



**BRIEFING NOTE No. 120**

## **The latest on the European Peace Facility and what's in it for the African Union**

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This briefing note provides insights on the European Peace Facility (EPF) and its place within the European Union's (EU) external action on peace and security. The political and bureaucratic drive for creating the EPF was part of a desire to increase the EU's capacity for strategic autonomy and upgrade its defence and security capabilities championed by former High Representative for Foreign and Security Policy and Vice President (HR/VP) of the European Commission Federica Mogherini. Yet the interest also came from the EU's need to develop a more predictable, stable and flexible funding platform to support its own and partners' international military missions, most notably in Africa.

The EPF, conceptualised as a global instrument, will be built on existing EU and African Union (AU) mechanisms to support peace and security. But it ventures into uncharted territory because it will allow the EU – for the first time in history – to provide external action support for the procurement of military equipment, including lethal weapons.

Many questions and dilemmas are still on the table, such as the instrument's strategic relevance, the containment of possible risks associated with the procurement of military material, respecting international humanitarian law and public oversight. Others relate to the EU's internal capacity to programme and accompany the implementation of the EPF. Finally, there are questions about the EPF's use in the context of the EU-AU partnership and its potential role in strengthening African institutional reform and ownership around peace and security.

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This brief builds on earlier ECDPM work on the European Peace Facility (Deneckere 2018 & Deneckere et al. 2020) and explores the dilemmas linked to its implementation, in particular in relation to sensitive issues such as human rights and oversight. It also investigates the strategic relevance of the European Peace Facility compared to the military engagement of selected African states and the United States in selected African countries. A separate section discusses the potential relevance of the Facility for strengthening the ongoing African institutional and financial reform process on peace and security and highlights the bottlenecks in using the Facility as an instrument to deepen the partnership between Europe and Africa. Key take-aways round up this briefing note.

See box 1 for the details and state of play of the European Peace Facility (EPF).

## A sensitive instrument, requiring extra checks and balances and strategic guidance

The very scope of the EPF, allowing for the provision of lethal weapons to military actors of partner countries, makes it a very sensitive instrument that asks for safeguards, transparent decision-making and clear accountability mechanisms. It also asks for a thorough reflection on what the EU – as a rather novice in this domain, with so far limited programming and monitoring capacities – can strategically and sensibly achieve without causing harm. The EU has started to strengthen its corps of security advisors at headquarters and field levels, but, compared to other multilateral and bilateral actors supporting military cooperation, it is still considerably behind on numbers. For several of these positions, the EU also depends on the willingness of EU member states to detach capable personnel, which does not help to build up a strong institutional memory.

Brussels and the EU member states have debated the EPF intensely over the past years, resulting in commitments to respect international law, in particular human rights and international

humanitarian law (Council of the EU 2018). The development of a due diligence policy for security actors was written into the EU Human Rights Action Plan in 2017 (Council of the EU 2015), but has not been produced so far. The same task is written again into the EU Action Plan on Human Rights and Democracy (2020-2024)(EC 2020b). Civil society raised questions on whether or not it was going to be implemented this time (FES 2020).<sup>1</sup>

Oversight and monitoring mechanisms to react quickly, beyond the internal auditor's management and control function as described in the EPF proposal to the Council (Council of the EU 2018), still need to be established. A newly created EPF Committee, composed of EU member state representatives, will likely play an important role, as it will be entrusted with the approval of budgets and accounts, and with drawing up financial rules for the implementation of the expenditure (Council of the EU 2018). The Committee will act upon decisions for EPF-funded actions taken by the Council or the Political and Security Committee by unanimity (EEAS 2020). This decision-making arrangement, acting on proposals made by the HR/VP, retains elements from the Athena mechanism and the African Peace Facility (APF). Implementation mechanisms have also been put in place. The EPF, as an instrument under the Common Foreign and Security Policy (CFSP) of the EU, will be homed under the European External Action Service (EEAS). It will be financially administered by the Commission's Service for Foreign Policy Instruments (FPI), which has a track record in managing the EU's Instrument contributing to Stability and Peace (IcSP) that includes a substantial rapid response component. FPI also has experience overseeing the budget for civilian crisis management missions, EU special representatives and other CFSP actions.

