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# BETWEEN GUNS AND ROSES, DID FOREIGN AID FORGET ABOUT HUMAN RIGHTS ?

# THE PARADOX OF CONDUCTING A JOINED-UP APPROACH OF DEVELOPMENT AND SECURITY.

A case study of the European Union development policy "securitisation" in the sahel region.

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# ABSTRACT

Given the evolving global political-economic landscape, the combination of security and development goals has grown on the international scene as a promising practice in many areas such as conflict prevention, fight against terrorism and migration management. The European Union is now arguing that for greater policy coherence security and development should be treated as complementary agendas leading to a worrying "securitisation" of development policies. This paper analyzes how the joined-up approach to development and security interferes with human rights fulfillment. This question is answered through a case study of the EU practice in the Sahel region with a focus on three EU instruments- the IcSP, the APF and the EUTF- using both EU official documents and academic literature as a tool of analysis. Although the inherent interrelation of security and development isn't denied, the thesis opts rather for a critical analysis that aims to point out the problematic elements of the development-security nexus and the paradox risen into development policies standing between discourse and implementation. To this end, it approaches the human rights paradigm within the scope of risk analysis based notably on alarming assertions of researchers and non-governmental organisations. As a result, the paradox revealed is how the development and security nexus is widely assumed as if a convergence of the two areas were obvious, even though they may differ in many aspects. Accordingly, the seek of coherency for the EU when emphasizing security and development purposes together, can in fact lead to contradictions in the delivery of development aid for the receiver country. Such a comprehensive approach tends indeed to put the fight against terrorism, transnational crime and curbing migration along with poverty reduction, which, first, justify to finance military and security actors in the name of development and, second, presents inconsistencies regarding both their timeframes and potential divergent objectives. Consequently, the possible adverse effects are mostly envisaged in this paper according to whether or not security is conceived through a traditional or human approach when pursuing development policies. In line with the EU security interests, the integration of a security paradigm into development policies might lead to undermine development goals and disregard the receivers' local dynamics and perspective on security. Aligning aid allocation and conditionality with the EU security model imply a "top-down securitisation" under development policies. While the dangerousness of such external policy lies in the potential militarisation and support to dubious regimes security forces, the thesis demonstrates how individuals can be finally put in a more insecure situation and their human rights being undermined. Therefore, the present research emphasizes that if a bridging approach of security

and development is framework according to UNDP conception of human security and human Development, focusing mostly on freedoms, it would consequently take better the path of human rights protection and fulfillment. To mitigate the adverse impacts and unwanted consequences of a development policy securitisation, the thesis advocates the need to assess more in-depth vulnerabilities and Human Rights law compliance while calling for a human-rights-based approach to development. Ultimately, the resilience notion represents a great path to follow as it can be a truly mean to de-securitised poverty as well as promoting internal conceptions and capabilities.

*Keywords: securitisation, development, aid, human rights, human security, human development.*

# ACKNOWLEDGEMENTS

**TABLE OF ABBREVIATIONS**

| | |
|---|---|
| ACP | African, Caribbean, Pacific |
| APF | The African Peace Facility |
| APSA | African Peace and Security Architecture |
| AQIM | Al-Qaida in the Islamic Maghreb |
| CBSD | Capacity Building for Security and Development |
| CFSP | Common Foreign and Security Policy |
| DAC | Development Assistance Committee |
| DCI | Development Cooperation Instrument |
| DRC | Democratic Republic of Congo |
| EEAS | European External Action Service |
| ECHR | European Convention on Human Rights |
| EDF | European Development Fund |
| ESDP | European Security and Defence Policy |
| ESS | European Security Strategy |
| EU | European Union |
| EUCAP | European Union Capacity Building Mission |
| EUTF | Emergency Trust Fund for Africa |
| EUTM | European Union Military Training Mission |
| GAMM | Global Approach to Migration and Mobility |
| GHA | Global Health Advocates |
| HDI | Human Development Index |
| IcSP | Instrument contributing to Stability and Peace |
| ICCPR | International Covenant on Civil and Political Rights |
| ICESCR | International Covenant on Economic, Social and Cultural Rights |
| IfS | Instrument for Stability |

| | |
|---|---|
| IOM | International Organisation for Migration |
| INFORM | Index for Risk Management |
| LDCs | Least Developed Countries |
| MDGs | Millenium Development Goals |
| MFF | Multiannual Financial Framework |
| MNJTF | Multi-National Joint Task Force |
| ODA | Official Development Assistance |
| OECD | Organisation for Economic Co-operation and Development |
| OHCHR | The Office of the High Commissioner for Human Rights |
| P-CVE | Preventing/Countering Violent Extremism |
| PSOs | Peace Support Operations |
| RAP | Sahel Regional Action Plan |
| RSF | Rapid Support Forces |
| SDG | Sustainable Development Goals |
| TFEU | Treaty on the Functioning of the European Union |
| UDHR | Universal Declaration of Human Rights |
| UN | United Nations |
| UNDP | The United Nations Development Programme |

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# INTRODUCTION

"*Even if he can vote to choose his rulers, a young man with AIDS who cannot read or write and lives on the brink of starvation is not truly free. Equally, even if she earns enough to live, a woman who lives in the shadow of daily violence and has no say in how her country is run is not truly free. Larger freedom implies that men and women everywhere have the right to be governed by their own consent, under law, in a society where all individuals can, without discrimination or retribution, speak, worship and associate freely. They must also be free from want — so that the death sentences of extreme poverty and infectious disease are lifted from their lives — and free from fear — so that their lives and livelihoods are not ripped apart by violence and war. Indeed, all people have the right to security and to development"*

- Kofi Annan [21 march 2005 ]

*Research background*

Security and development are widely regarded as two sides of the same coin, where human rights can be fully exercised and without whom freedom cannot truly exist. Indeed, development embodies, on the one hand, the fight against inequality, the reduction of poverty, the idea that such structural violence can have disastrous consequences on human lives. On the other hand, security is to be safe, to able to think and act freely, without feeling threatened, whatever the source of the threat might be. This duo of security and development thus embodies a promising human rights practice as promoted by the Universal Declaration of Human Rights and the human rights treaty bodies designed to achieve the freedom, well-being and dignity of every human being. Promising for Human Rights? Not only. The link between security and development is increasingly claimed in foreign policy in a way that both topics should be to address simultaneously. A global, coherent and comprehensive approach, capable of addressing complex and multifactorial contemporary challenges, is the new credo of the European Union. Well, if development and security are obviously the pillars of a dream society, what does their linkage imply in reality? Should we take for granted that they would be in any case mutually reinforcing and would promote human rights?

The recognition of a need for security and a need for development goes beyond mere rhetoric and can take the form of a willingness to concretise their interdependence through political means. Recent years have seen the emergence of a joined-up approach linking the two areas. What is of interest here is the forms the assertion that security and development are interdependent can take and how it can lead to contradictions.'There is no security without development and no development without security' – a claim 'repeated to the point of monotony' was saying Duffield. Hence, while the interrelation between security and development has been widely claimed little attention has been paid on how these, previously conceived as two distinct concepts, are consequently aligned in the political practice and more particularly in the framework of development aid policies.

