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Subject : An EU response to situations of fragility
- Conclusions of the Council and the Representatives of the Governments of the
Member States meeting within the Council

At their meeting on 19 November 2007, the General Affairs and External Relations Council, in its formation of Development Ministers, and the Representatives of the Governments of the Member States meeting within the Council, adopted the Conclusions set out in the Annex to this note.

**CONCLUSIONS OF THE COUNCIL AND THE REPRESENTATIVES OF THE
GOVERNMENTS OF THE MEMBER STATES MEETING WITHIN THE COUNCIL**

on

An EU response to situations of fragility

1. The Council underlines that situations of fragility constitute a major challenge to sustainable development and peace. Fragility may exacerbate the risk of failing to reach the Millennium Development Goals and also involve regional and global security risks. Therefore it is of paramount importance that the EU develops a response to situations of fragility, within the framework of the European Consensus on Development.
2. The Council acknowledges that fragility refers to weak or failing structures and to situations where the social contract is broken due to the State's incapacity or unwillingness to deal with its basic functions, meet its obligations and responsibilities regarding the rule of law, protection of human rights and fundamental freedoms, security and safety of its population, poverty reduction, service delivery, the transparent and equitable management of resources and access to power. The Council recognizes that situations of fragility, including at State level, differ and present specific features, which require adapted policy responses.
3. In addressing situations of fragility, the Council highlights the importance of democratic governance,¹ rule of law, respect of human rights and fundamental freedoms, and the eradication of poverty, as well as of climate change and migration issues.

¹ Reference is made in particular to the Council Conclusions on Governance, doc. 14024/06.

4. The Council welcomes the Commission Communication "Towards an EU response to situations of Fragility - engaging in difficult environments for sustainable development, stability and peace"² which takes into account the ongoing international debate, identifies major issues and proposes lines for action.
5. The Council endorses, on behalf of the EU, the Principles for Good International Engagement in Fragile States and Situations,³ emphasizes the need for a "whole-of-government" approach when addressing fragility and invites the Community and its Member States to adapt and coordinate their approaches in line with these Principles.
6. The Council expresses its appreciation for the work on situations of fragility being carried out by the United Nations, in particular the Peace Building Commission, the World Bank and the African Development Bank, underlining that the EU will seek to further strengthen its strategic partnerships with the UN and other multilateral actors dealing with issues of fragility.
7. The Council recognises that the EU should make more effective use of the full range of existing EU policy tools and external action instruments to address, in a coherent and timely manner, situations of fragility in partner countries. The EU response should therefore combine political, diplomatic, development, security and humanitarian instruments.⁴
8. For specific features of fragility related to humanitarian aid and security, particularly in situations of crisis and conflict, the Council refers in particular to the European Consensus on Humanitarian Aid⁵ and the Conclusions on Security and Development.⁶

² Doc. 14356/07 + ADD 1.

³ Endorsed by OECD DAC Development Ministers at the 2007 OECD DAC High Level Meeting.

⁴ These include the European Consensus on Development, the European Security Strategy, the European Consensus on Humanitarian Aid and various instruments and policies (Cotonou Partnership, the external financing instruments).

⁵ Doc. 15099/07.

⁶ Doc. 15097/07.

9. For other features of fragility, the Council strongly believes that development and political instruments have an equally important role to play with a view to ensuring effective preventive responses and addressing situations of fragility. The EU should stay engaged with the appropriate combination of EU instruments, while respecting the principle of ownership.
10. In situations of fragility, political dialogue is especially important and should be further developed and reinforced. Where no such dialogue exists, confidence building measures should be considered. The Council also believes that a dialogue should be pursued with civil society and local authorities.
11. The Council confirms that issues concerning fragility should be part of the dialogue with emerging donors, including in the framework of both EU and bilateral dialogue with those countries, with regional and sub-regional actors that can bring a positive influence to bear, and with other international actors.

