rwanda faces serious unresolved political tensions.

The EU is well placed to assist in consolidating stability. European countries have long-standing connections to the region and present-day European support is very much welcomed. In general, the EU is viewed in strongly positive terms, as distinct from the sometimes highly contentious history of relations between individual European states and Great Lakes countries.

This enables the EU to exercise a powerful and valuable role in support of the consolidation of peace and human rights, state-building and socio-economic development. It is well placed to support civil society,³⁹ internal political dialogue and local initiatives to promote understanding and stability, and to actively support programmes to strengthen governance and accountability.

High-level mediation has been only an early step towards the consolidation of peace and stable development in the Great Lakes.

In the **DRC**, the Union plays crucial roles in several areas, but some we spoke with felt strongly that it should do more.

In security sector reform⁴⁰ the EUSEC and EUPOL technical missions complement the work of the UN mission, MONUSCO.⁴¹

The work of EUSEC, in particular, is widely praised. The mission provides technical and logistical support and focuses on specific priorities – promotion of respect for human rights, measures to tackle sexual violence⁴² and use of military health services to treat victims and, crucially, the overhaul of military

³⁹ L Davis, *Small Steps, Large Hurdles: The EU's role in Promoting Justice in Peacemaking in the DRC*, IFP Mediation Cluster, Initiative for Peacebuilding, Brussels, May 2009.

⁴⁰ *Contribution de la Monuc à la montée en puissance de la Force Territoriale et de Réaction Rapide*, MONUC, 27 March 2010; *MONUC, Joint SSR Proposed Priorities*, MONUC/MONUSCO briefing.

⁴¹ *Point sur la 'régimentation' des FARDC au début mars 2011*, MONUSCO background briefing, 2011. And *Comprendre le Mandat de la MONUSCO, Résolution 1925 du Conseil de Sécurité*, UN Public Information Division, October 2010.

⁴² This remains a major problem, despite Congo's passage of a law on sexual violence in 2006 – law no. 6/018 of 20 July 2006.

personnel management systems (including enumerating members and establishing payment methods).

The present Congolese military is composed of individuals drawn both from the old national army and from various armed groups and factions, including the CNDP, which have been brought into the national forces as part of the peace process. The restructuring of the military has direct consequences for the balance of political power in the DRC and the process is therefore acutely sensitive.

EUSEC's support for personnel management has been hindered by last-minute government changes to the military restructuring plan. The Congolese administration has not always adopted the frank and collaborative approach that that would maximize progress. Yet despite these problems, there has been substantial progress.

According to some estimates, as many as 80% of soldiers may now be receiving salaries in a correct and timely manner. EUSEC is a major success for Europe's efforts to support stabilization and the consolidation of peace in the DRC.

The parallel police reform mission, EUPOL, has faced greater difficulties. It is widely seen as overburdened with a wide variety of tasks; it was suggested that EUPOL would be more effective if its mission were redrawn to focus on two or three priority assignments.

The lesson from EUSEC is that where Europe applies real expertise and focuses its effort, it can make a major impact.

The office of the current EUSR for the Great Lakes has, in recent years, explored this notion by investing considerable effort in several areas that have direct consequences for the consolidation of regional peace and stability:

- a scheme to establish special courts to handle cases of sexual violence (which remains a massive and widespread problem, particularly in eastern Congo);
- measures to enhance the transparency of the minerals trade (a key source of income for certain armed groups);
- the development of contacts with local and international NGOs that have specialist expertise. For example, for a limited period the EU commissioned research from International Alert, which has been working on issues related to how local trade can make a contribution to stability and other local community initiatives that reinforce peace.⁴³

There are many local NGOs that could benefit from EU support. Local Congolese women's groups in North Kivu working with victims of sexual violence are short of practical resources, although they have considerable grassroots capacity and even carry out research.⁴⁴ (Women's groups play a key role in Congo.⁴⁵) Within Goma city RACID,⁴⁶ a local community group, has set up a refuse collection scheme

⁴³ *La Traversée Petit commerce et amélioration des relations transfrontalières entre Goma [RD Congo] et Gisenyi [Rwanda]*, Kimanuka & Lange, International Alert, June 2010; *La Paix à Petits Pas, inventaire et Analyse des Pratiques Locales de Paix à l'Est de la République Démocratique du Congo, Cas du Nord et du Sud Kivu*, Morvan & Kambale Nzweve, International Alert, November 2010.

