ROADMAP			
TITLE OF THE INITIATIVE	Joint Communication to the European Parliament and the Council: Elements for an EU-wide Strategic Framework for supporting Security Sector Reform (SSR)		
LEAD DG – RESPONSIBLE UNIT – AP NUMBER	EEAS.SECPOL - DEVCO.B – NEAR.B 2016/EEAS+/001	**DATE OF ROADMAP**	December 2015
LIKELY TYPE OF INITIATIVE	Joint Communication		
INDICATIVE PLANNING	*Mid-2016*		
This indicative roadmap is provided for information purposes only and can be subject to change. It does not prejudge the final decision of the Commission on whether this initiative will be pursued or on its final content and structure.			

A. Context, Subsidiarity Check and Objectives

Context

Instability and emerging and actual crises in the EU's direct neighbourhood and around the globe are on the rise. The EU, being one of the most important international actors in promoting peace, security and sustainable development globally, needs to take this into account when engaging with third countries and regions. Security sector actors, understood to comprise civilian and military, which respect the rule of law and human rights and are under effective democratic and civilian control, are among prerequisites for stable societies, which contribute to increasing resilience and re-establishing confidence in the State both in the context of conflict prevention and post-conflict scenarios. This is part of the development agenda and of security-development nexus, which is central to maximising the effectiveness of the EU external action. Therefore supporting SSR is an important activity where the EU can contribute to conflict prevention and strengthen institutions in partner countries to better provide security for their own populations. EU engagement in SSR-related activities is expanding, both through CFSP/CSDP initiatives, as well as through EU development policy and international cooperation instruments in response to the situation.

The 2030 Agenda for Sustainable Development recognises that there can be no sustainable development without peace and no peace without sustainable development. In particular, Goal 16 of this Agenda aims at promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable institutions at all levels.

This initiative relates to the EU's external action in general (TEU Art. 21-22), CFSP/CSDP (TEU Art. 23-46) and development cooperation policy (TFEU Art. 208-211), in addition to other cooperation policies (TFEU Art. 212-213).

The Joint Communication of 28 April 2015 on 'Capacity building in support of security and development – Enabling partners to prevent and manage crises'[1] notes that: "[…] the following initiatives should be further developed through relevant proposals from the European Commission and the High Representative: (i) An EU-wide strategic framework, shared by CSDP and development cooperation policy, for Security Sector Reform. A common Security Sector Reform policy framework should respect the regulatory constraints of existing instruments."

On 18 May 2015 the Foreign Affairs (Defence) Council "invited the High Representative and the Commission to develop, in consultation with the Member States (MS), an EU-wide strategic framework for Security Sector Reform (SSR) by mid-2016. This policy concept should bring together the CSDP and all other relevant CFSP tools as well as development co-operation instruments and Freedom, Security and Justice actors, while respecting their respective legal bases, primary objectives and decision making procedures." This request is in line with President Juncker's political priority (no 9) for the EU to be a stronger global actor. Finally, the Commission Work Programme 2016 includes a package covering security sector reform and a possible, new dedicated instrument for capacity building in support of security and development in third countries.

---

[1] JOIN (2015) 17, 28.04.2015

This initiative aims to unify and update two previously separate EU SSR support policy concepts:

- the November 2005 EU Concept for European Security and Defence Policy support to Security Sector Reform[2] providing principles[3] and political guidance for future performance of SSR-related interventions conducted by Common Security and Defence Policy (CSDP) missions, and

- the May 2006 Commission Communication – A Concept for European Community Support for Security Sector Reform[4], which formed a conceptual basis for EU development interventions in the area of SSR, underlining its positioning in a larger governance framework and very close interlinkages with support to justice sector and the rule of law.

The initiative also takes into account other relevant documents: (i) the June 2006 Council conclusions on a Policy Framework for Security Sector Reform and (ii) the November 2007 Council conclusions on Security and Development (SSR chapter), in addition to other relevant documents, including (iii) the December 2003 European Security Strategy - *A Secure Europe in a Better World;* (iv) the June 2011 Council conclusions on Conflict Prevention; (v) the October 2011 Commission Communication - *Increasing the impact of EU Development Policy: an Agenda for Change*; (vi) the October 2011 Commission Communication – *The Future Approach to EU Budget Support to the Third Countries* (v) the Joint Communication on EU Comprehensive Approach to external conflicts and crisis (Dec. 2013); (vi) the April 2015 European Agenda on Security with its external dimension; and (vii) the joint consultation paper "Towards a new European Neighbourhood Policy[5] addressing security threats identified as a potential area of strong common interest between the EU and its neighbours."

