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Failing States and the EU's security agenda

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This seminar drew together researchers on the Balkans, Eastern Europe, Africa and other parts of the **developing world** with officials working on international development, conflict prevention and CFSP from the Council and Commission, EU member states, the OSCE and OECD to analyse and debate 'failing states' – long a matter of concern to policy-makers in the field of economic development, but now high on the international security agenda. The *European Security Strategy* identifies 'state failure' as one of the 'key threats' confronting Europe.

The seminar began with the presentation of a discussion paper by Judy Batt and Dov Lynch, research fellows at EUISS entitled 'What is a failing state and when is it a security threat?' (attached). The following session examined the dilemmas posed for external actors in supporting state-building and promoting civil society in difficult environments. The final session asked 'What can the EU do, and do better?'

1) 'Failing States' - a contested concept
Debate in the first session rapidly exposed both the variety of possible meanings of 'state failure', and the unease of many participants at the prominence given the concept in current security discourse. The discussion paper's emphasis on the highly contested nature of the concept was welcomed.

It was agreed that completely *failed* states are a relatively rare phenomenon. Even Somalia, whose own recently elected President admitted that 'Somalia is a failed state' has not disappeared from the map by virtue of its international status, while in part of its territory, Somaliland, authority and functioning institutions have been reconstituted, but without international recognition.

On the other hand, the number of states that can be categorised as 'weak' or 'failing' is very high indeed, and correspondingly, the causes and nature of their difficulties are very varied. What could be learned from comparing post-communist cases with others elsewhere? The legacies of external (imperial) domination, geopolitical location in vulnerable regions, and unsuccessful attempts to induce modernisation by imposed 'Western' models were accepted as common sources of weakness. But important differences between 'pre-modern' and 'modern' contexts were noted. While Afghanistan or Yemen, for example, had almost no experience of modern statehood, the post-communist context is definitely 'modern': people have acquired very high expectations of

what states should provide, yet there is a debilitating level of mistrust of the state and politicians.

Is the notion of 'state failure' inherently biased by unstated Western assumptions about defining what the state is for or should do? Most donors now prefer the term 'fragile' rather than 'failing' states. Is the 'nation-state' model applicable to the rest of the world? If not, then 'one-size-fits-all' attempts to 'build' states are doomed to fail. Yet the contemporary international order rests on this model. This is even more true of EU integration, which presupposes functional states capable of implementing the *acquis*. There is a lack of space for alternatives that may be prove more viable means of organising power in very diverse contexts.

'Failing states' are not a new phenomenon – they have been around for many years, and the EU and the international community have been deeply involved with them - to that extent becoming implicated in their weaknesses and failures. What is new is the *securitisation* of the problem. This has been driven by US preoccupations post 9/11. This may exaggerate the problem - after all, not only failing states, but our own states too provide 'safe havens' for terrorists. Securitisation may skew responses towards primarily military means, and divert resources from international development objectives.

One conclusion from the discussion concerns the need to disaggregate our approach to 'failing states,' through targeted strategies for different phases of 'failing' – from weakness to conflict to post conflict situations – and for different kinds of weakness – economic, military, and political.

2) Dilemmas of externally-promoted state-building

The principle of 'local ownership' of political reform was stressed by all speakers, but it was acknowledged that it is 'hard to do' in practice. It does mean working with 'people we don't like'. How to build local support for people we *do* like is a complex matter. There are also difficult choices to be made about how soon to transfer responsibilities back to local institutions, and when to hold elections, in a post-conflict situation - again, there are no clear answers. Early elections are better, but we should view them as a process: rather than expecting the 'right' outcome straight away, we have to accept that the choice is usually one between bad and less bad alternatives.

The international presence often becomes part of the problem in weak and failing states. Fragmentation and divergent agendas pursued by the hydra-headed 'international community' impose real strains on recipient states. Attention is now being paid to 'harmonisation' and 'alignment' among various donor agencies, but progress is slow. High salaries offered by 'internationals' in comparison with local pay levels draw off qualified and capable personnel who are most needed by local institutions, and can lead to popular resentment and loss of confidence in the international presence. External assistance to promote 'civil society' can distort incentives, and weaken accountability to the local society. Civil society by definition should be home-grown. Dependence on external funding may exacerbate the mistrust of local state officials and impede fruitful cooperation and partnership between the state and NGOs.