According to the OECD, development aid is a government aid designed to promote their economic development and welfare of developing countries. It can be provided either bilaterally, between two countries, or through multilateral development Agency such as the UN or the world bank. The purpose of development aid and whose interest it follows has been indeed already well questioned by literature. Its main criticism has been related to how it imposes an economic model, can support authoritarian governments or perpetuate a never-ending dependency. The lack of effectivity has also been acknowledged even if some projects showed good results in term of access to medicine for exemple. For instance, the Nobel Prize in Economics, Angus Deaton, without being against foreign aid as a whole, denied its long term effectivity "If poverty is not a result of lack of resources or opportunities, but of poor institutions, poor government, and toxic politics, giving money to poor countries — particularly giving money to the governments of poor countries — is likely to perpetuate and prolong poverty, not eliminate it". Furthermore, some would also argue that development aid follows a neo-colonialism perception where "the purpose of aid is to help developing countries adopt a Western model of industrialisation to obtain economic development and growth." On the other end, others consider that aid assistance has helped supporting poverty reduction in a vision of international solidarity against the global issues related to rising inequalities and lack of access to food security, health care or education.

The security perspective given to development assistance is, to some extent, revealing the fragilities pointed out by the critical analyses of aid. Debates on the effectiveness of aid and the interests pursued by its use are indeed exacerbated when a security value is attached to development. It even questions the purpose of development aid itself and for whom security is tending to be implemented.

There the claim to treat development and security simultaneously becomes worrying. The will of seeing security as a precondition for development potentially could imply to justify financial support

being allocated to security infrastructures: military, police, penitentiary, etc. by development aid means. Not only it can contribute to conceive the promotion of security measures as a quick-fix solution to insecurity and underdevelopment but also it risks security becoming an integral part of development aid to the detriment of the fight against poverty and the promotion of individual freedoms.

*Thesis purpose*

In the light of the above considerations, the present thesis aims to address the paradox of putting into practice the join-up approach of development and security, questioning, in particular, the promotion of a development policy standing in the middle of guns and roses. Bearing this in mind, it will answer how the interdependent approach to development and security in development policy interfere with human rights fulfilment.

In order to answer this question, it will first be necessary to study the rationale behind the security and development linkage. That is why the first chapter will determine the grounds for calling in favour of an approach that integrates security and development. This will necessarily involve an initial elaboration of the way in which the European Union is seeking to establish an integrated approach with particular emphasis on the policy it envisages on the African continent. Then, in a second sub-chapter, a terminological, historical and political perspective will be studied, as well as a human rights perspective of the development and security nexus, in order to better understand the issues to which it tends to respond, bearing in mind a critical analysis angle.

The study of the link between security and development will lead to consider the "securitisation of development policies" concept as a result of the development-security nexus, particularly in regards with funds allocation in the Sahel region. Three instruments will be discussed as examples: the IcSP, the APF and the EUTF. The purpose of their study will be to demonstrate to which extent development objectives become a justification ground to support military actors but also how security, and more particularly border security, become an explicit objective integrated into development aid.

These considerations will provide an opportunity to explore the potential scope of abuses resulting from a security and development linkage in a last chapter. Three aspects will be identified. First, the risk of the main development goals being sidelined in favour of European security interests. Among these are for instance poverty reduction, access to health care and education, but also food security, which are part of the right to development but also economic, social and cultural rights. Then, another risk assessed will be the possibility of a "top-down securitisation" covered by development aid

policies. This will be studied through the scientific considerations brought in particular with regard to the notion of " externalisation of securitisation " while focusing on the concrete consequences that this may have for human beings, their rights and living conditions. International migration law is also studied as an example to illustrate the possible scope of abuse when development aid finances a security model based on border reinforcement. While encouraging further research to be pursued, including on the extraterritorial obligations of donor countries when financing foreign infrastructures, the last part will aim to assess the human rights guarantees given by EU instruments studied and highlight on the responsibilities at stake in the face of development policies securitisation.

*Methodology*

The research methodology is based principally on political sciences and international relations narratives, although it integrates some legal and philosophical perspectives. It is important to note that not all aspects of the broad link between security and development are addressed. While it was essential to highlight somehow the role of private actors, a more in-depth economic perspective is lacking, especially when analysing the fund allocation. This thesis deliberately focuses on security in order to gain a better understanding of the influence that this particular sector has on development policy.

It gives also a special emphasis on how security-oriented migration policies shaped the delivery of aid and its consequences for migrants people. Indeed, in the context of the so-called EU border externalisation and the allocation of development funds to borders security, it seems inevitable to relate the security-development nexus to migration policies all along with the research. Thus, the case study is analysed focusing on what are considered to be European Union's security challenges in the Sahel region: the fight against terrorism and transnational crime, which includes notably irregular migration and human trafficking.

While the security-development nexus has been analysed mainly through the case of US aid policies in Afghanistan, it is interesting to concentrate on a regional approach from the EU to the Sahel countries, especially since the interrelation of development and security has been openly promoted by the EU.  The research does not approach EU development policy as a whole but focus on a few instruments that have been used in the Sahel countries. The thesis therefore concentrates on security linked with development and not on the EU security policy itself neither the arms sales issue by member states. Without elaborating in-depth this point it is, however, necessary to bear in mind that, in parallel to its development policy, the European Union member states are international security

actors and combined arms exports accounted for 27 per cent of the global total 2014–18. The top five West European arms exporters are France, Germany, the United Kingdom, Spain and Italy, together with 23 percent of the world's arms exports in 2014–18[1]. Apart from this, the EU is particularly active in the Sahel.  Since 2013, the EU has been advising and training Mali's armed forces in order to increase their capabilities and thus better meet the many challenges they face notably restoring the country's territorial integrity, improve border control in cooperation with their G5 Sahel partners as well as reduce the terrorist threat. In the same line, EUCAP Sahel Mali and EUCAP Sahel Niger are civilian missions assisting the internal security forces of these countries through training, strategic advice and the provision of equipment.

The Sahel region has been chosen as it stood out as the most poignant example of development policy securitisation for the following reasons: firstly, those countries perceive a large part of European development aid funds, secondly, the Sahel is a strategic area in the pursuit of European security interests notably in term of migration management and fight against terrorism, finally, the instability and type of governance in the region arise further dilemmas on the fundings allocated to these countries. While an analysis of a single country would have made it possible to develop the local circumstances in greater detail, this analysis would have the limitation of not revealing regional dynamics intrinsic to security strategies. Having a regional perspective ensures that transnational issues and the EU's overall strategies towards the Sahel region are properly encompassed. Examples in Sudan and Niger are particularly developed. Indeed, the case of Niger is interesting as the country used to have a migration-based economy which interrogates on possible contradiction with the inclusion of the fight against irregular migrations into development assistance purposes. The Sudan context also reveals problematics elements as the country has been run by an authoritarian regime but still be subject to cooperation with the EU, therefore the support of security forces within the use development aid further interrogates on how it foster militarisation and whether it supports individuals security.