Issue

Conflicts, insecurity and instability are among the most serious problems the world is facing. These conflicts not only lead to loss of human lives and devastation, but they also have a direct and indirect impact on development. In many cases, conflicts and instability are linked to problems in the security sector of the partner countries. In addition, non-respect of the rule of law and fundamental rights too often happens where security sector actors are not under civilian oversight, and/or interfere with the political life, are committing abuses and human rights violations or are unable to provide security services for the population and to counter threats such as terrorism and organized crime.

Supporting security sector actors, including by ensuring their effective functioning and proper democratic and civilian oversight, is particularly relevant in the context of conflict prevention, as well as in conflict resolution or post-conflict scenarios, including as part of disarmament, demobilisation and reintegration (DDR) processes.

The EU supports indeed governance and reform of the security sector as a key element to prevent conflicts and to contribute to sustainable peace, state-building and development. Whilst the EU is one of the most important international actors in supporting peace, security and sustainable development globally, in several cases the EU support to SSR processes in partner countries has had a limited and/or unsustainable impact. Limitations in the existing financing instruments to provide a comprehensive financing to security capacity building in partner countries, in particular its military component, are being currently examined under a different strand in the framework of support to capacity building, including a possible dedicated instrument[6]

The following issues have been identified during the evaluations and reviews as some of the main problems that need to be addressed to ensure the EU maximises its positive impact and manages risks:

a) Insufficient application of the comprehensive approach. When supporting SSR in partner countries, an *ad hoc* and fragmented approach to security sector engagement has sometimes led to a lack of overall EU coordinated action, not only within and between EU external actors and action instruments, but also between the EU and Member States' bilateral interventions. The different capacities and instruments, diplomatic and financial, military and civilian, short-term and long-term, are sometimes not being used in a coherent, coordinated and complementary way. CSDP missions often contribute to the rehabilitation of the security sector without being framed within a wider and longer term EU strategy to support governance/rule of law and peace-building/state-building. This undermines the potential impact of the EU actions, and relies on the goodwill and initiative of

---

[2] 12566/4/05, 13.10.2005
[3] Local ownership, measuring progress, holistic approach; tailored approach and co-ordinated approach.
[4] COM(2006) 253, 24.05.2006
[5] JOIN(2015) 6, 4.3.2015
[6] COM(2015)610 Annex I point 21.

individuals to collaborate rather than on institutional arrangements.

b) Insufficient level of application of 'human security' and good governance[7] principles. EU actions are not sufficiently aimed at: (i) strengthening the capacity of justice and security institutions to deliver tangible benefits to the population including addressing its security concerns; (ii) promoting human rights, (iii) promoting governance, and fighting corruption including in the defence sector; (iv) strengthening the gender dimension of SSR support; and (iv) ensuring the relevance of SSR support principles to expanding policy areas in the realm of counter-terrorism and border management.

c) Insufficient application of the 'holistic' approach'. SSR support is not sufficiently anchored in the wider governance, democratisation, state-building and poverty reduction context in order to ensure its sustainability and effectiveness.

d) Dispersed EU Strategic Policy Framework. There is currently no SSR support concept equally applicable and relevant for all EU external action addressing the interlinkages between politics, security, justice, development, conflict and fragility. A unified policy support framework is needed to provide greater clarity to partners and counterparts as well as enhance the EU unity of effort.

e) Insufficient joint analysis of the security sector of partner countries. There is a need for better analysis of the security sector and its wider political context. There is also a need for increased knowledge of the local security and justice practices of partner countries, essential for tailoring the support. Furthermore, there is a need for improved sharing of analysis. An agreed EEAS-Commission services approach to joint conflict analysis and generating conflict sensitive action is increasingly being used to bring together all relevant EU stakeholders to undertake strategic country and regional context analysis. EU Member States and international partners should also be more involved through information sharing and analysis.

