



Redefining EU Engagement with Conflict Society[♦]

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Setting the context: EU peace-building policies and the interaction with civil society

The changing role of civil society

Civil society organizations (CSOs) have come to play an increasing role in national and global politics in recent years. This is mainly due to a combination of two aspects of the “liberal paradigm of civil society”: on the one hand, the recognition of the role of civil society in the promotion of democracy, human rights and peace, and on the other hand, the privatization of service delivery that is now channeled through civil society organizations.

A first component of the liberal paradigm of civil society is the recognition of the key role played by civil society organizations in the promotion and consolidation of democracy and human rights, within the paradigm of the “liberal peace”. Both the United Nations at the global level (United Nations 2004) and the European Union at the regional level (European Commission 2007b) acknowledge the critical role played by civil society actors in the consolidation of democracy through the affirmation of human rights. According to this perspective, a truly democratic regime can only be attained through an affective and lively public opinion, able to provide input into the political system and to keep it under the pressure of accountability. Rather than simply establishing the “right” institutions, what matters here is the substantive contribution to these institutions from below through the participation of civil society. Increasingly, the demotic component is recognized as a condition sine qua non for a viable democratic institutional system. This is better expressed by the deliberative and participatory trends in democratic theory, implemented through experiments ranging from deliberative polling to participatory budgeting. As discussed below, the EU has adopted this perspective in its foreign policy discourse and consequently concentrates more and more on its relations with civil society organizations. For what concerns more specifically the tradition of conflict transformation instead, the role of civil society is of the essence (Rupesinghe 1995; Lederach 1997). Conflict society organizations (CoSOs) on the one hand are pivotal in providing the necessary support for peace, ensuring that any agreement negotiated by political leaders is ultimately accepted and implemented on the ground (Miall *et al.* 1999). On the other hand, civil society can provide the necessary push for peaceful social change, especially when the top echelons within a conflict context are unwilling or unable to budge their bargaining positions on the fundamental conflict issues.

However external support for civil society in order to promote democracy, human rights and the liberal peace is far from being unproblematic, and must be understood in the context of the global trend pressing for the erosion of state sovereignty in the defence of allegedly universal liberal values. Accordingly, the development of civil society is not simply a foreign policy aim, but above all a perceived instrument to bring about the accomplishment of other objectives (e.g., the promotion of democracy, peace, human rights and development). The result of such external and allegedly “benign intrusion” operated through CSOs does not only lead to the promotion of values such as peace, democracy and human rights. It also generates specific distortions. These external interventions in support for civil society could excessively politicize and co-opt civil society, transforming CSOs into spokesmen of external policies, priorities and proposed solutions, which may be alien to the needs and desires of local actors and populations (Ferguson 1990; D. Chandler 1998). As put by Richmond, CSOs would act ‘as thinly veiled fronts for powerful state interests in that they act as a front for the insertion of realist state interests in a disguised form’ (Richmond 2005, 26). Civil society actors would thus become driven more by the top-down supply of external

funds than a bottom-up demand of societal needs and desires. In an attempt to justify or legitimize donor policies in conflict contexts, CoSOs would delegitimize themselves, to the point of being viewed as “traitors” in the eyes of grassroots organizations and the wider public. The mere fact of being funded by an external actor could also create the public perception that a CoSO acts on behalf of foreign rather than domestic interests, at times leading to strong nationalist backlashes by third country authorities.

A further problematic component within the liberal paradigm of civil society and its revival refers to the (neo-liberal) privatizing component of contemporary politics. An overall global trend is traceable, whereby states play a diminishing role as service providers both domestically and internationally, leading to the privatization of world politics. Within this trend, civil society actors have flourished both locally and transnationally (D. G. Chandler 2001; Anheier *et al.* 2003, 2004, 2005, 2006; Pianta & Marchetti 2007). This has meant that many of the functions previously performed by governmental actors, such as development, have been reallocated to civil society (Sogge 1996). Developed states and international organizations have outsourced the implementation of aid programmes to CSOs for example, while intermediating and retaining political discretion as to its overall direction.

However, civil society has not simply been revived by the paradigms of liberal peacebuilding and neo-economic restructuring. Most pointedly, these paradigms have moulded the nature of CSOs. The nature of international development, albeit couched in a technical and seemingly apolitical discourse, has crucially shaped the nature of civil society (D. G. Chandler 2001). In a wide variety of cases, scholars have demonstrated that by promoting particular types of civil society, the donor community has weakened those CSOs that have veritable ties to society and respond to local societal needs. Donor funding in support of civil society may in fact lead to an “explosion” of the NGO sector, also dubbed “non-grassroots organizations”, briefcase NGOs (BRINGOs), mafia NGOs (MANGOs), criminal NGOs (CRINGOs), government-owned NGOs (GONGOs), commercial NGOs (CONGOs) and my-own NGOs (MONGOs) (Reimann 2005, 42). Donors thus often create a dislocated new civil society, which is technical and specialized in mandate, neoliberal in outlook, urbanized and middle class in composition, and which – in business-like fashion – responds to the goals of the international community rather than of the society in question (Belloni 2001; Shawa 2004; Pouligny 2005; Challand 2006). By doing so, civil society’s traditional virtues of independence, flexibility and effectiveness, largely explained by its local rootedness, tend to vanish and are replaced by the perceived “fit” between CSO identities and the aims and instruments of liberal peacebuilding.

EU approach to conflict: from prevention to peacebuilding

The European Union, historically conceived as a peace project, has considered conflict resolution as a cardinal objective of its fledging foreign policy. The Lisbon Treaty explicitly states that the EU aims to promote peace (Title I, Article 3-1) and that its role in the world would reflect the principles that have inspired its creation, development and enlargement (Title V, Article 21). The Treaty identifies the contribution to peace, the prevention of conflict and the strengthening of international security amongst its core foreign policy priorities (Title V, Article 2c). More interestingly, the EU’s conception of peace has been liberal in nature, including the principles of democracy, human rights, rule of law, international law, good governance and economic development (European Commission 2001). The promotion of the liberal peace has been prioritized above all in the EU neighbourhood. This was made clear in the 2003 Security Strategy, which argues that the Union’s task is to ‘make a particular contribution to stability and good governance in our immediate neighbourhood (and) to promote a ring of well governed countries to the East of the

EU and on the borders of the Mediterranean with whom we can enjoy cooperative relations' (European Council 2003). This goes was reiterated in the Lisbon Treaty which posits that the Union 'shall develop a special relationship with neighbouring countries, aiming to establish an area of prosperity and good neighbourliness, founded on the values of the Union' (Title I, Article 8). Most pointedly, the documents establishing the European Neighbourhood Policy (ENP) voice the Union's aspiration to contribute to the solution of regional conflicts (Commission 2004, 6).