The recent trend towards prioritising aid flows to 'good performers' has led to neglect of 'difficult partners', and yet it was precisely these cases where economic and humanitarian need was highest, and the potential to generate security threats greatest. This trend is now

being corrected. But that leaves us confronting real challenges of making conditionality work where states lack either the capacity to implement reform or the will to undertake it – or both.

The trend towards international support for regional organisations in Africa was noted with some caution. Neighbouring states often have their own agenda in a crisis situation. Regional organisations must always act under a UN mandate; and must not be used by the EU or others to avoid their own responsibilities.

Much attention was given to the compatibility and contradictions between the objectives of development policy and security. While failing states may be a common point of concern, deciding precisely *which* states to prioritise, and *how* to intervene, given limited resources, will often expose divergent objectives. Much of this is familiar ground, as much thought has already been given to the issues by the Commission, some member states' agencies, and international donors. However, it was pointed out by several speakers that there was an urgent need for more regular and intense dialogue between the development and security policy communities – in this respect, EU ISS could provide an appropriate forum.

The question of political will is not only one for recipient states but for our own governments. Prevention is always cheaper, but intervention nearly always comes too late. Public opinion and parliaments have to be better prepared for long-haul commitment, not quick results, and to be persuaded that 'success' cannot be guaranteed even for the best-prepared interventions. But it is hard to sell this. One participant noted that it could be an EU advantage that both the High Representative for CFSP and the Commission are relatively autonomous from immediate parliamentary pressure, which can make it easier for them to act promptly, not only in media-driven emergencies, and to sustain long-term attention to a given problem case.

3) *What can the EU do, and do better?*
The EU is a huge player in development assistance, and commands the most extensive array of instruments – political dialogue and monitoring, diplomatic representations, military and civilian missions, development aid, support for institution-building, trade policy. It therefore has enormous potential for coherent responses to the challenges of supporting weak states and engaging in state-building.

The EU could trumpet its successes more assertively. EU actions have made a real difference, for example, in FYROM. In Africa, it is the EU that is the most responsive to the UNSG's requests for assistance. Operation Artemis was rapidly put together, and of short duration – but it has had an impact, including a marked 'demonstration effect'. The possibility of future EU interventions is now a factor that African politicians are starting to reckon with. Thus even modest EU intervention has made a big difference. The African Peace Facility has been crucial to plugging a short-term gap – but it is not enough for long term.

Familiar problems of the lack of unity among member-states and the difficulties of the EU reaching common policies were reiterated, but nevertheless the point remains a crucial one. The establishment of the new EU Minister for External Affairs should improve matters, but it was noted that the EU could do much better even now. Several speakers saw the key problem less in difficulties of coordination between the Council and Commission, than in the complexity of the Commission's bureaucracy, and especially its rules and

procedures. It was especially important to open up the EDF to funding security sector reform. Integration across pillars had made appreciable progress, especially with the Country Strategy Papers.

A major challenge is to secure better 'harmonisation and alignment' between all international actors on the scene in any given case. It was argued that there was scope here for the EU to take the lead. The EU should also include cooperation in tackling weak and failing states as in item on the agenda in its dialogues with middle-income partners such as China, India and South Africa.

A plea was made for better preparation of human resources to deal with weak and failing states. Development experts, who are often selected to lead missions in post-crisis situations, often lack adequate preparation to deal with the security challenges of such a context. Diplomats are rarely ready to deal with the dynamics of states in crisis on the verge of collapse. Experts with technical and sectoral skills are often tempted to try to implement an ideal models of institution-building that are too ambitious for the local context. The staffing of international missions is too often driven by nationality criteria at the expense of competence and relevance of expertise offered. One speaker insisted that 'we need a common culture of peacekeeping'. A welcome and promising example to was the UK's new Post-Conflict Reconstruction Unit – a new 'surge capacity' of people with the right mix of experience and expertise - to go into effect Jan 2005. The EU-funded Training Programme for Civilian Aspects of Crisis Management was also cited as a useful project that must continue, and could be developed further.