Preventing and addressing situations of fragility

12. The Council underlines that the comprehensive and forward-looking use of Community and Member States' development instruments is required to progress in achieving the MDGs and in preventing and addressing situations of fragility, including the following issues:
 - Address democratic governance as a key element to prevent and overcome fragility;
 - Support the strengthening of the capabilities of States to fulfil their core functions, as well as the strengthening of constructive linkages between State institutions and society, including Non-State Actors (NSA), with a view to building effective and legitimate political systems;

- Improve existing diagnostic and assessment tools, in particular through joint analysis (based for example on the Community Governance profile, the Community root causes of conflict checklist and other tools) and exchange of information between Member States, the Commission and the General Secretariat of the Council (GSC);
- Recognise the essential role played by women and promote gender equality, in particular by promoting the integration of women into decision making processes, in order to improve their political, social and economic empowerment;⁷
- Address gender based and sexual violence, in particular by paying continued attention to the violation of the rights of women and children in conflict situations, and support the prevention and prosecution of related crimes;
- Address climate change and migration issues;
- Take into account and address specific needs of vulnerable groups;⁸
- Develop early warning mechanisms on the basis of information related to democratic governance issues, rule of law, human rights, poverty levels, and use conflict sensitive approaches. The contribution from civil society in this context is important;
- Strengthen the role of Country Strategy Papers (CSPs), in line with national development strategies, as the preferred framework to prevent and address fragility;
- Make better use of the EDF and the Community financing instruments (DCI, ENPI, IfS, EIDHR), in particular by:
 - Applying specific (more needs-based) country and regional allocation criteria, and ensuring that unforeseen needs can be met adequately;
 - Integrating fragility in the review process of the Governance Initiative for ACP countries and developing similar tools for DCI countries.
 - Making financial tools and procedures more flexible and capable to provide quick responses;

⁷ Reference is made to the UNSCR 1325 on Women, Peace and Security.

⁸ Reference is made to in particular to the EU Guidelines on Children and Armed Conflict (doc. 14634/03) and the Strategy for the implementation of these guidelines (doc. 11521/04).

- Enhance the “Linking Relief, Rehabilitation and Development” (LRRD) strategic framework, in particular by integrating democratic governance and institutional developments;
- Make use of the EU Code of Conduct on Complementarity and Division of Labour, in particular with regard to:
 - Agreeing on the most suitable option to channel extra funding to States in a situation of fragility, in particular “aid orphans”;
 - Identifying substantial overlaps and gaps at country level in order better allocate existing and additional funds;
 - Ensuring predictable and sustainable funding;
 - Addressing poverty, as well as social and gender inequalities, by adapting existing instruments with a view to helping to achieve the MDGs in situations of fragility (e.g. to ensure donors' engagement in social sectors);
 - Testing the EU response to situations of fragility in pilot cases.

Organisational issues

13. The EU as a whole needs to ensure that its support to partners' efforts in addressing fragility is more responsive, quicker and more flexible. The approach should be tailor-made, articulated and holistic, combining diplomatic action, humanitarian aid, development cooperation and security. This requires:
- Regular and increased coordination between the Commission, the GSC and Member States at headquarters level and in the field;
 - Regular exchanges of risk analyses and relevant responses at the field level through EU Heads of Mission meetings and at headquarters through desk-to-desk dialogues between Institutions and Member States and across Council groups;

- An improved framework for joint analysis and exchange of information, both at headquarters level and in the field;
- An analysis of donors' comparative advantages should be conducted in the framework of the Code of Conduct on Complementarity and Division of Labour;
- Adapting staff management, in particular through joint training and appropriate incentives to work in fragile situations.

14. Furthermore, this should involve the establishment of ad hoc “Country and Thematic Teams” (CTTs), involving Commission, Member States and GSC, with the Commission acting as facilitator. Such CTTs could start as soon as possible for a number of “pilot” cases and address specific situations of fragility with a view to:

- Working towards more coherent and coordinated action at country level, in particular by making use of all possibilities for a joint analysis and for joint programming as provided for in the Common framework for Country Strategy Papers (CFCSP);
- Ensuring that CSPs are regularly reviewed and adapted to the evolution of the situation;
- Identifying modalities of budget support in situations of fragility;
- Addressing “post crisis reconstruction”, with focus on the LRRD strategic framework;
- Using Governance profiles;
- Exploring the possibilities of topping up CSPs, including through a governance-linked incentive “tranche”.

Follow-up

15. The Council calls on the Commission, in close cooperation with the Member States and the GSC, to map Community and bilateral financial instruments, as well as Member States' intervention possibilities.

 16. The Council requests the Commission to present by 2009 an implementation plan based on the above Conclusions on an EU response to situations of fragility and on the experience acquired through the CTTs and the "pilot" cases. This plan should be prepared in close cooperation with Member States and the GSC, taking into account the work being carried out on fragility by international organisations and in dialogue with civil society and other stakeholders.
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