These public pronouncements suggest that the EU is intent in an promoting conflict transformation and resolution, over and above conflict management and settlement in the neighbourhood. In other words, the EU is not simply interested in pursuing the management of conflicts through negotiation and compromise, incentivized by external powers deploying conditional sticks and carrots. It rejects the idea that violent conflict is endemic to human nature and espouses the view that conflict resolution is possible through the search for mutually beneficial solutions that allow for the satisfaction of all parties' basic human needs (Burton 1990). Further still, the EU views as critical "indicators" of conflict prevention and resolution issues such as human and minority rights, democracy, state legitimacy, dispute resolving mechanisms, rule of law, social solidarity, sustainable development and a flourishing civil society (Kronenberger & Wouters 2005). This suggests that the Union aims at transforming the structural features of violent conflict, eradicating what Galtung defines as the seeds of structural violence: social injustice, unequal development and discrimination (Galtung 1969, 1994).

EU approach to human rights and democracy

Underpinning the EU objective of conflict prevention and peacebuilding are the two cardinal principles of human rights protection and democracy promotion. These have slowly consolidated within the EU's approach, and are now critical building blocks of EU external relations especially within conflict contexts. The key assumption in this vision is that if human rights are respected and democracy established conflicts are less likely to erupt and more likely to be resolved.

The promotion of human rights was already present in the European Political Cooperation agenda of the 1970s, but it was not until 1986 when, under pressure from the European Parliament, it became a cardinal principle later to be widely adopted in the post Cold War period. With the fall of the Berlin wall, the Community began using the respect of human rights as a condition for trade agreements (the well-known Article 2 in association, partnership and cooperation and, more recently, stabilization and association agreements), as well as for aid delivery and in the context of the accession policy for central and eastern European countries (i.e., through the 1993 Copenhagen political criteria). Since then, human rights, together with democracy, rule of law, protection of minorities and market economic principles have become critical cornerstones in EU policies of conditionality in the near and far abroad.

While the acceptance of human rights protection in itself and in line with the wider UN human rights regime was uncontroversial, debates regarding the most appropriate ways to promote these goals have been far more contested. As for the ultimate justification of these policies, human rights have been promoted for two key reasons: on the one hand, as part of the security rationale whereby if human rights are violated security and stability of the international system and of the neighbouring region are also threatened, and on the other hand, as part of the normative rationale according to which human rights have universal validity and are an inherent component of the EU identity (Smith 2004, 107). Chandler has also added that human rights promotion abroad is pursued for domestic reasons, related to the acquisition of legitimacy at home deriving from an alleged moral high ground in a state's actions abroad (D. Chandler 2002, 53-88).

In terms of instruments used to pursue human rights, the EU deploys three kinds of tools: positive and negative conditionality within the context of contractual relations (e.g., trade and cooperation, association, stabilization and association agreements, accession treaties), aid for human-rights programmes, and diplomatic instruments such as démarches and political dialogue. These instruments are embedded in a wide variety of policies and strategies including the European Neighbourhood Policy, the Cotonou Agreement, the European Consensus on Development, and the various regional strategies for Africa, Latin America, Caribbean and the Pacific and Asia. Within these policy frameworks, engagement with civil society is key.¹

EU approach through civil society organizations

A third critical component in the EU's vision regards the role of civil society in the human rights/democracy and conflict nexus. The EU has approached this nexus in indirect and direct ways. Tackling the root causes of conflict would entail transforming the political opportunity structure in which the conflict unfolds and thus civil society operates, impinging *indirectly* on the impact of CoSOs in the conflict-human rights nexus. The EU would thus contribute to peacebuilding through civil society by altering the *structure* in which CoSOs operate, for example by raising the interconnectedness between CoSOs and the state on the one hand, and CoSOs and the grassroots on the other. This is because EU relations with a conflict country affect the policies and institutional features of conflict countries, which in turn mould the overall environment in which civil society operates. By covering a wide range of sectors such as institutions, law, infrastructure, health, education, trade and investment, the implementation of EU policies can thus play a role in shaping the overall environment in which CoSOs operate, shaping their overall impact. This assumes that the potential for civil society to influence a conflict depends fundamentally on the space the state leaves open to civil society engagement. If this space is limited or non-existent (i.e., in situations of authoritarian and illiberal contexts, often found in conflict situations), then EU engagement with civil society alone is unlikely to yield visible impact on conflict. Hence, unless the EU exerts effective pressure on state actors to engage in democratic reform, thus altering the structure in which civil society operates, EU policy is unlikely to induce peacebuilding. Likewise if the EU engages with state actors by supporting or failing to persuade conflict countries to alter their structural deficiencies, then its support for and engagement with civil society actors cannot improve the effectiveness of EU peacebuilding policies. However, peacebuilding and democratic reform cannot be imposed from above alone.

Hence a second channel of EU impact on the conflict-human rights/democracy-civil society nexus is by *directly* engaging with CoSOs. Hence, rather than operating on the structure of the conflict, in this case the EU would enhance the *agency* of peacebuilding CoSOs, while weakening or constructively altering the views and actions of fuelling/holding CoSOs. Within this category of policies we would find all EU actions which directly target CSOs in conflict contexts. This direct targeting can take a variety of forms. It can limit itself to dialoguing with CoSOs in order to gain a deeper understanding of a conflict context or to socialize CoSOs into adopting different positions or

¹ The EU defines "civil society organizations" as a term which includes a broad range of partners in civil society, including non-governmental non-profit organizations and independent political foundations, community-based organizations, and private-sector non-profit agencies, institutions and organizations, and networks thereof at local, national, regional and international level (Article 10(1)a) Regulation (EC) No 1889/2006).

engaging in different activities. Dialogue can take place through meetings between CoSOs and EU actors such as Commission or member state officials present in the conflict context. It can also take the form of wider meetings organized by EU institutions such as the Commission, the Council or the European Parliament in which CoSO representatives are invited to Brussels to brief and discuss with EU actors. Beyond dialogue, the EU's direct engagement with CoSOs can take the form of support, including first and foremost funding to organizations or to specific programmes and projects carried out by them. Several financial instruments are set aside precisely for this purpose, including the specific actions aimed at CSOs in the Commission's Research Framework Programmes, and, as we shall see below, funds in the context of the European Initiative/Instrument for Democracy and Human Rights, the European Neighbourhood and Partnership Instrument and the Instrument for Pre-accession. In addition to funding, EU actors can also engage with civil society training and capacity-building, for instance by training CoSO representatives in political debate or human rights, as well as in building organizational and financial capacity and in recruiting supporters and members. In some cases, training and funding are closely interlinked, such as the training courses offered by Commission delegations in some countries in order to acquaint civil society groups with the necessary procedures and techniques to apply for EU funding.

The EU has already acknowledged the importance of engaging with civil society in order to enhance the effectiveness of its foreign policy in general and peacebuilding policies in particular. To this end, since the late 1990s, the European Parliament and Commission have established regular contact with civil society actors through the Human Rights Contact Group, the Civil Society Contact Group, the Common Foreign and Security Policy Contact Group and the Arms Transfer Contact Group. Furthermore the European Peacebuilding Liaison Office (EPLO), a sub-group of the European Platform of NGOs, established in 2002 an office in Brussels in order to improve civil society access to EU institutions and policy-making in the field of conflict resolution. The EU's principal focus has been on European CSOs. The Contact groups with the European Parliament include less than a dozen large European CSOs working in the fields of culture, environment, education, development, human rights, public health, social issues and women. The EPLO includes 23 national or transnational European CSOs and networks.

