

THE EUROPEAN UNION AND PEACEBUILDING  
POLICY AND LEGAL ASPECTS



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THE EUROPEAN UNION  
AND PEACEBUILDING  
POLICY AND LEGAL ASPECTS

edited by

Steven BLOCKMANS

Jan WOUTERS

Tom RUYS

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## FOREWORD

Dear Reader,

You have in your hands the last part of a trilogy exploring the European Union's approaches to conflicts and crisis. The titles of these books present well the evolution of the international policy debate and thinking during the first decade of the 21<sup>st</sup> century from a relatively narrow pre-conflict perspective to a wider approach which encompasses all phases of the crisis. The first part published in 2004 was called 'The European Union and Conflict prevention', reflecting how conflict prevention was high on the agenda as a response to the Balkan Wars. In 2008 the second part, 'The European Union and Crisis Management', was published as the European Security and Defence Policy (ESDP)-missions had been operational for some years. Finally the series is completed in 2010 with "The European Union and Peacebuilding".

Peacebuilding is a somewhat flexible concept, of which there is currently no officially agreed international definition. However, this descriptive phrase is perhaps most useful in its most comprehensive sense – efforts aiming at a solid and lasting peace. For the European Union, peacebuilding requires bringing together a variety of external policy tools which include security aspects, mediation and preventive diplomacy, development cooperation and trade relations, in order to make an impact, be coherent and achieve sustainable results.

The European Union has made systematic efforts to ensure an integrated approach to peacebuilding. In this regard, the decisions adopted on the security and development nexus and on fragility in 2007 were a strategic step forward. We are engaged in various activities across the globe, such as for example supporting conflict resolution processes and ensuring the engagement of women in these, as well as building the peacebuilding capacities of regional organisations.

Successful peacebuilding requires taking on a preventive focus. Conflict prevention continues to lie at the heart of all European Union activities, as it is the most cost effective and life saving approach. Conflict prevention implies providing early and sustainable assistance to countries under stress and it is the best measure to avoid a relapse into conflict. While building for the future, we must strive to put an end to the suffering caused by legacies of conflicts, such as the scourge of landmines and other inhumane weapons, which continue to create a burden even decades later and delay development and prosperity goals.

Moreover, peacebuilding is also a joint effort in which the international community needs to work together. In this regard the United Nations, international and regional organisations and especially civil society are all vital partners for the European Union. However, international efforts need to involve local communities early on in order to create a nationally owned process, which is a requisite for lasting

peace. Only through partnership with local actors can international norms be combined with a respect and understanding of local context, and promote the transfer of responsibilities and ownership to the populations concerned. In this work we need to engage with local civil society as well as representatives of media and local business communities.

The link between peace, security and development has been widely recognised by the international community, and as a response, the United Nations Peacebuilding Commission (PBC) was created in 2005. The European Union is committed to actively supporting the work of the Peacebuilding Commission on the basis of its experience, resources and worldwide operability.

During the first five years the PBC has brought together all key players on the ground to enable a comprehensive approach to peacebuilding in selected post-conflict states. In 2010 the progress of the PBC so far will be examined in order to take on board lessons learned for the next steps, ensuring that it can discharge its mandate more effectively and better deliver real progress on the ground. 2010 is also the year for the Review Summit of the UN Millennium Development Goals (MDG) aiming at eradicating poverty. The link between countries affected by fragility and conflict and those lagging most behind in attaining the MDGs indicates clearly the need for stronger ties between security and development efforts.

I congratulate the authors of this informative and well-written book, who are not afraid of taking a critical approach. From the point of view of the EU institutions, it is published at a particularly timely moment, as we embark upon a new era in the European Union's external relations through the implementation of the Lisbon Treaty. I hope that you as a reader will find enriching this thorough and wide ranging description of the various aspects of peacebuilding, a concept that we will undoubtedly keep on discussing in the coming years and a goal at which we will continue to aim.

