1. Definition of the concept

In its Communication "Towards an EU response to situations of fragility" from 25 October 2007, the Commission defined "fragility" as referring 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 service delivery, management of resources, rule of law, equitable access to power, security and safety of the populace and protection and promotion of citizens' rights and freedoms."

The EC has made it clear that it will remain engaged even in difficult/fragile environments, as these situations undermine development, destabilize regions and entail even risks for global security. Dealing effectively with fragility requires deliberately calculated risks that have to be weighed against risks inherent to non-action. Supporting partner countries' efforts to prevent fragility, to address its root causes and to tackle its consequences should be integrated in EU partnerships. Even when the application of cooperation agreements is partially suspended, the EU will remain engaged through a mix of community instruments and EU action, for reasons of solidarity, security and aid effectiveness.

The international community agrees now that the primary aim in fragile situations should be to help building resilient states. As this notion touches upon state-society relations and, in particular, the expectations of citizens towards their state, there is a need for tailor-made solutions and targeted support on where it is most needed to help stabilize a situation. Solutions should be holistic ("Whole-of-government") and encompass all instruments the EU and its Member States have at hand: development, diplomacy, defence, trade etc. Coordination between donors from within or outside the EU is key. Cooperation should, to the extent possible, build on and support nationally or locally owned initiatives and structures. This is in particular valid in post-crisis transition periods where an integrated transition strategy from humanitarian assistance towards development cooperation needs to be defined. In extremely difficult partnerships, where cooperation is suspended, corrective measures may have been jointly identified and their implementation by the government would imply the gradual evolution of the situation into a more functioning/effective partnership.

2. Taking account of the concept in the analysis of the country’s situation
Fragile situations require specific tailor made approaches and should not be treated in the same way as effective partnerships on the basis of a good-performers model. Depending on the degree of state fragility in a given country the impact on development and security may not only be limited to the country itself but can threaten development and security at a regional level.

The identification of the causes and effects of fragility in a specific situation is therefore an important input into the political assessment of a country, and efforts should therefore be made to detect as early as possible signs of state fragility in order prevent further deterioration. Aspects of fragility can concern all of the nine sections of the EC governance profile, and when updating the profiles, it needs to be carefully analyzed where the state displays significant strengths and weaknesses, including in the provision of basic services. The interaction between citizens and state institutions, the predominant obstacles to stability and the role and potentials of key actors in reform processes should also be considered. This "state of the state" analysis will then enable targeted cooperation with appropriate partners, with the aim of increasing the legitimacy and resilience of the partner country as a whole. In the more difficult situations when normal dialogue is no longer possible with the partner government it is important to try to identify alternative ways of cooperation, for example (but not only) through civil society or local authorities if possible to ensure EC engagement in the country for reasons of solidarity with populations, of long term aid effectiveness and of global security.

The analysis is not of concern to the EC development actors alone. There should ideally be one coherent EU analysis forming the basis for a common response to a fragile situation, i.e. a coherent and holistic strategy of all actors involved, be it from the development, security, political or other areas. This includes the Member States that are present in a given situation (their assessments should be shared) as well as EU actors from different Commission services and the Council Secretariat. Joint assessment missions, systematic sharing of analysis documents and enlarged country strategy meetings at Headquarter and field level can be useful tools to this end.

It is of importance to take into account also the assessments and response strategies of key international and regional partners. This includes the World Bank, the UN, but also regional actors like regional development banks or regional organizations and communities. A close exchange should be sought.

The assessment of the country situation should provide for a mapping of donor activities in the country. Often, states in fragile situations can be regarded as "donor orphans", or there might be "orphan sectors" or "orphan regions". In line with the EU Code of Conduct on Complementarity and Division of Labour, the EU should identify substantial overlaps or gaps at country level and point towards strategies to tackle these challenges.

3. Taking account of the concept in the Community response strategy

Building on the analysis of the country situation, the focus of cooperation programmes in fragile situations should normally be on statebuilding. This will normally imply support to governance/institutional capacity building, but needs to be adjusted to each specific case and the needs and potentials as identified in the analysis. Activities should aim at increasing the legitimacy of state institutions and will therefore be intimately connected to the political processes through which social/political relations and power relationships within the society are negotiated and managed. While there might be a tension between the humanitarian need to
provide access to services and the objective of building institutional capacities, substitution should be avoided to the extent possible.

Efforts by the EC should employ all appropriate instruments in a coherent and appropriate manner, including the direct follow-up to humanitarian assistance in transition and early recovery phases, the B-envelopes, the regular development assistance, the Instrument for Stability and other thematic budget lines. In particular in post-crisis situations, budget support play an important role in the recovery process (after the humanitarian phase), by contributing to the macro-economic and social stabilization. Budget support will always be only one of several instruments in the toolbox and be considered only on a case-by-case basis: A necessary condition is in any case the political will of the partner government to change, including to undertake their own reforms of economic governance with a strong focus on Public Finance Management.

An important challenge lies in ensuring coherence between the different policy areas, in particular between development, diplomacy, security and economic interventions. There is a need to liaise much more closely between the different strategies both at EU level – with mainly community activities on the one hand and CFSP and ESDP missions on the other hand – and between the different approaches adopted by Member States. While the structural set-up remains an issue of political debate, and coherence in general a political challenge, solutions might often be found in small steps, like joint missions, exchange of strategies and joint meetings at working level.

The political dialogue with a country in a fragile situation and its key partners is of critical importance for the "Whole of EU"-response. Addressing the sources and consequences of fragility in the dialogue may contribute to building country owned strategies that lead to a durable exit from fragility. The EU and its Member States should ensure they speak with "one voice" and share results and assessments of their individual contacts with the partner government. The setting of Terms of Reference for the dialogue and the agreement on a calendar might help to continue the dialogue on crucial issues even in difficult and/or deteriorating circumstances. In the most extreme cases, the central government might not be committed to democratic governance. Engaging with other actors, such as civil society, local authorities or parliaments, is necessary. In complement, dialogue on less controversial issues, such as service delivery or employment generation, should continue with central governments, to progressively build political will for reform.

Donor coordination and partnerships with key international and regional stakeholders like the UN and the World Bank is of essence.

The EC should take a lead in tackling the challenge of donor orphans, orphan sector or orphan regions. There might be a need to support the partner government in attracting new donors or taking a more effective lead in the coordination of donors. As for new donors, in particular for states with particularly weak government capacities, additional help should be channelled through existing channels like multi-donor initiatives or silent partnerships.

4. Links to more information on the concept

- Communication "Towards an EU response to situations of fragility", COM(2007) 643 final and Staff Working paper
• Conclusions of the Council November 2007
• Resolution by the European Parliament November 2007
• Communication on Governance and development COM (2003) 615 final
• Communication on Coherence for development COM (2005) 134 final
• OECD/DAC Principles for Good International Engagement in Fragile States, April 2007