However, once declarations and visions are translated into policy practice, we note how the EU, rather than being anchored within the broad tradition of conflict transformation, adheres to a far stricter interpretation of (neo)liberal peacebuilding (Richmond 2006). This approach is not without critiques for many of the general reasons cited above. EU engagement with civil society within the liberal peacebuilding tradition may be detrimental to conflict transformation. This is not simply because the EU misidentifies CSOs thus inadvertently strengthening fuelling CSOs and/or weakening peacebuilding ones. It is rather because the very fact of engaging with CoSOs could lead to two seemingly contradictory distortionary effects: depoliticization and excessive politicization. EU support for civil society could lead to the "depoliticization" of CoSOs by supporting technical and professional NGOs to the detriment of more overtly political ones such as trade unions, social movements, religious charities or community-based organizations (Belloni 2001). Smaller or more political organizations would either be directly shunned by the EU or they would fail to meet the necessary technical/bureaucratic requirements to be allocated EU funds. As such, the potential for the constructive mobilization and politicization of society would reduce, diminishing the prospects for grassroots actors to alter the structural conditions of violent conflict. At the same time EU support for civil society could also lead to the excessive "politicization" of CoSOs. The EU would thus fundamentally shape the nature of civil society into a dependent functional substitute within the liberal paradigm of EU foreign policy, detaching and delegitimizing it in the eyes of the public (D. G. Chandler 2001). In doing so a limited and distorted form of civil society would emerge while existing local capacity would be harmed or destroyed (Richmond & Carey 2005). Civil society would lose its autonomy and become politically accountable to and an acquiescent instrument in the

hands of EU donors rather than its own domestic constituencies. It would respond to the EU's political priorities, and in turn tend to focus on short-term, outcome-driven and quantifiable projects, which may be removed from the long-term, dynamic, process-driven and multidimensional needs of conflict transformation (Vukosavljevic 2007).

Whether and which these critiques hold water can only be ascertained by looking more closely into the policies deployed by the EU in conflict contexts. The next sections thus turn to two policy frameworks, relevant to our four conflict cases: EU contractual relations in the form of the European Neighborhood Policy and the accession policy, and the "global" European Instrument for Democracy and Human Rights (EIDHR).

The European Neighbourhood Policy and the Accession Policy

Beyond foreign policy objectives, the EU is endowed with a variety of policy instruments to pursue peacebuilding in the neighborhood. Beyond the narrow sphere of European Security and Defence Policy (ESDP) and the peace-keeping and peace-building missions that it foresees,² the Union promotes conflict transformation principally through its "constructive engagement" with conflict parties (European Commission 2001, 8-9). By constructive engagement EU actors mean the deployment of a rich variety of measures of cooperation, which are normally specified in contractual agreements with third countries. These contractual relations take different forms, entailing different degrees of integration into and cooperation with the EU. They range from the accession process aimed at the full membership of a candidate country to looser forms of association, which envisage measures of economic, political and social cooperation with EU structures short of full membership. As in the case of the accession process, these looser forms of association are also "contractual" in nature. Rather than a Treaty of Accession, they foresee Association Agreements for the southern Mediterranean countries, Partnership and Cooperation Agreements for the former Soviet countries, Stabilization and Association Agreements for the Western Balkan countries and the future Neighborhood Agreements (or Enhanced Agreements) for the southern and eastern neighbouring countries. Beyond the goal of achieving varying degrees of cooperation with the EU, these contractual ties aim at fostering long-run structural change, such as conflict transformation, within and between third countries.

More specifically, both the ENP and the accession policy view civil society as a key actors in this process of long-term structural change, being part of the democratic governance of the EU and of the neighbours and candidates, providing valuable monitoring and policy implementation functions, and providing advice to EU institutions and third states alike. For example, the Commission, in the context of the ENP has established platforms for dialogue with CSOs from third countries, conducted within each partner country, primarily in view of the bilateral rather than multilateral focus of the ENP (European Commission 2006c). In particular the EU has targeted and sought ties with CSOs working on issues such as democratization, human rights, freedom of expression, women rights, education, environment and research in neighbouring countries.

² See for instance the EU Mission in Bosnia and Herzegovina (EUFOR Althea, 2004), the EU Border Assistance Mission at Rafah Crossing Point (EUBAM RAFAH, 2005), the Operation Artemis in Eastern DR Congo (2006), the EU Police Mission for the Palestinian Territories (EUPOL COPPS, 2006), the EU Military Operation in Eastern Chad and North Eastern Central African Republic (EUFOR Tchad/RCA, 2008), the European Union Monitoring Mission in Georgia (EUMM, 2008), and the EU Rule of Law Mission in Kosovo (EULEX KOSOVO, 2008).

As discussed above, the ENP and the accession policy can affect the civil society dimension of conflict in two ways. It can affect the *structural* features of conflict, thus impacting on the political opportunity structure in which CoSOs operate. The implementation of the Accession Partnership documents within the context of the accession policy or the Action Plans within the context of the ENP, by shaping the policies and institutional features of third countries, could influence the overall environment in which civil society operates, facilitating or hindering both CoSO interactions, and the relationship and access of CSOs to the state. Generally, by covering a wide range of sectors such as institutions and law, infrastructure, health, education, trade and investment, the implementation of these policies could play a role in shaping the overall milieu in which CoSOs operate, increasing or reducing the effectiveness of their actions in conflict. More specifically, the Commission (European Commission 2006c, 2006a) has also openly suggested to enhance civil society participation in the ENP by encouraging neighbourhood governments to seek civil society involvement in governance. To this end, the Commission organized an ENP Conference in September 2007, bringing together governmental and civil society actors from the EU and neighbourhood countries for the first time (European Commission 2007a, 11).

The ENP and the accession policy can also affect the civil society dimension in conflict countries by influencing CSOs as *agents* in conflict and conflict transformation. In the context of the ENP, particularly since 2006, the EU has recognized the need to strengthen the civil society dimension. It proposes to enhance the quality and status of CSOs in the neighbourhood through exchanges between CSOs in the EU and the neighbourhood in the economic, social and cultural realms, and by making use of the resources available under the European Neighbourhood Partnership Instrument (ENPI). In other words, the ENP aims at enhancing the quality and status of civil society in the neighbourhood through training and exchanges, funding and by encouraging their political role within their domestic environments. In the context of accession instead, as part of the enlargement strategy adopted in November 2007, the Commission launched a new Civil Society Development facility under the Instrument for Pre-Accession (IPA) for the benefit of candidate countries (e.g., Turkey) and potential candidate countries (e.g., Bosnia). This is done under the assumption that future enlargements of the EU will require the support of civil society, both in member states and in candidates and potential candidates.