f) Lack of ownership as well as political and policy dialogue with partner countries. EU SSR support is often insufficiently linked to a consistent political strategy and to a structured and sustained political dialogue. Sometimes SSR support is considered technical with little or no relevance to the political dialogue. SSR, however, requires long term engagement and regular dialogue addressing the issues from both technical and political angles. Support efforts are often too donor-led and have sometimes been provided in the absence of real national engagement. National ownership and political buy-in are essential to make effective all support efforts of the international community and to provide a platform on which international partners should align their support.

g) Insufficient SSR thematic support. The SSR expertise that exists within the EEAS and Commission services is dispersed in too many services, which hinders the capacity to effectively channel the thematic SSR support that is increasingly requested by delegations and CSDP missions.

The Joint Communication will ultimately benefit partner countries and regional organisations that are supported by the European Union. Given the large number of partners who would benefit from SSR with EU support, it will be necessary to prioritise and focus operations. Coherent and more effective EU engagement in SSR support, will enhance the EU impact in (i) preventing and addressing conflicts, (ii) supporting state-building and development, (iii) preventing violations of human rights, rule of law and democratic principles, (iv) securing the EU investment into economic and social development and (v) countering security threats, including those relevant to the EU security such as terrorism, trafficking and transnational crime. This would strengthen the image of the EU as a world supporter of peace and security as well as minimise risks and inflows of unwanted nature.

The EEAS and the Commission services will bear the implementation of the proposed policy recommendations and options. The EU Member States will be called to endorse and to apply the proposed principles through Council conclusions and by participating to the EU comprehensive approach to SSR support.

The Joint Communication will be addressed to the Council and the European Parliament as co-legislators. Its development will consider the impact on public perception and citizens' support.

Subsidiarity check

The added value of the EU level in external action is fully recognised by its Member States, in particular its potential to play a key coordination role. There is frequently a sub-optimal coordination between EU political action, cooperation instruments, CSDP and Member States' bilateral engagement. This lack of coordination can result in duplication and gaps, which can undermine the common EU objectives. It is essential that the activities of Member States, Commission services and the EEAS are coordinated into a unified EU action for maximum impact.

---

[7] Transparency, accountability, oversight and democratic control in line with those expressed in COM (2001) 428 12.10.2001 or in the Cotonou agreement 15.12.2000

Only with all of its instruments working in a single coordinated action can the EU successfully implement SSR policy over the long term. Member States experiences in bilateral donor projects and lessons learnt from CSDP and Commission missions have substantiated this fact. Furthermore, the requirement for coordinated action between all donor organisations in a country or region for SSR activities would be more easily facilitated by the EU rather than by individual Member States. These options therefore complement and respect the proportionality principle. Moreover, they are fully in line with Article 21 TEU and Articles 208 and 212 TFEU, outlining the EU principles in external action and cooperation. In the field of development cooperation, pursuant to Article 210 TFEU the Commission may take the initiative to promote coordination with Member States.

Main policy objectives

The <u>overarching objectives</u> are to contribute: (i) to peace, stability and security; (ii) the respect of democratic, rule of law and human rights principles in third countries, as prerequisites for development. This will be done by promoting the legitimacy, accountability, representativity, sustainability and effectiveness of the security sector actors, of third countries.

The <u>specific objective</u> will be to make the EU more effective and consistent in supporting SSR in partner countries.

A new policy framework will build, among others, on existing EU SSR support policy documents, on the concept of the development-security nexus, on the conflict sensitivity approach, the principle of 'holistic approach' as well as the 'do no harm', ownership, inclusiveness and complementarity principles, and on the ongoing discussions with regard to the CBSD initiative. It will include a gender dimension as well as guidance for monitoring and evaluation.