The European Neighbourhood Policy could and should be a test case of coordination. In the 1990s, the EU developed a strategy towards fragile states on its borders that was successful and coordinated because it entailed enlargement. The ENP seeks the same end but without offering accession. In this, the success and failure of ENP will impact on the EU's emergence as a real foreign policy actor that is able to advance its interests abroad *without offering accession*. If enlargement replaced EU foreign policy in the 1990s, the stakes involved with the ENP are clear. There is much that is positive in ENP so far. However, close attention and deep engagement, both material and financial, will be vital for the implementation of the Action Plans. The EU must pursue this policy relentlessly.

The EU should avoid being driven by US agenda. This does not mean opposing it, but developing an agenda of its own to ensure that balance is maintained between global security objectives and the long-term challenges on the development agenda.

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FAILING STATES AND THE EU'S SECURITY AGENDA
EU Institute for Security Studies seminar, 8 November 2004

'Think-Piece' to provoke discussion in Session 1:

WHAT IS A 'FAILING STATE', AND WHEN IS IT A SECURITY THREAT?

By Judy Batt and Dov Lynch

I Introduction: Security and development

The European Security Strategy identifies 'state failure' as one of the 'key threats' confronting Europe. This is one point of convergence with the 2002 US National Security Strategy, which claimed that 'failing states' were now more of a threat to the US than 'conquering states'. However, implicitly distancing itself from the US, the European Security Strategy recognises that 'none of the new threats is purely military; nor can [they] be tackled by purely military means.'

'Bad governance' has long been identified by international actors in the development field such as the World Bank and the UNDP as a major barrier to economic development and poverty eradication in Third World countries. Insofar as state failure is linked to long-term problems of socio-economic development, the security and development objectives of the EU have now become closely linked, and an integrated approach holds the promise of more effective responses. The European Security Strategy calls for a new 'security culture that fosters early, rapid, and when necessary, robust intervention.' Preventive engagement is the key, and the EU now has the potential to deploy coherently the full panoply of long- and short-term instruments: political, military and diplomatic means alongside substantial assistance to economic development, institution-building, and the promotion of democracy, human rights and the rule of law.

The question of what the EU can do, and do better, for failing states is the underlying theme of this seminar, and will be addressed directly in the final session. We need to begin with the vexed question of definition.

II What is a 'failing state'?

1) What we mean by a 'strong' state is by no means self-evident.

Globalisation is a new source of malaise for almost all states, undermining their capacities to control their territories and the movement of people, to govern their economies, and so meet the expectations of their peoples for protection and welfare. As a result, even firmly established western democracies are prey to problems of 'governance', accountability and popular legitimacy. Some of the 'new security threats' that confront the west – illegal migration, organised crime, trafficking in drugs and human beings – have as much to do with the demand in our own societies for such merchandise and the weakening of our own states' capacities to deal with this, as they do with disorder and economic crisis in the rest of the world.

If the notion of 'strong' states is misleading, nevertheless some states – notably western states - are nevertheless clearly proving more *resilient* than others in the face of the challenges of globalisation. This no doubt has much to do with the fact that globalisation has primarily been driven by the interests of the west. Are 'failing' states failing because they are not more like western states?

2) Certain types of 'strong' states may be prove unexpectedly 'brittle' - prone to sudden collapse.

Perhaps the best example of this was the Soviet Union, where prolonged economic failure undermined the core legitimating doctrine of communism. Communist states corroded from within, ending up as hollow 'structural shells dominated by informal interests, with no sense of any transcendent purpose.'[i] When resurgent nationalism stepped into the void, all three communist federal states (the USSR, Czechoslovakia and Yugoslavia) broke up, albeit in markedly different ways.