The above mentioned contractual relations are primarily conducted on an official-official basis, that is through the EU's direct interactions with the official institutions in candidate or neighbouring countries, and only through the latter reaching out to civil society.

The European Instrument for Democracy and Human Rights-EIDHR

In view of the limits that the ENP and accession policy impose on the EU's direct engagement with CSOs – which is mediated by the state – another significant instrument that is highly relevant for CSOs is the European Instrument for Democracy and Human Rights (EIDHR). This is a major financing instrument used by the EU to support CSOs worldwide, previously known as European Initiative for Democracy and Human Rights. Since 1994, the aid funding for human rights and democracy is managed by this single programme. The EIDHR is intended to act as a financial and policy instrument contributing to the development and consolidation of democracy and the rule of law, and of respect of all human rights and fundamental freedoms in third countries worldwide through, inter alia, the development of civil society.

The rationale of the EIDHR consists in the recognition of the link between democracy, good governance and development on the one hand, and democracy, human rights and conflict

prevention and peacebuilding on the other. ‘Human rights and democratic principles are considered universal values, inextricably linked and to be pursued in their own rights’ (European Commission 2007b, 4). A number of other benefits derive from the pursuit of such values, which include poverty alleviation and achieving the Millennium Development Goals, conflict prevention and resolution, combating terrorism, ensuring government transparency and combating corruption (European Commission 2006b, 3). Democracy and human rights are thus identified as public goods which are necessary in order to achieve peace and prosperity in international affairs, as clearly affirmed in most EIDHR documents.

The overall funding for EIDHR is small in proportion to the total EU external relations budget and even smaller when matched against the whole EU budget, but it is decisively increasing over the years as shown in Table 1. This proves clearly that democracy and human rights are increasingly seen as necessary objects of foreign policy.

Table 1: EIDHR budget 1994-2010

	1994	1996	1997	1998	1999	2000	2002	2003	2004	2006	2007	2008	2009	2010
Annual budget	53	69	69	56	84	92	104	106	125	122	130	137	148	145 (exp.)

Source: (European Commission 1995, 2000; European Union 2003-2009; Smith 2004, appendix 2: 209-212; European Commission 2007b; European Union 2008; European Commission 2009).

More specifically, in three of our four conflict cases (i.e., excluding member state Cyprus) in which the EIDHR operates, the total financial allocation for micro projects for the period 2002-2006 has been as follows (Table 2):

Table 2: EIDHR funding to Bosnia, Turkey and Israel-Palestine 2002-2006

Country	Financial allocation in EUR (Period 2002-2006)
Bosnia & Herzegovina	3.340.000
Turkey	2.620.000
Gaza/West Bank	3.350.000
Israel	2.405.000

Source: (European Commission 2007b, annex VI: 36).

Importantly for our concerns here, the EIDHR prioritizes cooperation with CSOs and international organizations around the world, without limiting cooperation to the consent of host governments. Accordingly, the main objectives in the EIDHR strategy for 2007-2010 are: 1) Enhancing respect for human rights and fundamental freedoms in countries and regions where they are most at risk; 2) Strengthening the role of civil society in promoting human rights and democratic reform, in facilitating the peaceful conciliation of group interests and consolidating political participation and representation. The EIDHR ‘builds on work done with and through CSOs aimed at defending the fundamental freedoms which form the basis for all democratic processes and helping civil society to become an effective force for political reform and defence of human rights’ (European Commission 2007b, 3). The Instrument thus provides democracy assistance through

NGOs, much more than via political parties and parliaments. In this way, it is intended as a soft approach, non-prescriptive, grassroots and focused on social development.

Accordingly, projects focusing on civil and political rights are prioritized in terms of funding. It is here that most of the funding for CSOs is channeled, insofar as civil society is taken as a primary partner in the promotion of human rights, especially in areas that are undergoing civil unrest and conflict or likely to fall into them (European Commission 2007b, 2). During the period 2000-2006 alone, €56 million was devoted to projects intended to strengthen CSOs.

Underling this approach to CSOs is the recognition of the ‘need for “local ownership” of the development and democratization process, engaging governments and all leading local stakeholders, including national parliaments. This is difficult to achieve of relations with partner countries are limited to government-to-government contacts. [...] Hence the continuing importance of support to civil society and human rights defenders to help empower citizens, allow them to claim their rights and build and sustain momentum for change and political reform’ (European Commission 2007b, 5). What emerges clearly from this and many other passages is that, since military intervention has not been a feasible option for the EU, or, some would argue a desirable option in the EU’s self-proclamation as a soft, civilian and normative power (Duchêne 1972; Manners 2002), the European approach to conflict has privileged the long-term creation of the structural conditions for peace. Once identified in economic hardship, lack of respect for human and minority rights, political, economic and social inequality, and lack of democracy are now viewed as the ultimate causes of conflict. The ways to tackle conflicts thus passes through democratization, respect for human and minority rights, sustainable economic development and regional cooperation. The ESDP tools are considered only an additional option to back up civilian instruments with military capacity.

Acting through civil society is viewed by EU actors as a legitimate way to influence domestic affairs. While other forms of actions are considered unwarranted, this soft, reactive, grassroots, and allegedly non-prescriptive approach is considered justifiable in that it pursues universal values such as democracy and human rights through a non-coercive means. Despite being focused on CSOs though, the approach is fully political in its ends. Expected results and performance indicators of the projects funded by EIDHR include, for instance, the following:

- I. “Parliamentary agreement, after concerted CSO campaign, to legislate on gender equality, on the right for indigenous people, on the abolition of the death penalty, on prevention of torture, on new constitutional provisions for oversight of the military, on the enforcement of provisions on child labor, or on the independent composition of the electoral commission.
- II. Regular reports by a consortia of civil bodies on the implementation of an European Neighborhood Policy action plan; an independent detailed diagnosis of challenges to human rights and democracy, endorsed by leading civil society stakeholders.
- III. Broad consensus between groups with opposing interests on directions for legislation on land reform and compensation, on the terms of reference and resources for a truth and reconciliation commission; regular dialogues established between CSOs divided on religious or ethnic grounds and some common activities launched.
- IV. Multiparty agreement and draft legislation formulated, after CSOs dialogues, for women quotas on party lists; party platforms include commitments to make changes in the penal code; creation of an ombudsman; combating discrimination on any ground; greater decentralization.

- V. New CSOs formed, membership developed and activities begun by persons with disabilities; AIDS orphans organize and play an active role in CSOs umbrella body; special women's officer and women's section created within main trade union, liaising with women NGOs and the media; campaigns for promotion of anti-discrimination legislation launched." (European Commission 2007b, 20)

From this list, the political nature of CSO funding emerges in full force. Differently from the previous funding for development CSOs, mainly devoted to technical aid, in this new strategy, the EIDHR aims at transforming the societies in which it operates towards democratization. From moulding party preferences, to proposing new legislation, from constitutional reforms to land reform and decentralization, the EU approach intends to have a deep impact on the political opportunity structures within third countries. These objectives have been cloaked in highly normative language, which often prevents both a lucid debate regarding the actual desirability and legitimacy of this approach as well as a detailed empirical account of what the EU actually achieves.