⁴⁴ *Rapport d'Enquête et de la Mission du Refed/NK VSGB à Walikale* [Confidential report prepared by local arm of the Comité National Femmes et Développement; not publicly available because it reports confidentially on assessments of victims of sexual violence].

⁴⁵ *Les femmes congolaises veulent un droit et non une libéralité*, Comité National Femmes et Développement, local elections brief, Kinshasa, November-December 2009.

⁴⁶ *Réseau d'Actions Citoyennes pour la Démocratie (RACID), Les Comités Locaux de Développement, CLD, Une nouvelle stratégie pour la participation citoyenne dans les objectifs du millénaire*, RACID, Goma, August 2010.

that provides jobs for unemployed young men, including many former members of armed groups. It has also launched a campaign to combat corruption in Goma schools (and thus bolster teenagers' confidence in education as a peaceful route to success in life).⁴⁷

International interlocutors cited two serious shortfalls in the EU's impact in eastern Congo.

The first is a lack of political message in the east. The EU agenda of governance reform and respect for human rights is promoted through specific programmes, but many local actors are unaware of it because of the absence of a visible political presence in Goma.

Equally serious is the absence of a major EU contribution to the International Security and Stabilization Support Strategy – a key UN-coordinated programme to support the reintegration of former members of armed groups, build inter-community dialogue and dispute resolution, and develop state institutions and infrastructure such as prisons, court-houses and police stations.

A senior international interlocutor said that this is the vital bridge from the initial post-conflict priorities – supported by the EU through the Artemis force, support for elections, the EUSRs, EUSEC, EUPOL and ECHO humanitarian aid – to long-term development.

Our interlocutor argued strongly that the essential prelude to successful long-term development was an effective stabilization programme. The EU therefore needs to be seen to be a substantial contributor – perhaps in the range of \$30–50 million – to this programme.

In **Rwanda** the role of the EU is primarily as a development partner. However, some elements of the government are beginning tentatively to explore options for a degree of political opening. There is a view that the EU should become more proactively engaged in seeking to encourage this, through discreet exploration of options for a more liberal political approach and measures that might facilitate the emergence of a more diverse range of political groups committed to human rights and the rejection of sectarian or ethnicized politics.

Our interlocutors asserted strongly that the current position in Rwanda is not sustainable, and suggested that problems were deep-frozen rather than resolved.

It was also strongly suggested to us that the international community, including the EU, would be unwise to endorse comparisons with development models such as Singapore that are heavily economics-based and have little in common with the socio-political make-up of Rwandan society.

Among our interlocutors, there was a substantial view that the EU should now actively seek to encourage Rwanda to explore models of legal and political development that could continue to provide reassurance and protection against the factors that fuelled the 1994 genocide, while also fostering a greater degree of political openness and pluralism.

In **Burundi** the EU is currently viewed as a crucial partner for the process of stabilization and reconciliation. The Union's agenda of governance reform and human rights is particularly relevant for a country that exhibits a high degree of political and media pluralism, and a highly developed civil society, but that is also characterized by frequent extra-judicial killings and arrests, rebel attacks on the security forces, threats against independent NGOs and massive corruption.

In Burundi the struggle over power and political influence is now driven by political rivalries rather than the ethnic factors that fuelled conflict and human rights abuses in the past. However, the risk of a return

⁴⁷ *Campagne de sensibilisation sur la lutte contre la corruption en milieux scolaires et universitaires*, RACID, Goma ; *l'Ambassadeur de la lutte contre la corruption dans les milieux scolaires de Goma*, Termes de référence, RACID, Goma, March 2011.

to civil conflict, driven by competition for power and the economic patronage that it can bring, is significant and appears to be increasing.

In this context, the EU is already pursuing efforts to identify new paths to dialogue and political compromise.