Another case may be that of Iraq. Clearly, massive armed intervention would deliver a severe shock to any state, but the speed with which the Iraqi state administration and army melted away, and the subsequent difficulties of reconstituting them, can be attributed - at least in part - to the underlying weaknesses of a state constructed around a brutally coercive, personal dictatorship that targeted not only dissident individuals but entire ethnic groups.

3) Completely 'failed' states are rather exceptional.

Complete 'failure' would imply disintegration to the point of disappearance of institutional structures, legitimate power and political authority. Where states fail, power does not disappear but reconstitutes itself around ethno-national secessionist movements, 'warlords' or organised crime. The most notable case is that of Somalia, whose newly-elected President himself declared the 'Somalia is a failed state.' Yet Somalia has not disappeared from the map, but lingers on due to international recognition, while part of its territory – Somaliland – has managed to reconstitute authoritative institutions that have been functional for a decade, despite lacking international legitimacy. Being a *de facto* state, without international recognition, is undoubtedly a handicap to further development and consolidation. Non-recognition, like other forms of international embargo, drives states into illicit activities.

Soviet-type communist states did not collapse in this sense. The 'structural shells' of formal institutions proved readily convertible into new 'nation-states', filled by post-communist elites. Informal systems of power inherited from the communist-era security apparatus and *nomenklatura* managers of key state enterprises survived. Post-communist elites were not wholly new, but formed from varying mixes of old *nomenklatura* and new nationalists: coexisting or competing, one coopting another. The outcomes have conditioned the extent to which post-communist states have been able to overcome the debilitating legacies of communism.

4) States that are 'weak' may nevertheless prove remarkably durable.

The Habsburg empire confounded predictions of its imminent demise for at least a century. Whether it was doomed to collapse under the weight of its own internal contradictions, or whether it was destroyed by the 'exogenous shock' of the First World War, continues to exercise historians today.

States that have weak legitimacy, corrupt and incompetent political elites, institutions that perform poorly in the delivery of public goods, and lose control over significant portions of their territory may nevertheless survive due to 'strong societies': cohesive dominant classes and informal power networks; resilient clan or extended family ties that redistribute resources; large unregistered sectors of economic activity. Such social structures may obstruct or divert reform. Where efforts are made to improve the state's performance, these will be internally destabilising, and may have unpredictable knock-on effects for the neighbourhood. Security and development policies might jointly focus on how to secure the environment for radical reform

5) What makes 'weak' states 'fail'?

It is hard to say. A recent addition to the burgeoning literature in this field began by observing: 'Tolstoy wrote that all happy families are happy alike, while every unhappy family is unhappy in its own way. It is tempting to say the same thing of states...'[ii]

Yet to have a policy, especially one of 'preventive engagement', policy-makers need some guidelines. There is already a vast and burgeoning research literature in this field. Clearly, defining state 'failure' requires us to specify what we expect states to do. One useful inventory of 'state failure' identifies three functional dimensions of the problem: *security* (internal and external); *welfare* (economic, social, environmental); and *legitimacy and rule of law* (political freedoms, human rights, courts and administration). Each dimension is carefully unpacked into 29 discrete indicators.[iii] What this exercise brings out is that states may not be 'failing' in all three dimensions at once, and therefore that careful analysis can identify specific areas of weakness to which specific policy instruments may be applied to avert further degeneration – development assistance, political conditionality, institution-building, civilian and military missions. Such a model guides decisions about *how* to intervene, but does not answer the question of *whether* to or not – a point to which we return in Section III.

Moreover, modelling the dynamics of change in the abstract is extremely difficult, involving the complex interaction of many variables. Either the model becomes too complex to be intelligible, or it is simplified to the point of producing self-evident and banal conclusions. What pushes a 'weak' state onto a downward trajectory towards 'failure' is often the product of the impact of a sudden, unexpected, and/or exogenous 'trigger'. By definition, it is difficult to build such triggers into a model. Turning a failing state around is almost always due to skilful, constructive leadership – a scarce commodity that cannot be guaranteed to appear at the right time.

6) Neighbourhoods matter to the failure – or survival - of states.