Focusing on the latter question, we now turn to a comparative empirical analysis of the EU's policies in the conflict-human rights network through the engagement of civil society.

Analysing the EU's role in four conflict cases

Turning to our four case studies, what can be said about the EU's impact on the conflict-human rights nexus by influencing CoSOs? In analysing our four cases – Bosnia, Cyprus, Israel-Palestine and Turkey – a first observation to make is that the EU's role can be assessed in terms of its direct and indirect influence, that is, its influence through direct engagement (or non-engagement) with CoSOs and its influence through its impact on the political opportunity structure in which CoSOs operate.

The EU's direct impact on CoSOs: limited and problematic

When examining the direct influence of the EU on CoSOs through dialogue, funding, training and capacity-building in our four conflict case studies, we note the EU's limited role. In some cases such as the Cypriot one, the EU's direct influence is virtually absent from the analysis. Whether the focus is on CoSO activities whose impact is securitizing, desecuritizing or non-securitizing, none of the organizations under consideration cite dialogue with and support from the EU as a relevant factor in influencing their identities, positions, activities and impact. In addition, funding instruments such as the EIDHR are not applied to member states such as Cyprus. A notable exception is the €1.5m granted by the Commission to the Committee of Missing Persons, as well as other bi-communal civil society projects in the context of the €259m allocated by the Commission to northern Cyprus since the island's accession in 2004.

Likewise, in the Turkish-Kurdish case study the direct role of the EU vis-à-vis CoSOs is highly circumscribed. To be true, several CoSOs did mention the rise in EU funding to civil society since Turkey was accorded EU candidacy in 1999, through the 'Supporting Civil Society Development and Dialogue' programme implemented by the Civil Society Development Centre since 2002 as well as the Avrupa Birliği Genel Sekreterliği (EU General Secretariat) within the Turkish Ministry of Foreign Affairs financed also through the Pre-Accession Instrument. However,

the vast majority of interviewed organizations declared that funds were denied to their particular organizations. There are multiple reasons for this, which relate back to the general remarks made above. Some CoSOs applied for EU funds but were unsuccessful in their bids. In other cases, including in particular young, grassroots organizations as well as wider social movements and large youth initiatives (such as “peace” music festivals) no applications for EU support were made for reasons ranging from the absence of legal status of these organizations to the concerted political choice to resist benefiting from EU funds for fear of compromising the independent or grassroots character of these organizations. What is striking in this respect however is that within this category we find both CoSOs whose human rights-related activities tend to securitize the Kurdish question – Türkiye Kamu-Sen or Göç-Der – as well as CoSOs whose activities contribute to the de-securitization or non-securitization of the Kurdish question – Vakit Geldi, Say Stop to Racism, Açık Radyo or Barışa Rock.

The general complaint made by all organizations regards the fact that EU procedures to apply for civil society funding are extremely complicated and bureaucratized and the result is that only larger, professional, urban-based CoSOs which tend to be civic in nature and international in outlook succeed in obtaining EU funds. When it comes to the Kurdish question, this has often meant that the less-developed Kurdish CoSOs based in the less developed and rural southeast are often excluded from EU projects. Kurdish-related projects are thus often carried out by Turkish organizations based in large urban centres such as Istanbul and Ankara, with representatives from these organizations flying in and out of the southeast to carry out the work. The European Commission delegation in Ankara is aware of this problem and has attempted to put remedy to it. It has organized courses to train CoSOs to apply for EU funding and particularly when it comes to the Kurdish-populated southeast, it has spelt out as a requirement of its programmes the participation of local southeast-based organizations in order to induce partnerships between Turkish western-based CoSOs and their Kurdish southeast-based counterparts. In theory, these adjustments to EU funding programmes should tackle the problem and generate positive spillover effect such as the fostering of intra-civil society ties and ensuing learning effects between CoSOs in different parts of the country. Yet in practice, much of the problem persists. Training courses notwithstanding, EU funding programmes appear to be tailored specifically to NGOs and NGO activities, while being far less suited to other typologies of CSOs such as community-groups, social movements, independent media initiatives or youth movements, which are often more embedded in society writ large. Furthermore, even specific requirements such as partnerships with southeast based organizations appear to be in practice no more than *pro forma*, with southeastern CoSOs acting as necessary appendices to projects led by their western Turkish counterparts. In this respect, a much-quoted exception is that of the southeast-based women CoSO KAMER, which has successfully combined its growth thanks, inter alia, to EU support, alongside its rootedness in society.

The manner in which EU funding has, *nolens volens*, pinpointed and fostered the development of particular typologies of CoSOs – professional, civic, technical and internationalized NGOs – has had a highly distortionary effect on the civil society dimension of conflict countries. This distortionary effect is starkest in the Israeli-Palestinian and Bosnian cases, not least given the far greater EU focus on “civil society development” within these two cases compared to Cyprus and Turkey. In the Israeli-Palestinian conflict much has been written about the distortions generated by international donor support for Palestinian civil society (Challand 2008). Many of these findings have been reconfirmed in SHUR, where interviewed organizations have lamented the (deliberate) EU attempt to foster two distinct types of organizations at the expense of others. The first type has

been the technical and professional service-delivery oriented CoSO, whose activities are aimed at providing specific services to the Palestinians in partnership with international organizations in view of the absence of a Palestinian state (and a dysfunctional Palestinian Authority) and Israel's disregard for its own obligations as occupying power vis-à-vis the Palestinian population.³ The second type, financed in particular through EU programmes such 'Partnership for Peace', has been the liberal, civic and internationalised NGOs, which often lack a membership-base and engage in "peace process" related projects such as combating incitement, democracy promotion or "people-to-people" contacts. The liberal and civic nature of these NGOs has entailed that the human rights which are prioritized tend to be individual rather than collective. This prioritization, while at times raising the potential for a desecuritizing impact, in practice estranges many of these CoSOs from the local context, in which key preoccupations regard also the upholding of collective rights (i.e., self-determination). The overall impact rather than being desecuritizing is thus either non-securitizing or non-existent. Furthermore, as in the Turkey case, frequently heard complaints regard the fact that the tendency to finance small projects, limited in time and scope, entails an automatic preference for NGOs rather than other community groups, social movements and other typologies of CoSOs.

Likewise also in Bosnia, there has been significant EU interaction with and funding of civil society, contributing heavily to the mushrooming of CoSOs since the Dayton accords. However as in Palestine and to a lesser extent Turkey, this rise in the number of CoSOs in Bosnia has not been matched by a rise in political participation and public political and civic awareness. Again, the underlying cause of this is "civil society building from above". Rather than civil society development, EU actors (and other donors) have induced the "NGOization" of civil society. Yet the contribution of NGOs to civil society development (and democracy) is highly circumscribed by the limited membership base of and lack of volunteers in NGOs (and thus their minimum outreach to society) and their frequent lack of democratic internal structures. As in the Palestinian case, many of these NGOs have focused on the delivery of public services, filling the void left by (neo)liberal peacebuilding policies. As in Turkey, EU funding programmes have instead often sidelined community-based groups such as mothers of war victims associations, veterans associations, youth groups and independent radios. Of the interviewed organizations in Bosnia, only two had received funding from EU programmes: Medica Zenica and Stolac Youth Forum. Once again, the cited reasons for this lack of interaction with the EU ranges from a deliberate choice of CoSOs to maintain their independence from external donors, to the failure to obtain EU funds in view of the complicated application procedures.