Most opposition parties decided to boycott most of the local and national elections held in 2010, so opposition points of view have only minor representation within Burundi's elected institutions.

The ruling party exercises power as the result of a democratic process that most external observers – though not the opposition parties – regard as having been broadly free and fair. Yet the absence of most opposition from constitutional institutions has led to an absence of dialogue and engagement, and weakened the effectiveness of elected institutions as a means of holding the executive to account.

As a major aid donor, and as a body that commands a substantial degree of cultural political influence, the EU is probably the most effective partner in seeking to encourage the different political groups to explore ways out of the current impasse. There is no obvious compromise or path forward; but insofar as discreet mediation and pressure can promote progress towards breaking the deadlock the EU is possibly best placed to help.

It is already seeking to do so. And although the EU appears acutely aware of the questions that could be raised about its legitimacy in advancing such an agenda relating to Burundi's internal affairs, so far there is little sign of resistance to its engagement.

Recently the EU delegation in Bujumbura and the EEAS arranged for the Vice-President of Burundi to visit Brussels, where key European messages could be delivered. Subsequent weeks saw important improvements including the release of the detained journalist Jean-Claude Kavumbagu, the appointment of the members of the national human rights commission and the resumption of Article VIII political dialogue with the EU and member states.

It is clear that local NGOs would welcome further EU support for their defence of human rights, and would be keen to see support for their activities in provincial areas rather than solely in Bujumbura. In a country where individuals can be at physical risk, perhaps particularly away from the public and media attention available in Bujumbura city, a signal of reinforced EU support in outlying and rural areas could be helpful. Training programmes for local civil society figures could be a practical measure that would send a public signal of support as well.

The EU could also seek to reinforce its message on the need to fight corruption, perhaps through the incentive offer of extra aid for sections of the government administration that show themselves to be more effective and transparent. Support for public-private partnerships, subject to commercial accounting rules, might be useful too.

There are divergent views over whether or not the Union should maintain the position of EUSR for the Great Lakes. However in its dealings with a region as complex and fragile as the Great Lakes, it is imperative that the EU has the capacity to be represented at a senior and clearly political level.

This should be quite distinct from standard EEAS senior management. It is a role that could be filled either by an EUSR or a more senior Political Representative of the HR for Sub-Saharan Africa.

4 CRITICAL ANALYSIS OF THE IMPLEMENTATION OF THE EU CONCEPT IN THE NEW EU FOREIGN POLICY SYSTEM

In our research for this report we have carried out in-depth interviews with a wide range of European, African and international interlocutors -- in diplomatic, official, military, academic, NGO and media organizations.

Few of those we interviewed, even in EU diplomatic circles, had heard of the EU Mediation Concept. This may not matter as there is recognition of the role that Europe can play in mediating in conflicts and supporting the stabilization of countries and regions emerging from crisis.

As an internal working tool the Concept is a useful framework for developing policy approaches. It is important that European foreign policy is more than an ad hoc response but is shaped by clear thinking about underlying principles, strategic goals and the methods and tools that can be employed.

However, what really makes a difference is not the theory of European mediation, but the practical reality of the influence and support that the EU can deploy to foster the peaceful resolution of disputes and the consolidation of societal cohesion and good governance.

Moreover, the EU is broadly seen as a positive actor, particularly for peace and stability, democratic politics and human rights –although in some countries the history of large aid donations with weaker political engagement does translate into its being regarded as a cash cow rather than a player of political significance.

In some regions or countries, the bilateral involvement of certain European member states is a cause of controversy or mistrust because of colonial or neo-colonial baggage. But the EU, as a collective entity, is viewed differently. Like Canada or the Nordic countries, 'Europe' is generally perceived as a disinterested force, an influential outside player seeking to advance reform and stability.

Justified or not, this perception creates an opportunity for Europe to exercise influence. This image is combined with its practical weight as a significant aid donor. There are also other advantages for European engagement. Particularly in Africa, administrative and legal structures and procedures are often framed by the colonial legacy; the EU may therefore be well suited to provide technical support for reform of these institutions.