The question '*Where* are failing states?' not only promises a less ambiguous answer than the question of *what* they are; it may also help to clarify some of the roots of weakness. Starting from the parts of the world we know best – central, eastern and south eastern Europe – we would put forward the following ingredients of a common geopolitical predicament predisposing states of this region to endemic weakness and recurrent failure:

- Peripheral territories of the Habsburg, Russian and Ottoman empires
- 'Shatter zones' of Great Power rivalry under the empires, in the two World Wars, and Cold War
- Late state formation; contested and frequently redrawn borders
- Transposition of a 'western' model of state-building (the unitary, centralised, and homogenised 'nation-state') into an environment of considerable ethnic heterogeneity
- Long-term economic backwardness relative to Western Europe, combined with repeated failures to 'catch up' by state-sponsored and highly politicised modernisation drives.

What does this suggest? *Firstly*, that neighbourhoods matter. In this case, Great Powers ('strong' states) have been, and no doubt will continue to be factors in the failure – or survival - of their neighbours. The EU may want to surround itself by a 'ring of well governed countries', but Russia is seeking a 'buffer zone' of weak and dependent states. For the EU, the challenge of inducing Russia to become a more constructive partner is an essential complementary prong of its 'neighbourhood strategy'. For now, competing EU and Russian objectives leave the 'new neighbours' caught between the two - a familiar predicament.

Much of this might apply, *mutatis mutandis*, elsewhere: in Africa or Brzezinski's 'arc of instability' from the Middle East to Pakistan. But 'Great Powers' and colonial legacies do not explain everything: as Fred Halliday notes, 'Colonialism, significantly, did not touch some of the countries of the region [e.g. Afghanistan and Yemen] and it is here that no effective modern state was ever created…[I]t was…the historical *absence* of a state that provided the context for modern wars and for the growth of transnational armed militias.'[iv]

8) Externally imposed or derived 'models' do not help.

A second point can be drawn from the CEE/SEE experience: that imported and/or 'top-down' models of political and economic 'modernisation' may end up by weakening states rather than strengthening them. 'Ownership' of reform may have been grasped by elites, but society remains at best a passive object, not the subject of change.

Communism was not the last of these grand experiments. EU integration 'worked' for the central and east European new member states by offering a secure framework supportive of states undergoing radical political and economic reform. But adopting and implementing the *acquis* involved certain short-cuts in the democratic process which led to worrying alienation of the people from the state and politics.

Will EU integration work for the remaining 'potential candidates' in the Western Balkans? Here, 'state-building' is even more obviously at the forefront of the agenda. The EU's first police and military missions have been put into operation in FYROM and Bosnia. The EU

has been directly implicated in redrawing the constitutions of FYROM and the Serbia-Montenegro – but to what effect? International 'protectorates' in Kosovo and Bosnia are even more far-reaching experiments, but seem to be hindering as much as helping the emergence of functional, legitimate self-governing institutions. Where external 'leverage' is at its maximum, accountability may be undermined and societies disengaged.

III When is a failing state a security threat?

1) Conventional Wisdom

That failing states pose one of the most important security threats now faced by the international community has become a mantra found in all national and international security concepts. This mantra is founded on the premise that failing states represent an urgent threat that must be addressed as early and comprehensively as possible. Having accepted this point, most discussions then move onto discussing how the international community should respond to them. As a result, thinking about failing states focuses often on a debate on three questions:

> *a) When are states at risk of failing?*
> If one can determine risk indicators, then the international community may formulate early policies to prevent a state from failing. The point here is that *prevention* is easier and cheaper than *cure*.
>
> *b) What should the international community do when a state has failed?*
> This question centres on which strategies should be employed to derail the logic of state failure once it is has occurred – by restoring law and order, promoting institutional strengthen and good governance, and providing economic assistance.
>
> *c) Which actors should be involved in restoring state strength?*
> Which international actors are best able to undertake 'state-building' actions? The question here involves also how to balance questions of efficiency and legitimacy?

These questions are based on the premise that failing states are an urgent threat that requires mobilisation and forward thinking. It is worth examining this premise more closely.

2) What kind of threat, and to whom?