The use of a case study methodology allows applying the theoretical arguments, about the risks implied by such a comprehensive approach, to territorial realities. This is however not intended to provide an exhaustive view of the securitisation effects, both positive or negative, in particular, because it is a concept difficult to concretise as it is showing a tendency rather than a specific action. Moreover, the Sahelian case study cannot draw general conclusions that would necessarily apply to any context. This is why the idea of risk is particularly emphasized in this study. A thorough investigation of the impact of each aid fund in specific local contexts would be necessary to clearly

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[1] Wezeman P., Fleurant A., Kuimova A. , Tian Nan and Wezeman S. (2019)

determine its consequences in terms of human rights. This area of concern is precisely highlighted as one of the main challenge in this research regarding that the foreign aid itself can hardly be taken apart from a multitude of other factors to consider.

The risk analysis allows then to reveal the elements that are not sufficiently taken into account by donors and, above all, the dynamics underlying development policy securitisation. Previous institutes and Ngos reports, as well as academic literature, have been able to provide an empirical dimension of aligning security and development in the policy areas of post-conflict, state-building, antiterrorism, and migration. Without pretending to go into an in-depth analysis of the complex and divergent implications in each of the countries addressed, the thesis refers to their investigations in order to reveal trends, from a human-centred approach, while realizing the linkage with the concept of securitization.

The critical study of the development policies in this thesis brings a bias that is deliberately taken. The research does not aim to determine whether or not securing development policies is a good thing because, as we have said, it does not provide an exhaustive view. It aims rather to point out the problematic elements of the development-security nexus and the paradox risen into development policies standing between discourse and implementation. .

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## CHAPTER I. CONTEXTUALISATION OF THE SECURITY- DEVELOPMENT NEXUS

### I. <u>The EU discourse on the security and development alignment</u>

Given the evolving global political-economic landscape, the combination of security and development goals has grown on the international scene as a promising practice both in academic and policy discourse. Similarly to the OECD handbook on security sector reform[2], the European Union emphasised the need for forging a closer link between these two presupposed 'distinct' policy arenas in recent decades. This first part aims therefore at exposing in what way the EU has shown such a tendency and how it has been justified.

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[2] OECD (2007)

Before the Maastricht Treaty, the Commission aid was programmed in accordance with the principle of "political neutrality". This meant that the Commission was not openly discussing political and security issues with partner countries[3]. It was only after the end of the Cold War that the *'issues which had up to then been taboo were gradually introduced into development cooperation'*[4], including security. The beginning of the 21st century marked a readjustment of European policies in order to achieve greater convergence between development and security interests. According to Furness M. and Gänzle S. (2016) *"the need to secure access to raw materials, fight terrorism and prevent illegal migration has entered the vocabulary of development policy"*[5].

In 2005, the European Commission argues that for greater policy coherence the EU would *"treat security and development as complementary agendas"*. The aim was then to create a secure environment and in the meantime breaking what's called *"the vicious circle of poverty, war, environmental degradation and failing economic, social and political structures."* taking into account the plurality of 21-century instability sources[6]   In the same period other significant policy initiatives brought EU security and development policy closer together in a sense of a conflict prevention approach. In 2006, the European Consensus on development concentrated on poverty eradication as a way of building *"a more stable, peaceful, prosperous and equitable world"* and underlined the need to develop a 'comprehensive approach to state fragility, conflict, natural disasters and other types of crises'[7]. Its new version of 2017 went further away by affirming " *The EU and its Member States will promote shared solutions to security and development challenges, including by supporting the democratic governance of the security sector, its effectiveness in providing human security, and capacity building"*[8]. In this respect, the New European consensus on development clearly affirms that *"EU and its Member states can also engage with security sectors actors"* in the context of development cooperation[9].

In contrast, the European Security Strategy (ESS) (2003) and the EU Global Strategy (2016) interpret the security-development nexus in terms of security being a precondition for development[10]. The 2008 Implementation Report on the ESS[11] of the Council, stressed also the link between security and development. Eight years later, The Global Strategy for the European Union's Foreign And Security Policy specifically called for a joined-up approach particularly in the implementation of the

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[3] Furness M. & Gänzle S. (2016).
[4] Frisch D. (2008) p 23
[5] Furness M.  & Gänzle S. (2016) p 142
[6] European Commission (2005)
[7] EU (2006) §89
[8] EU  (2017) §66
[9] Ibid..
[10] Bergmann J. (2018) p7
[11] European Union (2008) p 8.

Sustainable Development Goals, migration, and security, including counter-terrorism.[12] More worryingly, the global strategy explicitly evokes the idea of development policies aligned in terms of security by stating *"development policy will become more flexible and aligned with our strategic priorities"[13]*.

This EU vision has been implemented in relations with third countries and more specifically Southern countries. The Cotonou Agreement was adopted in 2000 for the relations between the EU and the African, Caribbean and Pacific (ACP) countries. This agreement was viewed as already strengthening the political dimension of the development process, including issues that had previously fallen outside the field of development cooperation such as arms, trade, migration, peace and security, drugs and corruption[14]. Perfectly illustrating the security importance within the EU's external relations, the 2005 revision of the agreement started even to include anti-terrorism and weapons of mass destruction non-proliferation clauses[15]. According to Hadfield[16] this constituted an *"apparent break from the poverty-reduction policies established in the 2000 ACP"*.

Looking more precisely at the European Union relation with the African continent a security-development nexus has emerged as a needed comprehensive approach for the region. To mention some contextualisation, Africa has become a strategically prominent zone for international interaction, particularly given its rapid economic growth prospect and China's increasing engagement on the continent, but also considering the terrorism threats and migration flux that has become a huge matter of concern in the recent years. Accordingly, the capacity of African states and the African Union to ensure the security and development of their people started to be one of the EU priority in their relationship[17].

*Furness M. and Gänzle S.* identified notably two strategic frameworks on which they considered discussion with African partners had been difficult because of the emphasis on European security concerns. In 2011, the European Council adopted a Strategic Framework for the Horn of Africa, which include Sudan. Economically talking, the region possessed a geostrategic position for the Eurasian trade. At the same time, it faced several security issues including threats of terrorism, particularly regarding al-Chabab in the most recent years and finally the view of the region as a source and transit of irregular migration[18]. Another element is the piracy off the coast of Somalia impacting

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[12] EU. (2016) p 14
[13] Ibid. p 48
[14] Carbone (2008).
[15] European Commission (2006)  See Article 11a Fight against terrorism & Article 11b Cooperation in countering the proliferation of weapons of mass destruction.
[16] Hadfield A. (2007)
[17] Furness M. & Gänzle S. (2016).
[18] European Parliament (2012)

international maritime security as well as regional/international economic activities. Addressing both security and development challenges, the framework identified thus 5 priorities areas with a prominent emphasis on economic and security prosperity need: building robust and accountable political structures; contributing to conflict resolution and prevention; mitigating security threats emanating from the region; promoting economic growth; and supporting regional economic cooperation.

In the meantime, the EU's Strategy for security and development in the Sahel was adopted in 2011 by the European External Action Service (EEAS) and reviewed on the 17 March 2014. The three main Sahelian States covered by the strategy were Mauritania, Mali and Niger, with consideration as well for Burkina Faso and Chad borderlands[19]. With this strategy, the EU has made it clear that security and development in the Sahel are inseparable. This conception of intertwined security and development is referred to a scheme according to which government fragility affects the stability of the region and consequently its ability to combat poverty and security threats which we analyse further down our study. The observation made by Europe within the strategy is that the Sahelian States have insufficient operational and strategic capacities in the areas of security, law enforcement and the judicial system (armed forces, police, justice, border management, customs). Besides, as pointed out by the strategy, the context of the Sahelian region has been complexified following the Arab spring and the overthrow of the Gaddafi regime. The region is marked by a cross border arms flows, reinforcing rebel groups already funded by drug trade or human trafficking. The uncontrolled migration flows and terrorist activities of Al-Qaida in the Islamic Maghreb (AQIM) are seen as factors in the deterioration of security conditions[20]. In this line, the INFORM (Index for Risk Management) of the European Commission's Joint Research Centre –JRC1 considers the Sahel as a high-risk zone of disasters and humanitarian crises.