The EU's indirect impact on CoSOs: mixed results

A second channel of EU influence on CoSOs is through the political opportunity structure. Turning to our four case studies, we note that the EU's indirect impact is far more significant than its direct interaction with civil society, although it does not always favour desecuritizing civil society activities in conflicts. In the cases of Cyprus and Turkey, the EU has in some respects altered the political opportunity structure in a manner that favours desecuritization through civil society action. Most strikingly as far as northern Cyprus is concerned, in the 2002-05 period, the momentum generated by the imminent EU accession of the island crystallized and mobilized sufficient political and civil society activism to overturn the decades-old nationalist rule of Rauf Denktaş. Hence, movements such as "This Country Is Ours" and "Common Vision" rallied around

³ This does not include Islamic charities and welfare organizations.

and were empowered by the double banner: EU accession and a federal solution on the island. Far less evident at first sight, another, arguably deeper, indirect EU impact on Turkish Cypriot civil society has been the manner in which Turkish Cypriot CoSOs have gradually altered their human rights discourse, rendering it more sophisticated, inclusive and thus effective. In the past, the complete isolation of the Turkish Cypriots from the international community and thus the fact that international and European platforms were the exclusive arena for Greek Cypriot lobbying efforts meant that such platforms were viewed by the Turkish Cypriots as being intrinsically inimical. In turn, Turkish Cypriot CoSOs did not spare themselves to develop a discourse that would strike sympathetic chords abroad, limiting themselves to blunt statements regarding national self-determination and physical security. While the isolation of northern Cyprus has all but ended, the greater exposure of Turkish Cypriot CoSOs since Cyprus' EU accession (and the failure of the Annan Plan) has meant that Turkish Cypriots have started developing a far more sophisticated human rights discourse grounded on European and international law, a discourse which strikes delicate balances between claims to individual and to collective rights. By making use of European and international legal frameworks, Turkish Cypriot CoSOs have framed their claims within the broader discourse of universal rights, thus making their demands and ensuing positions more open to recognizing the rights of their Greek Cypriot counterparts. Several examples highlight this evolution, such as the revitalization of the bi-communal Committee for Missing Persons and the "Let's Unite Famagusta" campaign.

Likewise in the case of Turkey, the EU accession process was critical in kick-starting the process of political reforms in the country, which spanned across a wide variety of areas vital to the development of civil society, such as the freedoms of expression and association. Naturally, the ensuing growth of civil society did not only entail a multiplication of desecuritizing civic actions, but has also allowed the flourishing of nationalist groups such as the Great Union of Jurists, which was responsible for the wave of prosecutions, including against late Turkish-Armenian journalist Hrant Dink, aimed at limiting freedom of expression in the country in 2005-7. Furthermore the extensions of EU-inspired rights and freedoms was not unrestricted and most strikingly did not encompass fully the freedoms to express and above all rally and mobilize around cultural or religious minority identities. Hence the extension of such freedoms to Kurdish groups was circumscribed as evidenced by the closure of CoSOs such as the Kurdish Democracy Forum and the association Kürt-Der, as well as the change in the statute of the Kurdish teachers union Eğitim Sen. This said, it is indisputable that the wave of political reforms inspired by the prospects of opening accession negotiations with the EU widened significantly the scope for civil society activity, which in turn allowed both different typologies of CoSOs to prosper and provided the space and the incentives for Turkish and Kurdish CoSOs to establish links between each other.

The EU accession framework however did not only open the space for greater civil society development. It also moulded the nature and empowered some organizations. It is in these more specific ways that the EU indirectly promoted the desecuritization of civil society activity on the Kurdish question. First, the EU helped legitimize the status and activities of some CoSOs thus empowering their domestic standing vis-à-vis state authorities. In so far as EU actors engaged in direct dialogue with Turkish and Kurdish CoSOs, which provided EU actors with information and analysis to draft Commission Progress Reports or the European Parliament reports and resolutions on Turkey, this empowered these organizations vis-à-vis their authorities. Whereas some of these CoSOs may have been accused of being "traitors", for exposing the defects of the state, empowerment through dialogue with the European level meant that civil society became a force to be reckoned with in the country. Second, the EU accession framework altered the nature of several major CoSOs, transforming their identities and activities, and in turn shifting their ensuing impacts on the Kurdish question from being securitizing to being non-securitizing or desecuritizing. In particular, the commitment of Turkish CoSOs such as the businessmen association TÜSIAD and

the research centres TESEV and IKV to EU accession, inspired the evolution of their identities and actions. This evolution meant becoming increasingly civic (and in the case of TESEV partly multicultural) in nature and tailoring their activities to Turkey's democratic transformation (a prerequisite for EU accession), thus contributing more to the desecuritization of the Kurdish question.

Yet in the Cyprus and Turkey cases, the indirect influence of the EU has not always contributed to desecuritization. In Cyprus, on the one hand, EU accession allowed several Greek Cypriot CoSOs to sugarcoat their nationalist claims by using the language of European norms and values. All of a sudden, their exclusive focus on individual rights – which in view of Greek Cypriot numerical majority on the island would result in their political domination – was claimed not as a Greek Cypriot (nationalist) demand, but rather as an EU-dictated legal requirement. On the other hand, the EU's failure to make good on its promises to lift the isolation of northern Cyprus – in particular by not resuming direct preferential trade between the north and EU markets, not integrating Turkish Cypriot higher education institutions into EU programmes, or not recognizing Turkish as an official language of the EU – goes far in explaining the wave of disillusionment in northern Cyprus and the ensuing retrenchment to nationalist positions as evidenced by the electoral victory of the Nationalist Union Party at the April 2009 Turkish Cypriot parliamentary elections. Likewise in the case of Turkey, since the opening of accession negotiations in 2005, the reducing emphasis placed on political reforms by EU actors (and the growing emphasis on the minutiae of the *acquis* as well as the Cyprus question) alongside the growing and vocal reservations of several member states to the prospects of Turkey's accession have concomitantly reduced the strength and legitimacy of civic and multicultural CoSOs, while vindicating the claims made by assimilationist and ethnicist organizations.