External oversight functions, for example to monitor a due diligence policy for security actors, do not exist. Since the EPF will be established as an intergovernmental CFSP instrument, the European Parliament (EP) will also not have a formal oversight role. However, the EP has signalled a wish to be involved (EP 2018), including through regular briefings by the HR/VP, the EPF administrator and the CSDP operation commanders, as is current practice with other intergovernmental or off-budget instruments. *Continuing on page 3.*

### Box 1: The European Peace Facility (EPF): an 'off-budget' instrument allowing to purchase military equipment

The EPF will be 'off-budget', which takes it aside from the legal regulations of the EU treaties that govern the EU's seven-year budget for 2021-2027, the Multiannual Financial Framework (MFF). This arrangement allows the EU to support directly military actors, something which cannot be financed through the EU budget for legal reasons lying in the Treaty on European Union (Deneckere 2018). The proposed MFF and EPF budgets were agreed between EU heads of state and government in July 2020. For the EPF, the negotiations resulted in an allocation of € 5 billion over the MFF period, downscaled from the originally envisaged € 9.2 billion by the HR/VP in 2018 (see table 3). The EPF is only one element of the EU's support to peace and security. The MFF's Heading 6, related to EU external action, includes the new 'Neighbourhood and the World and a new consolidated Neighbourhood, Development and International Cooperation Instrument (NDICI)'. Under this instrument, a range of thematic and geographic programmes will fund peace and security efforts. All are intended to support the civilian side of peace and security, including peace and stability and rapid response action, and the development-security-humanitarian nexus. Beyond the NDICI, Heading 6, includes separate financial instruments for humanitarian aid assistance under the Common Foreign and Security Policy (CFSP) that can fund civilian Common Security and Defence Policy (CSDP) expenses, including costs for EU special representatives and election observation missions.

The budget for peace and security under the NDICI, plus non-NDICI efforts, excluding humanitarian aid, will add up to roughly speaking € 7.5 billion (final figures are so far not available, see tables 1 and 2). € 9.7 billion is budgeted for humanitarian aid in addition (see table 2). Beyond Heading 6, the EU budget also has a specific heading on 'Security and Defence' (Heading 5). While designed to promote the EU's strategic autonomy, this is an EU internally-focussed allocation on policing, defence industry collaboration, nuclear decommissioning and crisis management, that cannot be used for external support to military missions.

Table 1

Neighbourhood, Development and International Cooperation Instrument				
NDICI	European Commission's proposal 2018	EU Council's proposal (21/7/2020)	Change (%)	Change (volume)
<b>Geographic programmes</b>	<b>60.220</b>	<b>53.805</b>	<b>-11%</b>	<b>- 6.415</b>
Neighbourhood (at least)	19.483	17.217	-12%	- 2.266
Sub-Saharan Africa (at least)	28.339	26.000	-8%	- 2.339
Asia and the Pacific; Americas and the Caribbean	12.398	10.588	-15%	- 1.810
<b>Thematic programmes</b>	<b>6.199</b>	<b>5.665</b>	<b>-9%</b>	<b>- 534</b>
Human rights and democracy	1.328			
Civil society organisations	1.328			
Stability and peace	886			
Global challenges	2.657			
<b>Rapid response action</b>	<b>3.542</b>	<b>2.835</b>	<b>-20%</b>	<b>- 707</b>
<b>Emerging challenges and priorities cushion</b>	<b>9.033</b>	<b>8.495</b>	<b>-6%</b>	<b>- 538</b>
<b>TOTAL</b>	<b>78.994</b>	<b>70.800</b>	<b>-10%</b>	<b>- 8.194</b>

Table 2

Other external international financial instruments and funds MFF 2021-2027				
ON BUDGET (Heading 6)	European Commission's proposal 2018	EU Council's proposal (21/7/2020)	Change (%)	Change (volume)
Pre-Accession Assistance	12.865	12.565	-2%	- 300
Complementary European Instrument for Nuclear Safety	266			
Humanitarian Aid	9.760	9.760	0%	
Common Foreign and Security Policy	2.649	2.375	-10%	- 274
Overseas Countries Territories	444	444	0%	
Other	949			
Decentralised Agencies	132			
Margin	2.913			

Table 3

OFF BUDGET	European Commission's proposal 2018	EU Council's proposal (21/7/2020)	Change (%)	Change (volume)
European Peace Facility	9.223	5.000	-46%	- 4.223
Solidarity and Emergency Aid Reserve	4.200	8.400	100%	4.200