The choice of the Great Lakes and Sudan as areas for our case study research was determined by Africa's significance as one of the areas of the world where the EU is among the most important external partners.

In the Great Lakes region the EU has played a major role in crisis mediation and the wider international effort to consolidate stability and reduce the risk of renewed conflict. In Sudan, by contrast, its mediation role has been marginal; but it could become a major partner in supporting the development of governance culture and state institutions in the South after independence.

4.1 The EU as a mediator

Our research has found that the effectiveness of the EU in crisis mediation has been shaped as much by the circumstances of a crisis-affected region as by the nature of European structures and policy.

a) It is when a region or country is embroiled in conflict or 'hot crisis' that there is often a need for mediation by external players such as the EU, UN, AU or US.

The influence and pressure that international players can deploy often helps the disputing parties to establish a measure of mutual trust and dialogue. Outsiders can put forward models for a settlement and can provide incentives to encourage the disputing parties to move towards compromise and the identification of mutual interests.

Experience shows that, in some cases, once the period of hot crisis has passed there may no longer be a need for direct mediation by external actors. However, this is context-specific and a frequent complaint encountered during our research was the failure to follow up properly on the implementation and consolidation of peace agreements. The drift following the signing of Sudan's CPA is a good example of the need for continued international engagement with a peace process.

On the other hand, external mediation helped the DRC and Rwanda to reach an initial settlement – the Nairobi Accord; after this, national leaders of the two countries established a direct dialogue, through which further problems were resolved without the participation of outsiders. The former mediators (the EU, the US and the UN) were initially disconcerted to find themselves outside the process; yet the emergence of a direct dialogue between Kinshasa and Kigali was of course a major positive step and a demonstration of how the countries of the Great Lakes region were enhancing their ability to resolve their own intergovernmental problems.

Indeed, it could be argued that one of the main goals of external mediation should be to steer disputing parties to a point where they can resolve potential conflicts themselves, through bilateral discussion. When this point is reached, this should be regarded as a success, and a vindication of the outside mediators' role in helping to move from hot crisis or open conflict to the peaceful bilateral management of disagreements and differences of interest.

b) Circumstances are highly case-specific. Each crisis is different and international mediation and stabilization efforts need to be tailored to suit local conditions.

Success therefore depends on the major international actors' willingness to collaborate and to place the key goals of dispute resolution, peace and stability ahead of their own desire to 'cut a figure' on the global stage.

The EU is proud of the reaction to the South Ossetia/Georgia crisis of 2008 when it responded by deploying high-level diplomacy to negotiate a halt to the fighting and monitors on the ground to observe the ceasefire. It took just 17 days to organize, finance and deploy the monitors. This illustrates that it is easier to secure backing for quick action to address problems in Europe's backyard than for problems further away.

In the case of Sudan the EU has played only a marginal role in mediation, although the CPA demonstrates that international partners can help to resolve a conflict. The willingness of the NCP and SPLM to negotiate was a prerequisite for successful talks; however, international backing for the IGAD led-process and diplomatic pressure on the parties by African and international partners were crucial in pushing it forward.

The readiness of the international community to unite behind the IGAD process as the only acceptable avenue for mediation was vital to the ultimate success of the CPA negotiations. The EU was not a player, although several member states made important contributions. In recent mediation efforts the roles played by the AU and the US have commanded the highest profile. The EUSRs performed roles that have been helpful but secondary.

The experience of EU support to the AU-led processes in Sudan is illustrative of the likely future involvement of Europe in mediation in Africa. The AU panel has needed the AEC to take up the administrative functions of the panel. The challenges to provide expertise to the AU Panel also

demonstrate that money alone does not help; good political relations are essential if such systems of support are to be effective.

The fact that the EU did not play a lead mediating role in Sudan is not bad. There were strong political reasons, such as the central government's resentment of European support for the International Criminal Court; and also historical reasons why the UK and Norway have made particular contributions in the areas of oil and security.

Looking forward, the EU is likely to emerge as a major partner of independent South Sudan as this new state builds its institutions and seeks to develop the foundations of effective governance and a culture of rights and accountability. As in many other sub-Saharan countries, the EU will be a key partner for the South because of its weight as an aid donor, and its extensive experience of assisting the development of new state institutions.