Pointing out the transnational character of threats, the strategy aims therefore to address the root causes of extreme poverty, which imply that security problems must be addressed at the same time. More precisely, such a comprehensive approach supports the idea of simultaneous interaction between different factors, such as poverty, social exclusion, unsatisfied economic needs creating the risk of transnational criminality and violent extremism. In this respect, the strategy builds on the need for closer regional cooperation so as to affirms EU role in encouraging economic development and security measure where the interests of European citizens and businesses would be also safeguarded. Improving security and development in the Sahel has been clearly presented as directly linked with EU's internal security and economical will. Preventing AQIM attacks, including those that might be

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[19] Council of the European Union (2014 )page 1, §3
[20] EU (2011) p 1-3

perpetrated on EU territory, reducing and curb drug trafficking, establishing legal trade and communication links (roads, oil and gas pipelines), protecting existing economic interests and laying the necessary foundations for EU trade and investment are all priorities for the EU[21].

More recently, the Sahel Regional Action Plan (RAP), adopted in 2015, has taken the implementation of the EU Sahel Strategy to the next steps. It identified actions and initiatives in the framework of four key priorities: 1) Preventing and countering radicalisation, 2) Creating appropriate conditions for Youth, 3) Migration and mobility, 4) Border management, fight against illicit trafficking and transnational organised crime. These elements show still the special focus given on security by the EU in the development process of the Sahel Region. In addition, it reveals how it gives an increase importance on migration-related issues[22].

Framed by a broad vision of the interdependence between security and development, the EU has thus developed a foreign policy that further interweaves these areas in its relations with African countries from the Sahel region to the Horn of Africa. In this vein, it is relevant to study this security-development nexus within the scope of theoretical analyses.


## II. Theoretical ground to the security-development nexus

### A. Terminology perspective

With regard to the claim for a political approach integrating security into the development process, it is necessary to explore first and foremost their definition.

The concepts of development and security are broad and often ill-defined. Accordingly, the relationship between them can refer to many different and potentially contradictory ends and means. As affirmed by *Stern M. and Öjendal J.*, the power of definition over "development" and "security" implies the power to define the relevant field of interest, the distribution of resources and the consecutive policy response [23]; In order then to clarify our thesis, this section aim at exposing the issue risen by the attempt to define each notion apart from each other and as a "nexus".

Starting first with development, the term that has its basis in biological evolution, "becoming what you are meant to be", has gradually come to be understood also as a synonym for economic, technological and infrastructural progress.  In post-colonial societies where there was an urgent need

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[21]EU (2011) p 4
[22]Council of the European Union (2015) page 10
[23] Stern M., Öjendal J. (2012).

for economic growth and political consolidation, the term has emerged as a state-building strategy as well. Now conceived as synonym of modernisation, development have been also associated with the opposite side which mean how to get rid of underdevelopment[24]. To the widely criticised perception that link development to economic growth, the human development agenda has emerged placing the individual at the core of development goals[25]. As defined by the UNDP, human development is the process of enlarging people's choices" focusing on the ones "to *lead a long and healthy life, to be educated and to enjoy a decent standard of living*" but also stressing "*political freedom, other guaranteed human rights and various ingredients of self-respect*"[26]. In the perception of the UNDP the development is therefore seen as going hand in hand with human rights in a mutually reinforcing way.

The Security term also emphasized different perception and angle, being therefore subjected to number of debates. Security notion can be interpreted through the traditional approach: what is to be secured should be the state. The state played indeed a central role in security thinking especially since the peace of Westphalia in 1648[27]. The traditional security concept studies fall thus within the realist point of view stating that "*international affairs is a struggle for power among self-interested states*", therefore a secured environnement is meant as being a secured state. [28]

To be more specific, for *Buzan*, security for states means to maintain their independence and functional integrity in the face of forces of change that they consider hostile[29]. It is from this perception of security, as independence and integrity of the state, that are prohibited armed intervention and any form of interference against the personality of the state according to paragraph 1 of the declaration on principles of international law friendly relations and co-operation among states in accordance with the UN charter.

Yet security studies do not include only military threats as insecurity component neither are they focusing solely on the state. The Copenhagen School gained prominence in the 1990 for conceptualising security by also including non-military threats. Buzan definition of security start covering a broader field by integrating area of concern such as the regional perspective of security, the societal and environmental sector, the extent to which threats are being"secured" etc. Civil war, the fragility of nation states, refugee flows, the growth of international networks of trafficking in arms and war minerals, threats of environmental disasters and climate change, characterise a broadening

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[24] Ibid.
[25] Gomez and Des Gasper O. (2013)
[26] UNDP (1997) p. 15
[27] BrinkestamJ. (2012)
[28] Snyder J. (2004), One world, Rival Theories, Foreign Policy, No. 145 (Nov. - Dec., 2004), pp. 52-62
[29] Buzan B (1991)

and deepening  sense of security. In this manner security is conceived in a more complex way by considering the interconnection of individuals, society, the State and international relations[30].

The history of security studies shows that there has been a shift from a concept of security through a state-centric vision, to another where the main focus was on people supposed to be protected by the state.

In this regard,  the concept of human security has emerged based on the assumption that the traditional realist conception of security is not anymore adequate to the type of threat people face around the world[31]. It was in 1994 that the concept of human security was officially introduced in the Human Development Report published by the UNDP. In its 2003 report "Human security now : protecting and empowering People", the UN Commission on Human Security offers a conceptual framework by defining human security as the protection of "*the vital core of all human lives in ways that enhance human freedoms and human fulfilment. Human security means protecting fundamental freedoms [...] It means creating political, social, environmental, economic, military and cultural systems that together give people the building blocks of survival, livelihood and dignity*"[32].

Given this definition, similarly to human development, human security places a strong emphasis on the need to ensure freedoms so that people can safely exercise their capabilities and choices. It recognizes the importance for individuals and communities to be able to ensure their own security.  It also places the individual in the context of violence and conflict including  the protection of citizens from repression.

Incidentally, it was this conception of human security which provided the foundation of the 'responsibility to protect' concept to protect civilian populations.The concept of responsibility to protect; acknowledges that the primary responsibility of protecting the people is from the sovereign state where the people belong, therefore when the state is unable or unwilling to protect its people, or is itself the source of threats, the responsibility shifts to the international community.