The EPF will rationalise existing mechanisms in support of international military action and provide fresh money for new types of spending. It includes funding for military operations under the EU CSDP, replacing the current Athena mechanism to assess voluntary contributions from EU member states. The EPF also provides military and defence-related capacity building to third countries, regional and international organisations to address conflicts and security threats (for instance, equipment support through CSDP operations, complementing their training mandates), as well as assistance to military peace support operations (PSOs), such as the EU's ongoing support to the AU's PSO in Somalia (AMISOM) provided through the African Peace Facility (APF). Approximately € 2.9 billion was spent via the APF between 2004 and 2019, of which over 90% was used to compensate African states and their soldiers for their participation in PSOs (EC 2020c). The EPF will finally allow to support a "broader set of operational actions with a military or defence nature under the CFSP" (Council of the EU 2018) which, in 2018, raised criticisms by some EU member states for its vagueness (Deneckere 2019).

Source: ECDPM 2020<sup>2</sup>

### A sensitive instrument, requiring extra checks and balances and strategic guidance (continued)

But any involvement of the EP beyond this level would lack a legal base (Deneckere 2019).

While these technical safeguards to mitigate risks of misuse give EU member states the final say in the EPF decision-making process, questions remain on how they will be implemented in practice. The 27 EU member states have different military cultures and foreign policy stances on the use of force, which makes it difficult to find unanimous agreements.

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Will this set-up also allow for quick action and flexibility and will it help to streamline and simplify decision-making? (EEAS 2020). Above all, will decisions be grounded on a solid information base, intelligence and risk assessment to reduce the risk of misuse?

Common sense, but also a list of past experiences, dictate that safeguards and risk mitigation matters can never fully prevent military equipment from landing in the wrong hands. To reduce such risks, the EEAS and the Commission have invested more in conflict sensitivity and the application of political economy studies and conflict risk assessments over the past years, but this has been a piecemeal process. The Commission is now also attempting to have conflict analysis underpin the programming of the NDICI in conflict countries. But it takes time and a change of mindset to integrate conflict sensitivity and new behaviour across the institutions. Some evaluations have underlined the systemic lack of conflict sensitivity within the EU, because do-no-harm approaches have continued to be applied in ad hoc ways and not as a formal, systematic and methodological approach. This is a frequent finding of multiple evaluations, indicating that the EU is yet to change its approach on its external action to fully systematise its conflict sensitive and do-no-harm approaches (Mackie et al. 2018).

Moreover, mechanisms to establish a common and strategic EU risk-assessment do not exist, and instead, fragmentation dominates. This calls for a more strategic and joined-up view of the entire EU on the potential risks and the instruments to be used. Germany has launched a discussion during its current EU presidency on the 'Common Strategic Compass' – announced as an EU threat analysis tool that is meant to guide implementation of the security and defence dimension of the EU's Global Strategy, with the intention of having a common threat analysis across

the Union approved by 2022. Shaping such a joined-up strategic view is overdue, as it is meant to concretise the EU Global Strategy (2016) on a more regular basis. But given the long and possibly drifting process, observers question whether this will deliver the intended results (Koenig 2020).

## How strategically relevant is the EPF compared with military spending of selected actors in Africa?

The € 5 billion for the EPF over a period of 7 years is not big money considering that roughly speaking, some € 3 billion will be consumed for African PSO support (mainly stipends), the replacement of the Athena mechanisms and CSDP military training missions. This leaves approximately € 300 million per year for the provision of equipment to military actors of partner countries and institutions (though possibly some more, if payments for stipends will be further reduced, in particular for AMISOM).

This amount is rather modest compared to the spending of other actors supporting international military cooperation and security sector reform. The United States, for instance, spent an average of € 262 million per year in 2017, 2018 and 2019 on security aid to Burkina Faso, Mali, Central African Republic and Somalia (Security as defined by the Security Assistance user guide, see SAM N.d.). Security aid includes training and equipment provided to the military, police and ministries associated with the security sector. The EPF amount is also low compared to military spending by some big African countries themselves, such as South Africa, Nigeria, Egypt, Algeria and Morocco (see table 4 below).

Table 4: Military spending of selected African countries and by the United States in selected African countries 2017-2019, and annual averages.