In Darfur a functioning peace deal is still lacking. The EU plays a more active part in the negotiation process than on North–South issues, but as a minor player is not able to drive the process in a more positive direction.

By contrast, in the Great Lakes, the EU was a critical member of the international mediation effort. The deployment of an EUSR, who developed high-level personal contacts with national leaders and other key figures across the region, was a valuable contribution to the gradual stabilization of an intensely fragile conflict region.

But once again, the lesson is that effectiveness flows from two key principles:

- tailoring the mediation and stabilization effort to meet the specific local conditions;
- ensuring that all international actors accept that the priority is a coherent and effective mediation effort and the application of coordinated pressure in favour of peaceful stability.

Now, in Burundi, circumstances have evolved once more, creating the need for fresh dialogue – and, potentially, mediation. The EU is emerging as the outside actor best placed to play a lead role, as a major donor with a strong public local stance in favour of human rights.

This new situation highlights a further essential point: it is vital that the EU retains a capacity for rapid and flexible decisions about how it should act in helping towards the resolution of conflicts or the consolidation of stability in fragile states or regions.

c) The structures through which the EU has implemented a mediating role and provided support for stabilization have proved generally adequate so far. However, looking ahead, these need to evolve further (an issue addressed in our recommendations section).

In periods of hot crisis, the EUSR is a role that has certainly proved its worth – notably in the Great Lakes. But when the hot crisis has passed and high-level intergovernmental mediation is no longer needed, there is much less need for an EUSR. In the Great Lakes we found widespread – though certainly not universal – agreement that a EUSR was no longer required.

However, this does not mean that the EU no longer has a political role to play. There remains a need for involvement in state-building, support for good governance and human rights and direct practical and political support for domestic political and civil society structures, and the work of NGOs and community initiatives in defusing conflict.

The absence of a permanent political representation on the ground in the east of Congo is a serious hindrance to the EU's capacity to monitor political developments in this key region, where much EU money is being spent on security and development.

In Sudan the EUSR's have not played such a central role – although they have signaled Europe's concern and helped coordinate policy. But the EU will probably need to retain an EUSR as Sudan makes the transition to two countries. The EUSR will also be needed to follow the Darfur peace process, which still has a long way to go.

More generally when conflicts are multinational in nature an EUSR who has a regional mandate is better able to address these.

In Sudan the EUSR's have made efforts to provide political backing for processes being led by others – the AU and US in particular – and have overseen important work relating to the conduct of the elections and referendum. But the main vehicle for EU support to mediation has been financial support to the AU and this has not brought the kind of political influence that the US has been able to exercise. Playing a supportive rather than leading role in mediation in Sudan is an appropriate role for the EU.

EU support to local-level mediation has to date been restricted to support for the Concordis International project along the North–South border. In the future, with growing concerns about the stability of South Sudan in particular, the EU mission in Juba should be given resources to support locally led peace initiatives.

Regardless of whether or not a particular region is covered by an EUSR, it is clear that the current level of political staffing in EU delegations needs to be strengthened. EU ambassadors are now among the principal international political interlocutors of governments in countries that are fragile or affected by crisis; but their current political teams are too small. Issues are not getting the attention required because there are simply too few political officers in the delegations (just one in Khartoum, for example).

There is also a need for reinforced political capacity in the EEAS headquarters in Brussels, in particular to focus on broader regional issues and initiatives designed to strengthen governance and reduce the risk of crises.

The HR has engaged with the issue of Somali piracy but otherwise her direct engagement with sub-Saharan Africa has been limited. The contrast with the constant high-level sub-Saharan engagement of then Commissioner Louis Michel is widely noticed in Africa; this situation is sometimes perceived as a deficit of EU leadership on Africa issues and a lack of clear strategy at the highest level. This could apply in other regions too.

At present the EU lacks the capacity to deploy high-profile political figures with clear regional responsibilities. This is not a role that normal public servant members of the EEAS can fill. Such figures need to be political individuals with the personal standing to act as Europe's 'face' in regions of the world that are regarded as high priorities.