According to Brinkestam[33] the concept of Human security highlights a holistic understanding of security, with features of both traditional and non-traditional security theory. There are, however, different visions of what human security consists of. On the one hand, some think of human security as "Freedom from Fear", which is based on a more conventional security discourse except that it is the

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[30] Beswick D. & Jackson P. (2011).
[31] UNDP (2004)

[32]Commission on Human Security (2003) p 4
[33] Brinkestam J. (2012)

individual who needs to be protected and not the state. Articulated by Lloyd Axworthy, former Canadian External Affairs Minister it focuses mainly on reducing the human costs of violence. On the other hand, the broader school of human security, understood as "freedom from want", advocates a broader understanding of human security. Such security understanding encompasses environmental, personal, economic, political and food security. This fundamental disagreement on the component of the concept and the vagueness of what it constitute has lead academics and political personalities to criticize this term as meaningless. Nevertheless, even though it is unclear, the added value of the human security concept is to transform the traditional approach to security, framed in term on national and regional stability. Security is then redefined as a subjective experience, framing security in terms of people's experience[34].

Thus Security notion offers broad meanings which can includes a plurality of angles from living conditions to state sovereignty. The range of potential threats that insecurity can now include, because term as well as situation evolve, is at the core of international policies interrogations. As Appiagyei-Atua, Muhindo, Oyakhirome, Kabachwezi & S Buabeng-Baidoo point out, the range of what can be encompassed by a sense of security is precisely the issue. This can be dangerous as it leads to the use of the label "security" as a justification for emergency actions and exceptional measures including the use of force in the face of events identified as "threats". This point underlines the particular difficulty of the concept, which is the red line of our research. While we focus here mainly on "security responses", i.e. the strengthening of military or police capacities in the development process, the question of "whose security are acts carried out for ?" is at the core of our problem.

In line with the difficulty of defining security and development separately, Hettne (2010) affirme " *it is abundantly clear that the 'nexus' between development and security is anything but static or one-dimensional. There is consequently confusion and contestation over which values and actions could/should be pursued in their name*". Such a claim of an integrated approach bringing together developpement and security is therefore extremely vague and point out all the complexity of the issue at stake. The nexus provides a point of reference for many other important terms such as crisis management, state failure conflict prevention, post-conflict stabilization, state-building and peace building, concepts that are even themselves difficult to define[35]. Facing such dilemmas to clearly identify what meaning exactly imply the "nexus" between development and security, Stern M. and Öjendal J. offers insightful considerations. In line with Hettne argument, they consider the nexus "*as representing a many-stranded point of suture. Hence a nexus can be understood as a network of*

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[34] Churruca C. (2017)
[35] Duke, S. & A. Courtier (2009) p 3

*connections between disparate ideas, processes or objects; alluding to a nexus implies an infinite number of possible linkages and relations*" They complete this definition by adding that such a link also transcends the notion of borders since the insecurity and development of one State, considered as more developed, is involved in the security and "much failed" development of another. They also see the link as a spatiotemporal bridge that allows the emphasis to be placed on future security, as a priority, while addressing development " over/down/back there/then".

In order to clarify the forms taken by the security development nexus, the next section examine the notion across diverse perspectives.

## B. Historical and political perspective

### 1. *The inherent intertwining aspect of security and development*

The relationship between development and security is "*not a fundamentally new conceptual link*" as underlined by Klingebiel[36]. International development assistance in its early decades necessarily followed a goal of stability in the Third World. The academic literature makes it clear that early development ideas linked with security interest were particularly visible within post-war American initiatives as illustrated by the Marshall Plan. With the aim to fight hunger, poverty, desperation, and chaos, development was there conceived as a way to avoid vulnerable countries to join the communist world[37]. Hence the Marshall Plan is given as a perfect example by several authors as being driven by development concern closely linked with security needs.

Although Hettne (2010) traces the development security nexus back in the 18th century it argues that the intertwining aspect of the two fields became indeed more pronounced during the time of nascent Cold War. Development was linked to a variety of security concerns in the context of a struggle between superpowers on the one hand, and global competition between two different socio-economic groups on the other. According to Thanh-Dam T. security itself took a different meaning: "*In a bipolar world dominated by the Soviet Union and the United States, security was divided into two administrative domains: 1) control over weapons of mass destruction and 2) development (which was narrowly conceived as modernization and poverty alleviation to prevent war).*" The post-World War II atmosphere thus placed underdevelopment as a threat to the new world order so-called "the free

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[36] Klingebiel, S. (2006)
[37] Bueger, C., & Vennesson, P. (2009).

world" versus the communist world. This context was subsequently qualified as "geopolitics of poverty".

If today a link between security and development can be analysed as not being a new phenomenon, yet none of this was formerly done in the name of an explicit articulation of the two. In this respect, Hettne affirms that "*historically there was no explicit nexus spoken of, but rather separate discourses about either development (termed 'economics', 'progress', 'wealth') or security (termed 'peace', 'politics', 'predictability', 'order', 'stability'), in which the interrelationship of the concepts and practices inhered.*"

## 2. *The security-development nexus in the Global War on Terror*

Contemporary, the increasing empirical links between the two concepts have evolved with a corollary change of society becoming more complex, more globalised. Accordingly, the nexus became a proper political allegation where security and development were increasingly claimed as the two faces of the same coin.

Although the security-development linkage existed before, the nexus as a political discourse emerged rather back to the end of the Cold War and the 1990s. At that time, the failure of international intervention into civil wars such as Bosnia and Somalia, the rise of instability and socio-economic deterioration led to challenging the traditional understandings of (military) security and development[38] . At this time emerged a more individual approach leading to the concepts of human development and human security above mentioned. Afterwards, the September 11th attacks have driven a major paradigm shift in international aid policy[39]. Since 9/11 and the outbreak of the "Global War on Terror", multilateral organizations and major bilateral donors have issued statements emphasizing the importance of a shift in development priorities, with the need to combat international terrorism at the top of the agenda[40].

As the attacks of 11 September involved non-State armed groups, the security analysis could no longer be thought of only as an interstate matter[41]. Seeing the attacks were organized from Afghanistan has led security analysts to reassess in-depth the poverty, underdevelopment, and weakness of the state. The term "fragile states" similar to failed, weak or collapsed states, emerged as

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[38] Merket, H. (2016) p 4-7
[39] Bueger, C., & Vennesson, P. (2009) ; Brown S. & Grävingholt J. (2016)
[40] Beall, J., Goodfellow, T., & Putzel, J. (2006).
[41] Buzan, Barry, and Ole Waever (2007)

a focus of analysis and enter notably in official EU documents[42]. In its European Security Strategy (ESS) of 2003, the European Union identifies 'state failure' and, subsequently, 'state fragility' as one of the key threats facing Europe. The ESS described it as "*an alarming phenomenon, that undermines global governance, and adds to regional instability.*"[43]

The States Research Centre of the London School of Economics defines a fragile state as a state that is unable to perform its basic functions, including internal and external security[44]. To be more specific, the idea of such a qualification is that state failure increases the risk of instability and conflict while at the same time having a reduced capacity to deal with it. In the same vein, fragile states are considered as not having the capacity and/or will to adequately address terrorism and organised crime. Accordingly, their endemic conditions allow non-state armed groups to flourish. Therefore, fragile states are perceived to directly undermine global governance as much as the security of the European Union itself.