Yet the most evident cases of a negative indirect EU influence are those of Bosnia and Israel-Palestine. In Bosnia, the EU has been the integral element in the establishment of the *de facto* international protectorate following the Dayton accords. Through the High Representative, the stabilization and association process, financial instruments, military presence (EUFOR which since 2004 has taken over from the NATO-led SFOR) and the police mission, the EU has been involved in a multidimensional effort of liberal state/peace-building. However although the High Representative in Bosnia should have worked to make his own mandate obsolete and thus usher the way to a truly independent Bosnia enjoying deepening EU contractual relations, in practice Bosnia, after more than fifteen years since “independence” has only made tentative steps towards becoming a democratic and multiethnic sovereign state. The hope and indeed the expectation and requirement was that this would occur in the context of Bosnia's stabilization and association process, and indeed the conclusion of a stabilization and association agreement in December 2007 following progress in police reform, cooperation with the International Criminal Tribunal for Yugoslavia, and reforms in public broadcasting and administration, suggested that substantive movement was finally in the offing. Yet, as in the case of Turkey, the widespread “enlargement fatigue” within the Union has cast dark shadows over Bosnia's European future, imperiling its transition and in turn debilitating the potential for civic and multicultural CoSO activities to prosper.

Finally and most seriously, the EU's influence on Israel-Palestine has served to perpetrate the political opportunity structure of the conflict, fuelling its securitization and militarization, and, knowingly or otherwise, bolstering CoSO activities advancing ethnicist or assimilationist agendas. This is due to the fact that EU policies, while presumably aimed at establishing a Palestinian state,

have in practice acquiesced in the mounting violations of human rights and international law perpetrated by official and civil society actors alike. As underlined by one official, ‘the EU and its member states have been blinded by their main objective of Palestinian statehood, neglecting the improvement of human rights and IHL’.⁴ Yet the problem has not been the EU’s pursuit and prioritization of a Palestinian state per se. It has rather been the EU’s specific interpretation of such support. The EU has backed a Palestinian state by engaging in a set of policies ranging from supporting the diplomatic process to channeling increasing amounts of aid and deploying ESDP missions in the Occupied Palestinian Territory (i.e., EUPOL-COPPS and EUBAM-Rafah). Yet the EU has not taken any measure to contribute to dismantling the structure and changing the conduct of the occupation on the very territory upon which the Palestinian state should have been established. Allegedly championing a Palestinian state without contributing to an end of occupation has meant that the EU, far from being “a payer and not a player” as often said, has actively “played” into and reinforced the existing dynamics of the conflict.

Towards a more effective EU role in the conflict-human rights nexus through civil society?

Whether analysed at a general conceptual level or corroborated through detailed empirical analysis, the results regarding the EU’s contribution to the desecuritization of conflicts through civil society’s human rights activities are sobering. The gravity of these results begs the question: should the EU desist from involvement in conflict through civil society altogether? And if not, how should it engage instead?

The analysis above does indeed suggest that the Union should seriously reassess its role. At a micro-level, the EU’s programming and financing is accused of being complex and bureaucratic as well as of focusing on short-term projects rather than longer-term programmes with a view to the wider collective impact of the multitude of civil society activities tailored to similar goals. This has had several effects. First, it has entailed a multiplication of disconnected projects with negligible impacts on the conflict and on human rights. Second, it has done little foster intra-civil society relations thus raising civil society effectiveness as a whole. Third it has led to a self-selection of particular kinds of CoSOs receiving EU support and ensuing distortionary effects on civil society, with prominence given to technical and professional NGOs at the expense of grassroots community groups or social movements. These problems are far from being new or limited to the EU and the same applies to other international donors as well. Indeed EU institutions are well aware of it, but are yet to reconcile their internal needs for transparency and accountability with the external need of an effective civil society policy.

Macro-level concerns about the EU’s role are far more serious and relate both to the normative premises as well as the actual impact of EU engagement in conflict countries through civil society on the ground. On a normative level, the liberal peace paradigm, by framing goals like the promotion of peace, democracy and human rights as unquestionably and unequivocally “good” and inter-related, has narrowed the scope for critical analysis of the pursuit of such goals. More specifically, in the academic literature, rarely do we hear criticisms of the EU as a normative power being centered on the fact that the EU pursues particular goals – democracy, human rights or civil

⁴ Interview with EU official, March 2009.

society development. Normally the critique revolves around the fact that the Union in practice fails to accomplish the goals it sets out to pursue (Tocci *et al.* 2008). By contrast, particularly within third countries within which EU (and other donor policies) are deployed, severe criticism has been raised by civil society organizations regarding the particularistic interpretations of the goals. For instance, the fact that financial instruments such as the EIDHR explicitly state that their objective is not simply to promote democracy and human rights, but rather to promote particular changes in legislation, penal codes and constitutions without engaging in a prior debate with local societies over the identification of such changes, is rarely, if ever, problematized as such by EU actors.

Moreover, the fact that the means of promoting such goals through civil society is also viewed as normative, and thus unquestioned, is even more problematic. In other words, the normative framework within which EU foreign policy is conceived has entailed that the Union's active intrusion within third countries through civil society is not problematized as such. At most what is problematized has been that the EU fails to deliver in practice, i.e., on the fact that EU "intrusion through civil society" is not as effective as documents and declarations claim it should be. Yet a more accurate reading would have it that it is the absence of truly participatory methods, by engaging local CSOs, in identifying both specific goals and above all the means to achieve these, which had constituted a recurrent critique from below. EU policies have generated both the perception of agenda setting and imposition from above as well as the reality of policy ineffectiveness in view of the failure to truly take advantage of the local expertise of CSOs both in terms of macro identification of problems and solutions as well as the micro steps necessary to achieve such goals. The corollary of this absence of participatory methods has been the creation of a disembedded local civil society (or rather NGO sector) lacking democratic accountability and participation from below and falling under the rubric "civil society development". It is through the funds and thus incentives generated by external donors that such "civil society" automatically arises, yet its existence and purpose is intrinsically related to the agenda dictated from above/abroad rather than the needs and desires from below.

Following from this and turning to actual impact, in all of our case studies (with the possible exception of Cyprus, where the direct involvement of the EU through civil society has been marginal) EU funding has in fact generated some distortions within civil societies. Beyond the problems inherent in these distortions in general, the question is whether these distortions have favoured a desecuritization of the conflicts in question or not. The answer is ambiguous. Generally, EU funding has tended to go to civic (and less frequently multicultural) NGOs, whose impact on conflicts would in principle be more de-securitizing (Bonacker *et al.* 2009; Pia & Diez 2009) than in the case of assimilationist and ethnic organizations. Yet not all of these civic CoSOs articulate individual rights in an inclusive manner and thus their impact on conflict is not necessarily desecuritizing (Pia & Diez 2009). In terms of the "magnitude" of their impact, some of these civic CoSOs have often had far more resonance abroad than at home. This has meant that while at times they have been able to influence the international dimensions of the conflict, their lack of touch with local societies has meant that their domestic impact has been negligible. This appears to be particularly the case of humanitarian actions as well as actions falling within the domain of monitoring and research, which have tended not to have a specific impact on conflict (Bonacker *et al.* 2009). In terms of the "direction" of these CoSOs' impact, the problem in funding policies has been that, while focusing on the nature of the organization (i.e., its identity) and the proposed project (i.e., its action), they have neglected the context within which such activity would be carried out determining its overall impact (i.e., the political opportunity structure). As argued by Diez and Pia (Pia & Diez 2009) for example, the timing of the invocation of rights is key, whereby the articulation of an inclusive individual right is more likely to have a desecuritizing impact during a de-escalating phase of the conflict than in a phase of escalation where the same invocation may have a securitizing impact or possibly no impact at all. In other words, in selecting projects to be

funded, EU actors have tended to ignore both the Union's broader indirect impact on the political opportunity structure of the conflict, as well as the fact that particular CoSO activities may inadvertently have a securitizing impact precisely because of the conditioning influence of the POS on CoSO activities.