The HR is clearly not able to act in this capacity, because she already has much wider leadership and policy-making tasks. In contrast to the US Secretary of State, the HR is not supported by high-level political deputies, even for those regions where Europe has a particularly significant political role, such as sub-Saharan Africa, the Middle East, North Africa and Eastern Europe/Central Asia/the Caucasus.

In terms of mediation this means that the EU is unable to reinforce work done by EUSR's with high-level political follow-up.

Sometimes the presence of a high-profile EU representative even at symbolic events is crucial in bolstering relations with a country and in helping the EU to advance its agenda.

For example, Rwanda has recently indicated its willingness to engage in dialogue with the EU about political governance issues, a key concern. Europe could have responded to this positive gesture by

sending a top-level political representative from Brussels to attend the April 2011 commemoration of the Rwandan genocide – a gesture that would have been valuable in reinforcing the goodwill shown by the Rwandan government and helping to build ongoing personal contacts with the senior leadership in Kigali. But Europe does not currently have such a high-level political figure. (By contrast, France was represented by former foreign minister Bernard Kouchner and its special envoy on human rights – a gesture that was clearly appreciated by Rwanda.)

4.2 The EU as a support for stabilization and good governance

The natural counterpart to direct mediation between disputing parties is assistance in the stabilization of fragile states and regions. In practice, such an agenda has to translate into a multiplicity of actions, specific programmes and initiatives.

This is a task that can be as important for the consolidation of peace and stability as direct mediation between conflicting parties. The EU is particularly well placed to assume this role, not least because of its experience of assistance to the process of state-building in other parts of the world (e.g. Kosovo).

This is an agenda that embraces both actions to reinforce the effectiveness of states and measures to promote the accountability and scrutiny of state actions and strengthen the voice of civil society – ranging, for example, from technical assistance for the restructuring of army and police units through to support for human rights NGOs that are under pressure.

It can require delicate political judgments such as how far an outside partner such as the EU can go in actively supporting or assisting civil society and whether it is effective to reduce financial aid to a state that commits human rights abuses. Over the past few years the EU has demonstrated significant capacity in this area, particularly in the Great Lakes region. But there have also been shortcomings and omissions or failures.

South Sudan presents a particular challenge in this area. The use of the SPLA as a means to absorb discontent, and the provision of status jobs and money to prevent fighting rather than addressing fundamental grievances, have allowed South Sudan to get through the CPA transitional period but present a very serious challenge to the new country's stability. To date international efforts to support DDR in the south have been a failure, and this is one area with a huge potential for positive impact. Unlike some of the states of the Great Lakes, Sudan has focused on peace rather than reconciliation – something that many civil society and academic interlocutors saw as a source of future problems.

There are several broad lessons that can be drawn:

a) Technical assistance is most effective when it is sharply targeted, so that the EU's resources are applied to particular issues in strength, rather than across a broader agenda in less depth.

EUSEC, which focuses on a few specific aspects of military reform in DRC, has made substantial progress, despite the problems caused by sudden and unexplained changes in the policy adopted by the host government. EUPOL is viewed as less effective because it has been given too many tasks to perform simultaneously.

b) The coordinated European diplomatic presence – with the EU ambassador chairing the regular meetings of all European member-state ambassadors in each African partner country – works well in some places. The ambassadors of member states seem content with the arrangement and Great Lakes governments know that the EU ambassador is speaking for Europe as a whole. In Sudan coordination appears to be less well developed and needs to improve.

c) Europe has real influence, even when its views are resented or rejected by some African governments. However, sometimes EU representatives have acted too timidly in conveying clear messages; the European perspective could perhaps have been voiced more strongly in Sudan, to useful effect, although conditions were difficult. There is potential for the EU and member states to share messages and potentially amplify impact – for example where engagement is complicated by sensitivities around human rights the EU can continue to deliver those messages forcefully (with long-term benefits), while individual member states remain engaged on a peace process (with short-term objectives).

d) It does not make sense to hold back from stabilization spending after expending effort in peacekeeping and mediation. Without stability after a crisis, development cannot be effective. The EU can do more to provide this post-agreement support even when others have negotiated an agreement. In South Sudan small and timely amounts of money to help with the implementation of agreements to end South–South conflicts could be very useful.