Nevertheless, the picture of the fragile state in need of development - understood in a sense of both state-building and economic growth- has been patterned on different local contexts. The view of the fragile state as a breeding ground for global terrorism[45] has been therefore based on a generalisation of the Afghan case in which the Taliban regime allegedly provided an operational base for Al-Qaida. Once the state qualified as "fragile" turn out to be a threat, development activities start to be considered as part of a security strategy. This rationale is the same as the one of the "EU's Strategy for security and development in the Sahel" mentioned above. In the same vein, the G5 Sahel lead to major security and development cooperation with Burkina Faso, Chad, Mali, Mauritania, and Niger under the umbrella of the fights against terrorism.

As a clear reaction to the post-9/11 period, the security-development nexus followed a rationale whereby, in order to achieve sustainable security "at home", the pursuit of progress in the developing world is essential. The development is no longer conceived as the ultimate goal itself but as an instrument for the security agenda[46]. This shift as for example be clearly illustrated by the 2003 OECD Development Assistance Committee publication entitled "A Development Co-operation Lens on Terrorism Prevention".

At first sight the causal link between underdevelopment and insecurity seemed to be an obvious one; Notwithstanding, it can lead to seeing the underdeveloped state as a threat to global security which is

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[42] Furness M. & Gänzle S. (2016).
[43] CVCE (2003) p3.
[44] Marchesin (2016)
[45] as formulated by Bueger, C. and Vennesson, P. (2009)
[46] Beall, J., Goodfellow, T., & Putzel, J. (2006).

suddenly more questionable. According to Bueger, C. and Vennesson, P. quoting Hehir[47] and Patrick[48] , academic researches do not properly establish a direct causal link between underdevelopment (state failure) and transnational threats Certainly, some of the least developed states would indicate that state failure can be a major source of global threat, such as Somalia or Afghanistan. By contrast, other countries such as Burundi and Malawi show only a very low ratio[49].

Moreover, threats are also not necessarily rooted in the "fragility" of a state, but rather in multifactorial causes. For example, the activities of transnational organised crime, such as cybercrime, financial fraud or the proliferation of weapons of mass destruction are hardly found in so-called fragile states. Overall, the virtuous circle of security and development is fully asserted by political institutions to combat instability whereas there seems to be a lack of empirical analysis on the connection between state failure and transnational security threats[50].

There is no obvious link between poverty and terrorism either. The link between state weakness and transnational terrorism is more complicated and tenuous than it is often assumed. Not all fragile and failed states are affected by terrorism[51]. Similarly, it would be extremely difficult to establish with certainty that a reduction or increase in terrorist risk would be linked to a particular development intervention or set of policy initiatives... Moreover, it should be reminded that the so-called "developed" countries have not been spared by the terrorist threat on their own territory and by their own citizens. Terrorist groups have emerged and operated in countries with strong and stable states and a variety of systems of government as well.  The number of European nationals who have gone to fight in Syria for the Islamic state illustrates that underdevelopment, at least "state" underdevelopment, is not the first factor leading to recruitment in the face of the psycho-social component and the individuality of cases.   That is to say that the transnational nature of terrorism transcends the perspective of the state, whether fragile or not. Accordingly, it is important to look with caution at the general assertion that the fragility of a state is the cause of terrorism and thus to orient foreign policy as a consequence of a postulate that has not been statistically proven or taken apart from other causes.

While the vicious circle of insecurity and underdevelopment is linked to a vision that is too often simplified, it cannot be ignored that economic, social and political exclusion favours the joining of marginal movements sometimes leading to violence. Therefore, the attempt to address the causes of

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[47] Hehir, Aidan. (2007).
[48] Patrick, S. (2007)
[49] Bueger, C., & Vennesson, P. (2009)
[50] Patrick S. (2007)
[51] Bueger, C., & Vennesson, P. (2009)

terrorism rather than simply treating it from a defence perspective is a prospect that still needs to be followed.

### 3. *The security-development nexus as a strategy to contain migrations*

When studying the relationship between security and development, current migration issues cannot be overlooked. As acknowledged by the 2017 New European Consensus on Development "*addressing migration cuts across many policy areas, including development, good governance, security, human rights, employment, health, education, agriculture, food security, social protection and environment, including climate change*"[52].

Migration is at the core of numerous ongoing challenges perceived as converging development and security fields inevitably. On the one hand, the process of globalization is contributing to the intensification of new transnational forms of migration involving the movement of finance, goods, services and people. This leads not only to economic challenges but also new transnational security issues[53]. On the other hand - apart from well-known persecution and conflict as well as insufficient economic and social condition as a cause of exile - forced migration resulting from climate change is today also undeniable. It is estimated that about 25 million people were displaced due to disasters in 2019, of which 23.9 million were weather-related, according to the Global report on internal Displacement of 2020[54].

Although migration is a phenomenon inherent to human history, it is at a time when global challenges, globalization and climate change, makes it inevitable that it is view primarily as a  threat. As Bigo argues "*Markets and politicians construct (im)migration as a political and security problem*"[55]. It is important to emphasize that we are not talking about all migration: some migrations are considered desirable when they bring economic value; others are "dangerous" because they are uncontrolled, and are therefore referred to as "irregular migration".

From a state point of view, clandestine migration can in itself constitute a threat to state sovereignty. To be more specific, the control of entry into the territory is a state prerogative, therefore undermining this control is tantamount to undermining state sovereignty. This aspect relates to the perception that States are, or risk being, invaded by migrants flows. On the other hand, migration can also be seen as

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[52] EU (2017)
[53] Thanh-Dam T. (2011)
[54] IDMC (2020) p 1
[55] Bigo (2004) p 63

a threat to state security as it possibly channels potential terrorists and criminals[56]. Furthermore, the irregular "migrant" is by himself or herself associated with illegal activity and is consequently criminalized. The use of detention in cases of illegal immigration and criminal penalties for the assistance of irregular stay constitutes what has been described as the "criminalization of migration"[57]; Irregular migration is thus constructed "*as a crime and security problem, and mobilized ideological and coercive powers usually reserved for criminal or military threats*"[58].

The criminalisation of migration, going hand in hand with the failure of the EU to coordinate migration management and asylum process in its territory, has prompted the regional organisation to adopt an external migration control policy[59]. According to Uzelac, migration external policies have taken two main forms: "refugee pacts", aimed at supporting Europe's neighbouring countries so that they can receive a large number of refugees and partnership agreements on migration, concluded mainly with the countries of origin and transit of illegal migration. In this regard, one side of migration management has taken the form of borders reinforcement and securitisation in transit as well as departure countries, namely "border externalization process". To this end, the Global Approach to Migration and Mobility (GAMM) provides a policy framework for partnerships between the EU and third states[60]. Adopted in 2005, the GAMM sought to pave the way for developing "*strategies and programmes that address migration and mobility, foreign policy and development objectives in a coherent and integrated way*"[61]. It lays the foundations for EU support to third countries in order to prevent irregular migration. The latter is explicitly mentioned as a security concern "*A broad understanding of security means that irregular migration also needs to be considered in connection with organised crime and lack of rule of law and justice, feeding on corruption and inadequate regulation.*"[62]. In the framework of the GAMM, the EU has therefore launched or continued dialogues and processes on external migration. Since its adoption, the EU has made securing borders as a fundamental issue in its relations with third countries. In June 2014, the European Council presented cooperation with countries of origin and transit as a *sine qua non* condition for finding a sustainable solution to illegal immigration, justifying assistance to strengthen their migration and border management capacities. The Council of Europe thus wishes to make

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[56] Koser K (2005)
[57] Bosworth M., Turnbull S. (2017)
[58] Pickering S., Turnbull S. & Ham J. (2015) p1
[59] Uzelac A. (2019)
[60] European Commission (2011)
[61] Ibid. p 4
[62] Ibid p 15

migration policies an integral part of the EU's external and development policies, building on the Global Approach to Migration and Mobility[63].