Turning back to our original question, do these criticisms call for a withdrawal of the EU from the conflict-human rights-civil society nexus? Our answer is a conditional no. Despite the criticisms raised above, it would be unwise to advise the EU to step aside altogether. As this project has shown, civil society can and does represent a critical force for change in conflict countries, and at times contributes to the desecuritization of conflict through the promotion of human rights not only at elite levels but also within societies at large. Moreover, while the existence and legitimacy of these organizations does not and cannot hinge on external support, on the one hand their actions can be enhanced through EU engagement and on the other, EU policies, if veritably committed to conflict transformation, can gain in legitimacy and effectiveness through engagement with civil society. The difficulty lies in seeking the appropriate strategy to do this. In order to do so, the EU should focus its attention on two distinct yet interrelated levels: its indirect impact on the political opportunity structure and its direct impact through engagement with CoSOs.

Regarding the political opportunity structure, if the Union is committed to fostering a more conducive context for CSOs to desecuritize conflict through their human rights actions a way forward could be to redirect the EU's normative ambitions away from "democracy promotion" and towards a more neutral focus on the rule of law. In other words, rather than turning to quick-fix solutions, such as the promotion and support of anti-systemic opposition political elites within neighbouring countries, which the EU views as more compatible with its ideology and values, real change would be aided if the EU were to create a conducive rule-bound context through the promotion of the rule of law. Focussing on the rule of law would require the entrenchment and respect of Community and international law in the bilateral relations the EU establishes with its neighbours. The EU is already well placed to do this given that, as opposed to state actors, most of its foreign policies are articulated and carried out through contractual relations with third states. Contractual relations are well versed to allow the EU to mainstream and refocus its attention on the rule of law. This is because these contractual ties cut across pillars, delving into a wide variety of policy areas and affecting a wide range of institutions, laws and administrative structures and procedures within neighbouring countries. While not amounting to democracy and the respect for human rights per se, the establishment, respect and consolidation of the rule of law would act as the necessary baseline and prerequisite for home grown democracy to emerge and flourish from inside within the Union's conflict-ridden neighbourhood.

As far as the far more delicate question of the EU's direct engagement with CoSOs is concerned, our suggestions are multi-layered. As argued above, direct engagement with the EU can take a variety of forms, which can be broadly grouped into dialogue/training and funding. Engagement can include structured or ad hoc dialogue and training/education schemes between CoSOs and EU actors in conflict countries or in Brussels. Here our suggestion would be for the EU to engage in dialogue and training with as wide a variety of CoSOs as possible, including CoSOs with assimilationist and ethnicist identities and CoSOs whose invocations of exclusive human rights contribute to a securitization of the conflict. To the extent that the purpose of dialogue is that of gaining a deeper understanding of a conflict context as well as socializing CoSOs into adopting different discourses and engaging in different activities, EU policies of boycott are self-defeating. The argument often raised against dialogue with particular groups (e.g., Islamist or nationalist groups) is that it would confer legitimacy to these organizations. However, to the extent that dialogue would be all-inclusive and thus non-discriminatory it is difficult to see how the EU would alter, through dialogue, the internal balances between CoSOs within a conflict context. By

contrast, refraining from talking to these actors would give the Union a skewed understanding of the conflict. Many miscalculations in EU policies in regions such as the Middle East – including the overestimation of Allawi’s strength in Iraq in 2005, the surprise victory of Hamas in Palestine in 2006 or the unexpected alliance between Christian leader Michel Aoun and Shiite Hizbollah in Lebanon – have been due to the Union’s over-reliance on the messages its liberal-secular-westernized “friends and allies” in the region, often financed by Europe and the US despite the meagre domestic standing of these groups. The EU may not necessarily like the picture painted by assimilationist or ethnicist groups, but also these groups could provide information that would help the Union formulate its foreign policies more accurately and effectively. Furthermore, the exclusion of particular CoSOs, particularly if these thrive on exclusivist nationalist platforms, may paradoxically both strengthen the legitimacy of excluded CoSOs vis-à-vis their constituencies and weaken the legitimacy of the EU therein. Following the same logic, EU education and training schemes to CoSOs should not a priori exclude any actors precisely in view of the “socializing” mandate and purpose of these initiatives.

When it comes to funding, including support for specific programmes and projects as well as support aimed at strengthening the capabilities of CoSOs, EU programmes must necessarily be tailored towards selecting and supporting those organizations whose activities effectively contribute to the desecuritization of the conflict through the respect for human rights. This entails bearing in mind a multiplicity of determinants of the overall impact of civil society on conflict through human rights: the conflict context, the identity of CoSOs, their specific activities (and invocations of human rights), the framework of action within which they operate and the political opportunity structure in which their actions unfold (Marchetti & Tocci 2007, 2009). Investigating empirically these determinants yields specific results as illustrated in the comparative analyses by Bonacker, Braun & Groth (Bonacker et al. 2009) and by Diez and Pia (Pia & Diez 2009).

The QCA conducted by Bonacker, Braun & Groth on the empirical results of our four conflict case studies suggests that when attempting to discern what organizations and activities contribute to the desecuritization (as well as the securitization) of conflict, no single variable assures a particular impact, but rather it is the specific combination of variables that raises or reduces the probability of particular impacts. More specifically, desecuritization or the prevention of securitization tends to be linked to those CoSOs whose identity can be characterized as civic or multicultural, which invoke inclusive individual rights (i.e., individual rights to be extended to all collectivities) particularly in the cultural-educational domain, and whose actions are pursued within the framework of conflict transformation. Similarly, Diez and Pia (Pia & Diez 2009) note that inclusive articulations of human rights by civic and multicultural CoSOs, both in their universal (individual) and integrational (collective) versions, tend to have a more desecuritizing effect than exclusive articulations of rights.

This does not entail that all other categories of organizations, activities and approaches should be barred from potential EU support. Indeed the main conclusion to be drawn from this study is rather that when designing EU funding programmes for civil society and to the extent that such programmes are aimed at the desecuritization of conflict, EU actors should pay attention to a multiplicity of factors, including the identity of the organization, its specific proposed activity, the human right this relates to and the overall conflict/peace-related framework or action this would entail, alongside the set of factors shaping the specific political opportunity structure in which the funded activity would unfold. This would entail a conceptual shift away from one-dimensional selection criteria in which proposed projects and programmes are evaluated in a vacuum and towards a more organic understanding and thus evaluation of the civil society-human rights-conflict nexus.

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