Country	2017	2018	2019	Yearly average spending 2017-2019
Total military spending of selected African countries (source SIPRI 2020) and as share of GDP in constant (2018) € billions <sup>4</sup>				
Algeria	9,223 <sup>5*</sup> 6.0%*	8,846* 5.5%*	9,538 6.0%	9,202 5.8%
Morocco	3,392 3.2%	3,412 3.1%	3,471 3.1%	3,425 3.1%
Nigeria	1,598 0.4%	1,885 0.5%	1,731 0.5%	1,738 0.5%
South Africa	3,534 1.0%	3,387 1.0%	3,338 1.0%	3,419 1.0%
Egypt	3,095* 1.4%*	2,879* 1.2%*	2,865* 1.2%*	2,946 1.26%
Total military spending by the United States in selected African countries in € millions (source SAM 2020)				
Mali	1,700,166	1,684,128	9,370,249	4,251,514
Somalia	257,538,229	240,275,712	215,371,061	237,728,334
Burkina Faso	503,035	13,876,672	14,146,906	9,508,871
Central African Republic	11,603,033	10,676,320	11,289,306	11,189,553
<b>Total on average spending</b>	<b>271,344,463</b>	<b>266,512,832</b>	<b>250,177,522</b>	<b>262,678,272</b>

Source: SIPRI 2020 and SAM 2020<sup>34</sup>

## Strengthening African institutional and financial reform on peace and security?

Geopolitical views and policy priorities on peace and security are overall aligned between the EU and the AU. The EU's Joint Communication on the EU-Africa Strategy (March EC 2020a) broadly sides with the AU's 'Silencing the Guns in Africa' (AU 2019a) and the longer-term goals of the AU Agenda 2063 (AU 2020a).

Against this background, one should consider what role the EPF – together with other peace and security-related support financed under the MFF –

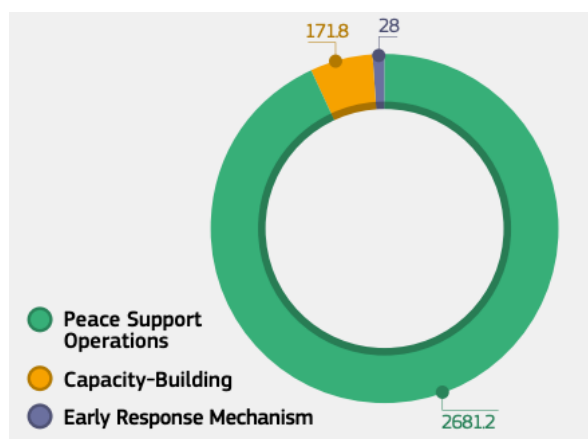
can play in strengthening the AU's African Peace and Security Architecture (APSA). An enhanced AU institutional reform programme, strongly promoted during the Rwandan AU Chairmanship in 2018, included the 'Kaberuka reform' geared towards African self-financing of the AU, comprising the pooling of funding for the operational costs for peace and security. Funding by each AU member state would be channelled into the AU's African Peace Fund (Apiko and Miyandazi 2019). So far, close to 70% of the funding target has been reached (AU 2020b)<sup>5</sup> and all statutory bodies have been set up. This includes the Fund's board, on which the UN and the EU each have a seat, alongside representatives of the five geographical regions of the AU (AU N.d.).



Lessons from the implementation of the APF show that peace and security support, if practiced from a partnership perspective, will enhance ownership and empower African leadership (Hauck and Deneckere 2018). Over the many years of APF support, starting in 2004, the EU has helped to strengthen the AU's institutional framework, which allowed the AU to take responsibility for implementation of the APSA. The support was highly welcomed and facilitated through a regular, but sometimes bumpy, political dialogue between the EU and the AU at the political level and, most importantly, through a day-to-day exchange of views and priorities via the EU delegation to the AU in Addis Ababa (Mackie et al. 2018). Between 2004 and 2019, € 2.68 billion, or 93%, was spent on peace support operations, € 171,000 million (6%), on capacity building and € 28 million (1%) on the Early Response Mechanism (see figure 1).

As the EPF, unlike the APF, is a global instrument, questions can be raised how the AU-EU dialogue in the future will ensure African priorities are not going to be downscaled vis-à-vis possible demands originating from other conflict-ridden regions in the EU's non-African neighbourhood. Would the EPF allow, for example, the earmarking of any long-term commitments to ensure predictable support to Africa in a rapidly changing global context? And – given the sensitivity of the instrument – would there be space to structurally enhance existing AU-EU dialogue mechanisms through regular, well-informed and shared conflict analyses and risk assessments?