Having deployed peacekeepers to eastern Congo, at great cost, in Operation Artemis, and poured resources into EUSR mediation and security-sector reform, the EU should not limit its contribution to the International Security and Stabilization Support Strategy to a mere €4 million, as the effect of this tiny input has been to cause embarrassment and provoke criticism, weakening the impact of the EU's other initiatives.

e) The management of post-crisis mediation, stabilization and state-building is hugely complex and difficult. Inevitably, there will be failures, wastage and overlaps, as a range of international partners work together -- and this is particularly the case in countries where the state is weak and reliant on a few dominant individuals or is corrupt.

Given this challenging context, it is essential that EU activity is seen to be clear and shaped by a coordinated strategy. On the whole coordination is good, but stronger political vision and presentation are needed to 'front up' the ambition. In complex and internationalized situations this makes a strong case for the continuing relevance of EUSRs.

The existence of a clearly political European 'minister' or 'deputy secretary of state' for Africa, constantly focused on the continent and seen to be acting on behalf of the High Representative and 'Europe', could help here.

We found that in Sudan and in the Great Lakes, there is little interest in the detail of European structures and institutional reform. The Lisbon Treaty, the Cotonou Accord and the roles of institutions such as the Commission, the Council or the EEAS are little understood. However, there is a broad basic understanding of the concept of the EU, European values -- democracy, human rights, free markets etc. -- and of Europe's spending power and related influence.

The EU should build on this positive image. Hitherto, it has not always been very effective in translating this potential influence into real political clout. A stronger public message about its core values and its vision of how it can partner Africa, presented consistently in EU delegations and through EU missions and statements in a few brief, plain sentences of clear language, could help project this image.

This is not just a question of public relations. In setting out the principles that underlie its own actions, the EU also reinforces its influence and helps to shape the agenda.

5 RECOMMENDATIONS

The following recommendations are aimed at ensuring the EU has a more systematic and coordinated approach to mediation.

5.1 General

1. The EU should appoint political deputies to the HR covering the major areas of the world in which it is well placed to exercise substantial influence.

This is in recognition of the reality that the HR cannot possibly remain actively engaged in all the areas of the world and issues in which the EU takes an interest. Likewise the suggestion that a senior EU civil servant could fulfill this role lacks credibility, given the importance of political rank and the competition of other managerial responsibilities.

These individuals would be able to represent the EU at important meetings, take part in mediations in support of work carried out by an EU ambassador or EUSR, and provide political leadership on a day-to-day basis.

2. The EU should continue to appoint EUSRs for crisis areas – although with the post-Lisbon establishment of EU embassies this is no longer the only way for it to engage politically. This is particularly the case in regions where crises are international in nature and cross borders. The support structures for EUSRs need to be sufficient for the task assigned and the EU should find a way to retain the expertise developed in these teams – *see point 3*.
3. Within the EEAS there is a need to create, for each main geographical division (such as West Africa), a small specific team focusing on crisis management, specialist political risk and cross-border political issues; such teams could comprise only one or two persons in times of normality, providing political capability for national or smaller regional crises (e.g. Côte d'Ivoire), but be expanded to support the work of an EUSR when a crisis is of greater dimensions, such as in Sudan or the Great Lakes region.

Initially such teams could draw on personnel who have worked for EUSRs, but they could also recruit from other EEAS personnel.

The net effect of recommendations 2 and 3 together would be to retain, within the EEAS, the political crisis management and initiative-development capacity pioneered by EUSR teams, with specific high-profile EUSRs appointed where necessary.

4. The EU should develop mechanisms to support mediation capacity. This could include a roster of experts available for deployment in support of mediation efforts led by the EU or others. In recognition of the increasing role of the AU in leading mediation efforts in Africa, the EU should aim to build a partnership for mediation capacity with the AU, providing both continents with a pool of expert individuals.