Migration management as an element encompassing both a security and a development-oriented response is also revealed by recent EU cooperation agreements, still especially emphasizing borders security.

In 2015, the Valletta Summit on Migration took place between the EU and 35 African countries. The resulting action plan contains numerous measures to enhance cooperation and assistance in military and security matters, focusing mainly on improving border management, biometric registration and surveillance capabilities[64].

Subsequently, the European Commission launched the Partnership Framework on Migration in June 2016. It redefines a framework for cooperation with third countries, mainly in Africa, by identifying five priority countries: Ethiopia, Mali, Niger, Nigeria and Senegal. The partnership includes support for capacity building in border and migration management. Particular emphasis is placed on identification tools (biometrics) and civil registers, one of the stated objectives being to discourage migration. To this end, the EU could use all means including "*[d]evelopment and neighbourhood policy tools [to] reinforce local capacity building, including for border control, asylum, counter-smuggling and reintegration efforts*"[65]. It also proposes support for the security sector in third countries and the possibility of a civilian Common Security and Defence Policy mission to support migration management[66]. Furthermore, the Commission also indicated its interest in providing financial support for border and migration management activities carried out by the military, designating surveillance technology as a possible contribution[67].

Overall, the EU's primary aim has been to examine how to create the conditions in the countries of origin and transit of migrants that would induce to curb migration flows. One of the key assumptions was that development was a promising strategy integrating border management as a part of it.

As a result, governments and international institutions try to implement development cooperation policies in order to address migration root causes[68]. Numerous conferences have brought together "countries of the South" and the EU on the subject of "migration and development". The security of

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[63] European Council (2014)
[64] Akkerman (2018) p 16
[65] European Commission (2016) p 2
[66] Ibid. p 15
[67] European Commission (2016a)
[68] Cagiano de Azevedo R. & Mazza S. (2007))

borders is addressed in a predominant way, particularly between the European Union and the countries of departure.

To some extent, the capacity of development to respond to the problem has been nuanced or even contradicted. The link between development and migration has been studied by the geographer Wilbur Zelinsky, who theorized the idea of 'transition in mobility'. According to him, the more poor countries develop, the more the mortality rate falls. This leads to a rejuvenation of the population and an increase in emigration. On the other hand, departures decrease once a high level of wealth is reached. Similarly, Stephen Smith considers that mechanically the increase in income allows a growing number of individuals to finance their migration[69]. However, it is noteworthy to mention that thinking of the development of a country and not of individuals occult an important element which is the unequal nature of growth and market logic[70]. Instead of development thinking as global economic growth, the economist Robert Lucas has pointed out that it is above all the mismatch between job supply and demand, so the lack of opportunity and individual wealth growth perspective, particularly for young people, that encourages emigration[71].

On the top of that, making the link between development and the containment of migration can lead to a fundamental contradiction with the perception of the countries of origin[72]. According to Uzelac *'In fact, a significant number of countries of origin in sub-Saharan Africa see migration as a tool of development, as it were, "outscoring" social protection to remittances-sending migrants. Findings ways in which these social protection function of migration could be replaced or their mitigated loss would be of great importance for the success of migration management policies.*"

In other terms, paradoxically development is seen by one part as being at the service of slowing down the security threat of migration, which, on the other part, is itself considered as an asset for development in the country concerned. This will be subject to further researches in chapter III.


## C. Human rights perspective

Stern M., Öjendal J. (2012) elaborated on how the nexus can be humanized and conceived as the merging of human development and human security "*as intricate and complex ambitions in idealist and normative combinations* ". Indeed, in addition to the states and regional claim to align

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[69] Smith S. (2018)
[70]. Massey D. (1988)
[71] Robert E. B. Lucas,(2005).
[72] Uzelac A. (2019)

development and security goals, a more comprehensive approach has also been increasingly required at the international level notably in the Human Rights field.

As a first consideration, both security and development are considered as human rights which are in principle indivisible and interdependent.

On the one hand, the right to development is includes in the third generation of right, which refers to a collective conceptualisation of rights. It is acknowledged by the Declaration on the Right to Development Adopted by General Assembly resolution 41/128 of 4 December 1986. The Article 1 states that development is a right that everyone is*"entitled to participate in and contribute to"* and "i*mplies the full realization of the right of peoples to self-determination"*. In a Human right sens, the development is not conceived as a mere economic growth but rather as "*the well-being of the entire population and of all individuals, on the basis of their active, free and meaningful participation in development and in the fair distribution of the benefits resulting therefrom*." (article 2).

On the other hand, the right to security can be conceived as a 'First Generation', "political and civil" right protecting individuals from arbitrary killing, torture, detention, etc.[73]. It is expressly set by several international and regional human rights instruments. Article 3 of the Universal Declaration of Human Rights (UDHR) states '*Everyone has the right to life, liberty and security of person*' established similarly in Article 9(1) of the International Covenant on Civil and Political Rights (ICCPR). Regionally, there is also Article 5(1) of the ECHR and article 6 "Right to liberty and security" of the Charter of Fundamental Rights of the European Union. At the same time, the right to security can also be interpreted as an example of a 'Second Generation', 'economic, social and cultural' right of the individual which mean a 'right to' secure public services of various kinds[74]. For example, Article 22 of the UDHR states: '*Everyone, as a member of society, has the right to social security...*' which shows again how security term can refer to a plurality of concern. This is as well reiterated in article 34 of the Charter of Fundamental Rights of the European Union. Finally, the right to security is also considered as a 'Third Generation' rights, as explained above[75]. In this vein, the Charter of the United Nations (UN) article 1.1 recognises such a collective right to security as, one of the purposes of the UN which is "*to maintain international peace and security*".

Generally speaking, the interdependence of peace, justice, respect for human rights and economic and social progress has always been, and remains, the vision of the United Nations proclaimed by the 1945 Charter[76]. The Article 1(3) following the aforementioned one precise that the purposes of the UN

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[73] Turner I. (2016)
[74] Ibid.
[75] Ibid.
[76] Ramcharan B. (2004)

are also "*to achieve international co-operation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all*".