Figure 1: APF contracted amounts per type of activity, 2004-2019 (in million EUR)<sup>6</sup>



Source: EC 2020c.

Another avenue to pursue strategic dialogue between the EU and the AU on EPF spending, management and oversight could be inclusion of a 'reciprocity element' into the implementation of the EPF. As the EU and the UN have been invited to take a seat on the African Peace Fund, the EU could consider inviting representatives of the AU Troika (perhaps at ambassadorial level) to Africa-focused EPF Committee meetings. Meetings of the EPF Committee that are dedicated to Africa could supplement the regular meetings of the AU Peace and Security Council and European Political and Security Committee and allow for exchanges that could also include joint conflict analyses and risk assessments. The lack of reciprocity has so far been one of the big stumbling blocks to the forging of a 'partnership of equals' between the EU and the AU.

Moreover, as the EPF is an off-budget instrument falling outside the MFF, a dedicated dialogue structure and strengthened governance processes should be considered. This will allow AU organs to feed their priorities and observations into the partnership dialogue and thereby help to create a strengthened co-ownership for the decisions that will formally and ultimately be taken at the EU level.

The launch of the AU's financial reform has been an important step in the AU's institutional reform process. Further strengthening of this reform process can be supported through the EPF. Allocating seats to the UN and the EU on the African Peace Fund's board underpins how much the AU values collaboration with its two principal international peace and security partners. It ensures strategic coherence and helps to strengthen the coordination and operationalisation of the AU-EU and the AU-UN partnership in good faith, as well as the notion of global governance of peace and security as a public good. The AU has invited the EU and other international partners to channel their contributions through this fund, which would recognise the African reform steps and allow the EU to play an active role in the operationalisation of the fund (AU 2019b).

The EU and AU signed a memorandum of understanding on Peace, Security and Governance in 2018 to ensure that the EPF will adhere to existing principles of cooperation, working procedures and consulting mechanisms with the AU. Both parties

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expressed the intention to safeguard sustainable financing for peace and security activities in Africa, including via the African Peace Fund once it is fully operational (EEAS 2018). To build trust in the functioning of this fund, the EU could wait until it is fully operational according to the standards of the EU. Alternatively, the EU could consider testing the functioning of the African Peace Fund and channel a limited amount for an earmarked domain. The latter could be combined with a clear perspective to growing EU funding through the EPF to encourage the AU to further develop the functioning of the African Peace Fund to the standards expected.

## Key takeaways

The following seven points, while still tentative and full of dilemmas, should be read against the background of an EU that seeks a growing strategic autonomy on external action, strengthen its capabilities to support security and peace outside the EU, and develop a stable funding arrangement for providing military support to its international partners, African in particular.

1. **The EPF has opened the door to a new type of collaboration with international partners.** A lot of EU internal discussion time and thoughts have gone into the design of this new instrument. All EU member states agreed on the creation of the EPF in 2018 and headways were made on EU internal governance, decision-making and management arrangements of the EPF. An EU instrument that allows for the provision of military equipment, including lethal weapons, to partner countries did not exist in the past and can be seen as a significant step in the EU's efforts to become a potentially more relevant international actor.
2. **EU member states' spending for peace, security and defence does not match their rhetoric.** While all EU member states signed up for the EPF in 2018, their appetite for a big budget differed considerably. In view of the COVID-19 pandemic and other priorities identified during the negotiations for a new EU budget in July 2020, the constituency for prioritising peace and security weakened. The budget for the EPF ended up with

a 46% cut (or minus € 4.2 billion) compared to what had originally been envisaged by the HR/VP. Compared with the budget lines under the MFF's Heading 6 covering the Neighbourhood and the World, this was by far the highest cut. Something similar happened to much of the security and defence agenda, where EU member states have questions about the real added value of the EU. MFF Heading 5 on 'Security and Defence' (which covers the EU's internal security) suffered the highest cuts in relative terms among all headings (-46%), although not in absolute terms (a drop from € 24.3 billion to € 13.2 billion).

3. **Dilemmas remain with regard to respect of human rights, international humanitarian law and oversight.** In all presentations of the EPF, the EU stresses the importance of respecting human rights and international humanitarian law. The EEAS informally acknowledges that a watertight system does not exist and weapons can get in the wrong hands, although it trusts that creating better risk assessments, enhanced internal conflict sensitivity and risk mitigation measures can counter such risks. The development of an EU due diligence policy for security actors is still on the waiting list.