The proposed policy will be equally relevant to conflict/post-conflict situations as for contexts of conflict prevention and state fragility with specific focus on human rights/rule of law/democracy. <u>Its main components</u> will include:

a) Align SSR support to the <u>ambition of the comprehensive approach</u>. The new policy will ensure the consistency, coordination and complementarity of the different short-term and long-term capabilities and instruments, based on a common strategic vision. Where relevant joint risk management frameworks and specific performance-based monitoring mechanisms with regard to SSR programmes will be put in place for both CFSP/CSDP and cooperation actions. Commission experience (budget support risk management frameworks, flexibility measures) as well as emerging practice of CSDP mission performance benchmarks in this regard will serve as starting points.

b) Provide clearer guidance on the <u>implementation of 'human security' and good governance principles</u>, promoting direct security and justice benefits to the population including through a community security approach. This will imply adopting a "bottom-up" approach to security, complementary to a top-down institutional approach, starting from the identification of security needs as perceived and experienced by the population, discussed among local stakeholders and between communities and local and national authorities as well as security forces. Through the monitoring and evaluation (M&E) of EU support the impact of actual security benefits will be measured.

c) Embed SSR in <u>broader governance and service delivery</u> support in partner countries, taking into account links with other relevant reform areas of the partner country as well as the wider EU support state-building framework. The new policy will also clarify the relevance of gender sensitive approach in SSR support and its incorporation into EU policy. It will make explicit the role of SSR support principles across related sub-fields of border management and counter-terrorism. Ensuring effective democratic control over security sector actors will also be crucial in this regard.

d) <u>Better link SSR support to political dialogue and dialogue on human rights, rule of law, democratic and good governance principles</u> taking into account also the defence sector, where appropriate, together with other security-related sectors (internal security, borders, civil protection, etc.).

e) Focus on <u>practical implementation</u> to guide the analysis, planning, design, implementation, monitoring and evaluation of CSDP and cooperation SSR support. Operational guidance will tackle the issue of insufficient coordination and provide the necessary thematic support. Security sector reform and security capacity building will incorporate reflections on existing limitations and build on the current reflection about the possible options, including the establishment of a possible dedicated instrument.

f) <u>Ensure more flexibility</u>. In line with existing legal bases and decision making procedures, the new SSR policy will provide for mechanisms to allow the design and implementation of the cooperation and CSDP activities to be sufficiently flexible throughout their lifespan in order to be adapted to the evolving situation (political environment, new threats, etc.) and to be able to seize opportunities and to react to overcome obstacles. Flexibility should be politically driven and therefore linked to political dialogue. Additional flexibility might also be provided through a possible dedicated instrument.

The following implementation <u>measures</u> will be discussed during the policy formulation process:

    a) An <u>empowered inter-service SSR coordination/support mechanism</u>. Improved inter-service coordination has been identified as a key factor for successful SSR action in a number of recent studies.

    b) <u>A specific mechanism to ensure coherence between diplomatic, CSDP and development cooperation actions</u> in support of SSR will be discussed during the policy formulation process. This tool can be used at planning and implementation stages in selected partner countries where the EU is planning to have a significant cooperation in the security sector. Such a mechanism would complement and feed into other EU strategic planning and implementation tools, while following the relevant programming and decision making procedures provided for in the relevant legal bases. Recourse could be made to Joint Framework Documents[8] where the basic legal act so provides[9].

    c) <u>Coordination task forces at country level</u> may be put in place for countries where the EU has particularly significant and diversified SSR engagement to (i) collect all existing information on ongoing instruments and programmes covering as well Member States and third parties interventions, and (ii) discuss, draft and implement in coordination with the other involved international actors joint SSR support strategies.

    d) Practical implementation of the policy will be detailed in a jointly prepared "<u>Guidance Note on EU engagement in the security sector</u>", which will be an internal EEAS/COM services document (with regular updates). It will also provide guidance on analysis and reporting on the security sector.

    e) A <u>shared evaluation, monitoring and results framework</u> for security capacity building and Security Sector Reform-related activities will be prepared irrespective of the policy framework under which these activities are conducted.

    f) A <u>dedicated risk management methodology</u> on EU support to the security sector of partner countries or organisations will be prepared to assess the risk of SSR activities from the EU perspective (i.e. conflict sensitivity; human rights; reputational; financial; etc.), from the "do no harm" perspective and from the proposed activity perspective (i.e. personnel security/human security). The risk management framework would ideally include mitigating measures, possibly drawing on the Risk Management Framework mechanism for the Budget Support operations[10]. It can also be built upon UN Human Rights Due Diligence Policy[11] developed to guide UN engagement in support of the security sector and on the risk management framework developed for EU Budget Support operations.