March 2010

Catherine ASHTON

*High Representative of the Union for Foreign Affairs  
and Security Policy / Vice-President of the European  
Commission*

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## PREFACE AND ACKNOWLEDGEMENTS

The present volume constitutes the last part of a triptych, with earlier works dealing with conflict prevention (V. Kronenberger and J. Wouters, eds., *The European Union and Conflict Prevention: Policy and Legal Aspects* (The Hague, T.M.C. Asser Press 2004)) and crisis management respectively (S. Blockmans, ed., *The European Union and Crisis Management: Policy and Legal Aspects* (The Hague, T.M.C. Asser Press 2008)). The obvious implication is that we aim at focusing on the final phase of peacemaking efforts to break conflict cycles, on *The European Union and Peacebuilding*.

Leading practitioners and prominent academics have been invited to explore the wide variety of policy and legal aspects of the European Union's contribution to building durable peace in countries ravaged by violent conflict. The book is testimony to the enormous complexity of international efforts to break conflict cycles, which requires both long-term commitment and a multi-faceted approach, combining the re-establishment of basic security with the promotion of respect for human rights, the rule of law, good governance and economic recovery.

Given the intricacies and dynamics of the editorial process, some of the contributions were completed prior to the entry into force of the Lisbon Treaty. Where appropriate, these contributions nonetheless refer to the impact expected from the new Treaty. Other chapters have integrated the institutional developments since the Lisbon Treaty became operational. In any event, the editors are convinced that this divergence does not detract from the value of the analyses, nor from the lessons drawn from years of inter-institutional practice and which should be taken to heart to make the Union's efforts in the field of peacebuilding more efficient and more effective.

We would like to express our sincere gratitude to the practitioners and academics who contributed to this volume. Thanks to their unique insights and high quality contributions, the book offers the first comprehensive and in-depth treatise of the role of the EU in the international peacebuilding endeavour. Special thanks also go to the T.M.C. Asser Instituut for financially supporting the production of this book, to Suzanne Habraken for her sub-editing and language-editing of the manuscript and to Steffen van der Velde for compiling the index and the list of abbreviations. This volume is the result of a fruitful cooperation between the Centre for the Law of EU External Relations (CLEER) and the Leuven Centre for Global Governance Studies.





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Current geodemographic problems in the European Union and migration crisis of the 2010s. 2017 / Martynov Vasily L., Sazonova Irina E. The challenges of immigration to Non-State: to be open or closed? However, changes in the political and economic situation in the south of the Union have made the current legal mechanisms incapable of withstanding new threats. It necessitates a radical reform of the legislation on irregular migration. Key words: European Union, irregular migration, external EU borders, Frontex. The European Union is a key strategic partner of the United Nations in the areas of peace and security. The Secretary-General has recognized the EU as a pillar of the multilateralism system and as the most successful peacebuilding project following the end of WWII. The European Union is a key strategic partner of the United Nations in the areas of peace and security. The Secretary-General has recognized the EU as a pillar of the multilateralism system and as the most successful peacebuilding project following the end of WWII. The Lisbon Treaty provides that "The Union shall promote multilateral solutions to common problems, in particular in the framework of the United Nations." European Union Special Representatives promote the EU's policies and interests in troubled regions and countries and play an active role in efforts to consolidate peace and to promote stability and the rule of law. They are independent natural persons, appointed by the Council and entrusted with a mandate in relation to a particular policy issue. The European Union funds Non-Proliferation and Disarmament activities under its Common Foreign and Security Policy budget to contribute to the universalisation and effective implementation of international treaties, conventions and agreements addressed. Summary: Explores European foreign policy and the degree of European Union success in proposing itself as a valid international actor, drawing from expertise of scholars and practitioners in many disciplines from North America, Europe, Australia, and New Zealand. Addresses issues past and present, theoretical and practice-oriented, and country- and region-specific. Provided by publisher. 7 The European Union and Russia: Past, Present, and Future of a Difficult Relationship Lara Piccardo. 8 EU Policy toward Ukraine and Belarus: Diverging Paths? Serena Giusti and Tomislava Penkova. 9 The Balkans and the European Union. Luca Gori. 10 EU Enlargement: The Challenge and Promise of Turkey.