Another dilemma is the missing external oversight by the European Parliament who is only informed about the implementation of the EPF – a consequence of the EPF being an 'off-budget' instrument. However, this shortfall can be partially outweighed by the internal oversight of the EPF's functioning exercised by EU member states, which will follow the implementation of the EPF with a critical eye. The possible negative impacts of EPF funding can be limited, though, as stated above, not fully eliminated.

4. **The strategic relevance of the EPF is very modest both in terms of money and lack of strategic leadership.** Compared to the security aid provided by other international actors, the budget of the EPF – in absolute terms – can be described as 'peanuts'. Considering the ongoing commitments for the support of African PSOs, AMISOM in particular, the € 5 billion EPF budget leaves much less space for the procurement of military equipment than originally conceived. In selected



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conflict areas, however, the provision of targeted and strategically well-informed military equipment might make some difference.

But the latter is impeded by the absence of an overall EU foreign policy, and current attempts to design a 'Common Strategic Compass', meant as a tool to guide implementation of the security and defence dimension of the EU's Global Strategy, is a lengthy process with an unknown outcome. So far, the strategic use of the EPF can be hindered by the unanimity principle of the Council and the Peace and Security Committee. On the positive side, the same structure can put a brake on selected EU member state's ambitions to support highly risk-prone activities.

5. **The EU's internal capacity to work in the military domain needs serious attention.** Findings from the EU's engagement with military actors abroad shows that so far, the EU does not have sufficient capacities at field level to programme, accompany implementation and monitor its support to security and security sector reform. Building up its capacities is important as the EU, when providing military equipment in conflict-prone contexts, will be perceived as a 'new kid on the block' by international and national military actors. Speaking with a legitimate and well-informed voice will be indispensable. EU member states have expressed a willingness and some have started to enhance the EU's internal military capacity, but this will not help build up a solid institutional memory, which is needed to capture lessons learnt and feed them into the changing political leadership of EU institutions over time.

6. **Lessons learnt from supporting African ownership on peace and security should not be lost.** The EPF will build on experiences gained by the EU and the AU when supporting the APSA.

The positive track-record developed under the APF's support to the APSA, lessons learnt on creating ownership and ongoing African efforts of institutional reform, and the self-financing of peace and security on the continent need to be respected. Ideas and suggestions expressed by the AU for strengthening the mutual dialogue between the EU and AU and the wish to eventually pool EPF resources into the African Peace Fund should be looked into seriously. One should also consider building elements of reciprocity, which has been a major stumbling block of the partnership so far, into the ongoing political dialogue so as to further strengthen the EU-AU partnership on peace and security.

7. **Implementing the EPF cannot be detached from political dialogue and governance processes.** An issue which has not been discussed above, but is dealt with in another ECDPM paper touching upon the EPF and the EU's engagement on security sector reform (Deneckere et al. 2020), is the splitting up of instruments in support of peace and security, which will not facilitate coordination and impact on the quality of the EU's assistance. Providing operational and technical support to capacity building in support of security and stability while being detached from political dialogue and legitimate governance processes in the countries and regions concerned, including the involvement of civilian actors, needs more critical reflection. Support to security sector reform cannot be realised without keeping this civilian and governance dimension firmly on the radar.

These take-aways could become elements for further reflection on the partnership between the AU and the EU on peace and security ahead of the next AU-EU Summit.

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- <sup>1</sup> Comment EPLO made during FES-organised webinar on the EPF, 2 June 2020.
- <sup>2</sup> The Solidarity and Emergency Aid Reserve is a new instrument under the EU Council proposal that replaces the Emergency Aid Reserve and the European Union Solidarity Fund. This new instrument has both a domestic and international focus, so increases should be pondered against this change. For other methodological details and caveats, please refer to source of data.
- <sup>3</sup> Converted on the basis of annual conversion rates for the years 2017, 2018 and 2019.
- <sup>4</sup> Numbers with \* were figures flagged with high level of uncertainty, by SIPRI (2020).
- <sup>5</sup> See AU (2020b) Financing the Union which states that “ as of June 16, 2020 contributed just over US\$176 million, representing 68% of the funds expected.”
- <sup>6</sup> € 13.8 million for Audit, Evaluation, Communication and Technical Assistance are not included in this figure.

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