Exploring the nature of the threat requires making the referent of security more explicit. The security referent may reside at three levels: local, regional and international.

a) The local level
At the local level, the security referent is the population directly affected by lack of state capacity in a given area. This area may encompass the entire territory of a state, or it may be limited to an area within a state, where state capacity is failing or non-existent.

At this level, the failing state can impact on the physical security of individuals or groups of peoples in three ways: a) through the absence of law and order; b) through a deliberate policy by a state that is targeted against certain peoples; c) through the rise of non-state armed groups that are unaccountable and act for private goals.

More widely, general infrastructural weakness can create a threatening environment in terms of health care and the provision of basic needs. In addition to concrete physical threats, failing states can pose threats to the human rights of populations, including national minorities or ethnic groups.

b) The regional level
One lesson learned in the 1990s is that failing states spread failure. The spill over into neighbouring states and regions may occur in a number of ways, including forced migration and refugee flows, the spread of organised crime, the exacerbation of regional tensions *between* states as well as tensions *within* neighbouring states, as well as regional militarisation and neighbourhood arms races. The impact of state weakness in Sierra Leone and Liberia on the stability of West Africa is a notable example.

Failing states affect regional security also by creating opportunities for intervention by regional or great powers. Regional powers may intervene for defensive reasons; that is, to offset negative spill over or to prevent the territories of failing states from becoming safe havens for groups that seek to undermine their security. They may also intervene for coercive reasons to advance their interests abroad and establish a forward position in a given region.

c) The international level
Failing states pose threats at the international level in a number of ways. Most notably, such areas may become safe havens for international terrorist and extremist groups, whose aims, if achieved, could have dire consequences for international peace and security. Failing states may become the source for/transit zone of other transnational networks, such as organised crime dealing in arms and weapons, drugs production, and human trafficking. These networks may also engage in the illicit production/transit/sale of otherwise legal economic activities, such as cigarette smuggling or the production of steel that is dumped onto international markets.

Failing states may also impact on international security by creating a permissive environment for the propagation of diseases. For example, the separatist state of Abkhazia inside Georgian borders is propagating (to be fair, like much of the former Soviet Union) a form of tuberculosis that is multi-drug resistant through inappropriate policies and overall (separatist) state weakness. Failing states can create environmental threats that may have much wider impact. Finally, failing states may impact on strategic economic concerns, for example, by preventing investment in energy resource development or threatening the security of strategic transportation.

3) Failing states are a threat, but are they the *main* threat?

Failing states do matter. But they matter in different ways at different levels to different people. The blanket assumption that failing states are a *principal* threat to international peace and security should be qualified. It is worth recalling two points:

> -International terrorism may be more active inside the Euro-Atlantic community than in failing states. Real resources are more easily found in our 'strong' and developed states rather than in failing state areas. This is not to say that failing states are not potential safe havens; they are. However, our own states are also crucial safe havens.

-Failing states may be 'failing' only from a classically Weberian and European perspective: that is, there is no rational bureaucracy acting for the collective good, no monopoly on the use of force, and there is no *Rechtsstaat*. Yet, there is almost always law and order in these areas; it is simply not one that we recognise or condone. For example, the separatist states of the former Soviet Union can be considered in some respects as stable and 'strong' as the states from which they have separated. It is not true to say Somalia has entirely failed; Somaliland has produced quite durable law and order.

4) Dilemmas

Thus, defining the urgency of the threat posed by failing states and the appropriate policy responses is less automatic than it seems at first and more political. The point is obvious, but it is worth repeating as a baseline for discussing the policy implications of state failings.

Defining a particular state as 'failing' is different from defining it as a security threat to which the EU must respond. The policy-making context is characterised by constrained resources, dispersed political energies, and often insufficient information. This applies *a fortiori* to policy decisions on preventive engagement in states at risk of failing, where the urgency of acute crisis is lacking. In many cases, the threat posed by failing states is not urgent or acute. It is more akin to a steady pulse that is emitted but never reaches the level of urgency. The throb of threat may be diffuse and difficult to source.