At present, as the EU builds up its mediation capacity, it is premature to establish a formal 'Peace Institute', but it should draw on and coordinate with existing centres of excellence. Over time a permanent central structure may be needed, but the building blocks need to be put in place first.

In tandem with this the EU should consider specific financial instruments, including those controlled by EU ambassadors, that can be used to support mediation efforts. These should be deployable at short notice (in some cases days rather than weeks) and able to provide support for a range of activities.

5. EU delegations, especially in priority regions, need much larger political staffs – comparable with those in the other large embassies there; in much of sub-Saharan Africa and parts of Eastern Europe/the Caucasus, the EU is one of the two most important external partners and its diplomatic presence needs the political capacity that reflects this.
6. The EU needs to develop mechanisms to support local NGOs and CSOs in their mediation and peace-building efforts. These should include readily deployable finances at the level of heads of mission to support such activities with small grants.
7. The EU needs to allocate a small budget to the production of clear material written in plain language accessible to educated members of the public in priority regions – i.e. Africa, the Middle East and Eastern Europe/Central Asia/the Caucasus – that sets out the EU vision, and the principles underlying EU foreign policy in simple, accessible terms. This needs to be very concise, without any jargon, and clearly aimed at the public and opinion-formers in these key partner regions.
8. The Concept on Mediation and Dialogue should be revised to include post-Lisbon Treaty realities by developing specific funding instruments and proposals for enhancing mediation capacity. A concise written account of the Concept would be a useful briefing tool for EU staff and their external interlocutors and should be widely promoted within the EEAS, DEVCO and the EU generally.

5.2 Sudan

1. The EU should remain involved in the peace processes in Sudan. Specifically, it should work with international partners to ensure ongoing international concern for the Khartoum–Juba relationship. Providing assistance to a secretariat able to support ongoing talks through bodies emerging from the AUHIP process would be a practical and valuable contribution.
2. The EUSR for Sudan should continue. With the transition to two new states, ambassadors in Juba and Khartoum will be fully occupied and a high-level representative able to engage on cross-border issues will have an important role. The EUSR's important work on coordination across the EU with relation to Sudan should also be continued – this is a good example of the added value of an EUSR.
3. The EU should recognize that it is not a leading player in Sudan. This means it must seek ways – both financial and technical – to support the efforts of others, in particular the AUHIP. For example, financial support to enable a new UN mission in South Sudan to deploy civil affairs officers in each county would bolster their ability to respond to and even predict emerging problems.
4. In both South and North Sudan and along their common border conflict can emerge at a local level and the EU should seek to support NGOs/CSOs/churches in their work to mediate and prevent local conflicts.
5. The EU should work to encourage an opening of political space and a national reconciliation process in South Sudan as a means to address the underlying historical causes of many of the conflicts there.
6. On Darfur the EU should continue to push for a political settlement involving all the armed factions as a precondition for wider public consultations. Working on bringing rebel groups to negotiations would be a valuable contribution.

5.3 Great Lakes region

1. The EU should commit substantial funding of at least €30–40 million to the international security and stabilization strategy for the DRC; this is essential for the EU's credibility and to support the state-building work without which the conditions for long-term development will not exist.
2. An EU diplomatic presence should be established in Goma; this can be low-key, as its essential role is to maintain understanding of local political conditions. But this is an important function in an intensely fragile region where the EU is deploying major resources in support of peace and development.
3. The EU's central institutions should give full support to the efforts by the EU delegation and European embassies to encourage a fresh political dialogue in Burundi, where cross-party communication has broken down, presenting a renewed threat to peace and stability.
4. The pioneering work of European diplomatic representatives in agreeing a statement of their obligations to local human rights defenders in Burundi should be emulated by European missions in other Great Lakes states, as well as in other crisis regions across the world. The EU should examine ways in which it might extend such encouragement and moral support for the independent media.
5. The EU should consider the most effective forms of high-level political influence that could be deployed in favour of a more open political climate in Rwanda, fair elections in the DRC and renewed dialogue and action to curb corruption and extra-judicial killings in Burundi. Approaches to these difficult issues may need to vary from country to country.

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