B. Option Mapping

Option 1. These policy objectives cover diplomatic, development cooperation and CSDP actions and therefore may only be achieved through the adoption of a <u>Joint Communication</u> that will encompass all crucial elements of the EU-wide strategic framework on SSR support and address main issues as outlined in this Roadmap.

Option 2. Producing a <u>Staff Working Document (SWD)</u> would not allow for the requested changes in policy. A SWD could only provide background facts on the insofar EU achievements in SSR and make some suggestions for implementation. Staff (Commission services and the EEAS) could not commit the Commission or the High Representative.

Baseline option. Similarly to choosing option 2, <u>not taking action</u> would leave existing deficiencies unaddressed, exposing the EU to increasing risks given the growing engagement/funding in this field by the EU.

Proportionality check

The Union external action objectives, including the eradication of poverty, preventing conflict, addressing threats and building security in our neighbourhood, are all well served by SSR policy goals. All of the options outlined above serve to improve, both in terms of operational competence and budgetary efficiency, the existing mechanisms employed for EU SSR activities. Currently, EU SSR interventions, by the EU and by Member States, are relatively ad-hoc and uncoordinated. Member State bilateral SSR projects and EU activities have all in some way contributed to an improved security and development environment in partner countries/regions but none have adequately and comprehensively overcome the challenges successfully. Member States cannot employ the full range of instruments required to address SSR challenges across the security and development spectrum.

---

[8] COM (2011)865 final

9 Currently only foreseen under art.11(3)b, Development Cooperation Instrument

10 Budget support guidelines, EuropeAid Development and Cooperation Directorate-General, European Commission, Brussels, September 2012

11 United Nations, General Assembly, Security Council, A/67/775-S/2013/110, 5 March 2013

C. Data collection and Better Regulation instruments

Data collection

The EU support to SSR has already been evaluated several times over the last 10 years[12]. These specific evaluations/reviews of the EU support to justice and security already provide a large body of evidence on what does and what does not work. In addition, the European Commission launches on a regular basis project, programmes and country evaluations, which sometimes address the security and justice sectors. Some further work will need to be carried out in relation to the on-going and hands-on experience of recent EU support to SSR.

Over the last few years, more CSDP missions have an SSR mandate and more cooperation programmes are addressing issues of security and justice (as indicated in the indicative programming plans). It is therefore proposed to use a few carefully selected country case studies to gather additional evidence and test some of the policy objectives and options mentioned above. These case studies would be carried out between September and December 2015. Furthermore, the initiative seeks to drive a much stronger emphasis on SSR results, through improved design, monitoring and evaluation, which will generate improved evidence going forward.

Consultation approach

The interested EU delegations and CSDP missions will be regularly consulted. To this end, various formats are foreseen. The European Parliament will be consulted and also Member States, through experts meetings. The same applies to civil society organisations: a seminar is to be held in the autumn in the framework of the Civil Society Dialogue Network. Specialised international organisations (such as UN, OSCE, CoE and NATO) and specialised NGOs as well as think tanks will be invited to some of the seminars organised by the Commission services, EEAS and/or MS. External government representatives (such as the US, CH, Norway, Canada etc.) with an existing or planned instrument may also be invited on an *ad hoc* basis.

Will an Implementation plan be established?

☐ Yes ✖ No

Will an impact assessment be carried out for this initiative and/or possible follow-up initiatives?

No. For this non legislative proposal, no impact assessment is foreseen. The initiative will review the current policy framework including addressing potential conceptual gaps which will minimise the need for ad-hoc decisions. There is no direct budgetary consequence through the adoption of the Joint Communication and no direct identifiable impacts at this stage. Any potential follow up actions with direct impacts will be impact assessed as required. An evaluation of this new policy framework will be carried out after around five years of implementation.

---

[12] Inter alia European Commission, November 2011, "Thematic Evaluation of the European Commission Support to Justice and Security System Reform"; European Commission, 2012, "Support to Justice and the Rule of Law. Review of past experience and guidance for future EU development cooperation programmes"; Council of the European Union, 2012, "Lessons of CSDP support to Security Sector Reform" (internal document); European Parliament, January 2013, "Assessing the EU's approach to Security Sector Reform"