As a result, one fundamental dilemma posed by failing states is that of triage. With regard to the EU, the following questions must be posed: When does a particular failing state become so urgent as to require urgent action? Also, when is the threat of possible failure so clear that the EU can decide to undertake preventive action?

5) Discarding Mental Maps

Thinking about failing states is often led by three mental maps:

1) The Somali Map
The Somali map says that failed states are quicksand where foreign assistance is arduous and costly, and where external security intervention is often counter-productive and humiliating. The Somali map tells us that we should avoid failing states like the plague.

2) The Afghan Map
The Afghan map says that failing states pose the ultimate danger to international peace and security by providing a safe haven for international terrorism. The Afghan map tells us that failing states should be eliminated as quickly as possible, even if the result is instability in a different and less urgent manner (i.e., souring drugs production but no terrorist bases).

3) The Kosovo Map
The Kosovo Map says that the threat of failing states requires massive military intervention followed by equally massive civilian assistance. This map tells us that only 'neo-trusteeship' is a viable solution to the failing state problem. This map is the most false in its assumptions: Kosovo was weak before international intervention but

not failing as it has become since (and, of course, it is not yet clear whether Kosovo is a 'state' at all).

Not always explicit and based on incorrect analysis, these mental maps often guide policy thinking about failing states in ways that may not be consistent wither with the particular reality of a given case or with the resources that may be mobilised to respond to a particular failing state threat.

5) Thinking Afresh

In order to think afresh about the problem of failing states, one could consider the following questions:

a) **Should we revisit *uti possidetis*?**
The UN General Assembly Resolution 1514 ("Declaration on the Granting of Independence to Colonial Countries and Peoples") of December 14, 1960, set forth the rules of the current state regime by freezing the territorial map. After this resolution, states could no longer vanish or be 'decertified' - no matter how weak or non-existent they were. Does this remain appropriate for the current international system? Should one start to rethink – as we are doing in practice already in the western Balkans – the rules on 'decertifying' and recognising states?

b) **Is there a hierarchy of collective goods?**
Given the complexity of state weakness and the difficulty of predicting 'states at risk,' should we decide to concentrate on a single set of factors that can be considered vital in tipping the balance towards failure or greater strength? Could the notion of 'sustainable security' be a decisive 'tipping' factor? Sustainable security takes in a state's monopoly on the use of force, its control over its territory and borders, and the existence of working rule of law.

c) **Can we devise partial forms of neo-trusteeship?**
Neo-trusteeship does not have to include painting a country blue and golden as a European protectorate. It could mean international control of one or two policy areas inside a weak state – such as border monitoring – that could a wider beneficial impact on a given state and neighbourhood.

d) **Should we devise new strategies of containment?**
Strategies of containment towards failing states would seek to isolate their impact on their neighbourhood and wider international security, without implying comprehensive involvement in a given state. If triage is accepted as necessary, should such strategies be considered formally?

e) **How to make best use of regional and great powers?**
Given the increasing role played by regional organisations, regional and great powers in regional peace and security, how we can make the most of these actors in terms of bolstering their efficiency and ensuring their accountability and legitimacy?

f) **Can we sub-contract some policy areas?**
Private security agencies are already active in many countries, strong and failing. With regard to security and territorial control questions, should we seek to increase and formalise the role of private security providers?

g) How to handle the question of leadership?
Given the importance of local leaders as positive catalysts as well as spoilers in failing states, what can we do to bolster good leadership and to contain dangerous leaders?

IV Concluding Remarks

Failing states may well expose the divergent priorities of security and development policy-makers. Such states are very likely to be poor performers in economic terms. Removing blocks on economic development and poverty eradication may require far-reaching social, political and economic reform that (if it happens at all) will be domestically destabilising, at least in the short term, which may also have unpredictable knock-on effects for the state's neighbours. Security planners will be tempted to argue 'if it ain't broke, don't fix it', especially if the state is located in an already highly unstable neighbourhood. But this may amount to 'grooming the state for failure' later.

For the EU, addressing failing states raises a number of questions: How to combine harmoniously development strategies and security strategies? How to determine when and how to invest limited resources? Finally, how to ensure the integration of EU tools and approaches?

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