This vision has been further completed by the Millenium Development Goals (MDGs) which cover 8 different objectives agreed by the UN and other international organisation. For the conception of the MDGs, the United Nations has thought of an accentuated link between security and development, which is clearly shown in the Millennium Declaration of 2000. For example, freedom is conceived as the right for individuals to live their lives and to raise children in dignity, free from hunger and from the fear of violence, oppression or injustice. Those elements are inherent to the notion of human security in its broad sense, linking freedom from want (development) to freedom from fear (security) . Notwithstanding, some authors considered that security had not been sufficiently integrated into the MDGs and that the United Nations had lacked coordination in the areas of security, human rights and development. Ten years later, the 2010 Millennium Development Goals Review Summit reaffirmed the importance of freedom, peace, and security and respect for all human rights, including the right to development. Today, the SDGs clearly include in point 16 the promotion of peaceful and inclusive societies from which the idea of security derived. This is at least the way it has been interpreted by the EU. The achievement of peaceful and inclusive societies gave indeed the opportunity for the New Consensus on Development to include engagement with security sector actors as a way for ensuring sustainable development policies.[77]

At the 2005 World Summit, the resolution adopted by the General Assembly on 13 September 2005[78] acknowledged also that peace and security, development and human rights are the pillars of the United Nations system and the foundations for collective security : "*We recognize that development, peace and security and human rights are interlinked and mutually reinforcing*"[79].The demand for interconnection between security and development was noted in particular in two documents prepared for the summit. First, "*A More Secure World: Our Shared Responsibility*" which examined the contemporary threats to peace and international security. Then "*In Larger Freedom: Towards Development, Security and Human Rights For All*" as a follow-up report. Both reports highlighted the need for policies that respond to the complexity and interdependence of the challenges faced by the global world as well as the need of a collective security system to prevent them[80]. Those reports show

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[77]EU (2017) §66 explicitly affirms "*the EU and its Member States can also engage with security sector actors to build their capacity for ensuring sustainable development objectives,in particular the achievement of peaceful and inclusive societies*"
[78] United Nation (2005a) § 9
[79] ibid
[80] United Nations (2005)

the tendency and willing from state and International organisation to conceive development and security as interrelated fields that should be addressed in a closer way in order to favor a system of peace and human rights fulfilment.

The Human Security concept is there well presented as a bridge between development and security. The security and development nexus is therefore conceived not only as protection of people against violence, repression and crisis but also as economic and social stability, together necessary for individual freedom. This approach tends to characterize the root causes of insecurity and to address the global problems surrounding it. It is, in a similar sense, that the 1994 UNDP report indicated how human security should be the backbone of a new development paradigm.

In the Human rights perspective, the link between development and security is also widely understood as a mean of conflict prevention. In 2004, the UN secretary-general Kofi Annan was stating *"Extreme poverty and infectious diseases threaten many people directly, but they also provide a fertile breeding ground for other threats, including civil conflicts. Even people in rich countries will be more secure if their Governments help poor countries to defeat poverty and disease*"[81]. The development-security nexus as understood by kofi Annan takes thus the form of a mean to promote peace and stability by breaking a vicious circle of conflict and poverty, which is also conceived as going hand in hand to foster the full enjoyment of human rights.

Also in the World Development Report 2011, published by the World Bank, strong arguments are made for the interconnection between security, development and good governance, including respect for human rights. The report once again highlights the same vicious cycle scheme. President Robert B. Zoellick notes that international organizations are ill-suited to the interdependence of today's challenges, and he formulates the need to "*bring security and development together to establish roots deep enough to break the cycles of fragility and conflict*"[82]. Similarly, the former Vice-President and Managing Director of Evaluation at the World Bank, Robert Picciotto, advocated as early as 2006 that the human security approach should translate into a set of "joint" national policies, including military, police, diplomatic and development functions[83].

As Jan Eliasson has very well developed, in order to respond to contemporary challenges the rationale should follow a necessary pursuit of peace, development and human rights treated in parallel[84]. Without development there can be no security, without security there can be no development, without human rights there can be no peace and no sustainable development. If one of these pillars fails,

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[81] United Nations (2004) viii
[82] quoted in Eliasson J. (2011)
[83] Picciotto 2006 pp. 119-120
[84] Eliasson J. (2011)

society as a whole is weakened. This is why, according to the author, these areas must be treated in a common way and not in a fragmented way.

The recognition of the interlinkages between security and development in the field of conflict prevention and peace-building have been articulated in the early 2000's at the same time as the EU start to play in increasing role in these fields[85]. The development cost of violence and conflict and the development ability to prevent them are the most often cited example of the mutually reinforcing contemporary approach to development and security. The Council Report on the Implementation of the European Security Strategy, also emphasizes *"there cannot be sustainable development without peace and security, and without development and poverty eradication there will be no sustainable peace"*.

Followed by the establishment of the Gothenburg Programme on conflict prevention, the 2001 Commission's Communication on Conflict Prevention emphasised that *"development policy and other cooperation programmes provide, without doubt, the most powerful instruments at the Community's disposal for treating the root causes of conflict"* [86]. This logic was also followed by the New European Consensus on Development, which explicitly states it will to promote a global approach to conflicts and crises by "*focusing on fragility, human security and recognising the nexus between sustainable development, humanitarian action, peace and security[87]. "* Consequently to this reasoning, the security-development nexus is again conceived as a promising practice that shall bring more consistency in the expected democratic and human rights system. However, given the ambiguities of what constitutes development, the implications of a security policy and the components of human security on which there is no consensus, it is difficult to know in the end what would be the concrete policies taken to decompartmentalise development and security policy. More generally, the question that arises in a tendency of states to invoke the protection of human rights, especially in relation to security, is whether this could be an additional means of bringing into play existing power relations and pursuing interests while hiding behind a principle that no one can openly claim to be against.

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[85] Bergmann J. (2018) p 6.
[86] European Commission. (2001). Communication from the Commission on conflict prevention (COM(2001) 211 final). Brussels: Author. P 6, 9;
[87]EU (2017) §65

Overall, whether the aim is to promote peace and human rights, state and regional stability, the fight against terrorism or the fight against transnational crime and clandestine migration, the idea is as follows: to multifactorial problem, multidimensional response. In other words: interdependent issues has to be solve in an interdependent manner and the development-security nexus is presented as an adapted comprehensive approach. Robert Picciotto argues that development and security are a 'two-way causality' and considers that 'The future of aid lies at the intersection of security and development' [88]. Similarly, Frances Stewart[89] argues that *'promoting security is instrumental for development' and that 'inclusive patterns of development are an important element in avoiding conflict, so that development is instrumental to the achievement of security'*. These authors, promote the idea of a win-win situation where development aid can serve the security interests of the donor and the receiver countries simultaneously. In this regard, the next chapter aim at studying how development policies are taking this path of an integrated relation between security and development within a case study of some EU instruments used in the Sahel region.

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## CHAPTER II.  DEVELOPMENT POLICY SECURITISATION

### I.    The applicability of the securitisation concept to development policy

#### A.  The initial purpose of EU development policies

The European Union and its Member States together represent the world's largest donor, who was contributing 74.4 billion euros to Official Development Assistance (ODA) in 2018[90]. It is important first of all to clarify how EU development policy works and to remind its primary objectives.

The development policy is integrated into the external policy of the EU and is subjected to the shared competence of the Union and its member states. According to the Article 4 § 4 of the Treaty on the

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[88]  Picciotto R. (2004) p. 543
[89] Stewart F. (2004) p 278
[90] The European Union and its Member States together represent the world's largest donor, contributing 74.4 billion euros to Official Development Assistance (ODA) in 2018.

Functioning of the European Union: "*In the areas of development cooperation and humanitarian aid, the Union shall have competence to carry out activities and conduct a common policy; however, the exercise of that competence shall not result in Member States being prevented from exercising theirs*". Article 209 of the Treaty on the Functioning of the European Union provides that Parliament and the Council,"*acting in accordance with the ordinary legislative procedure, shall adopt the measures necessary for the implementation of development cooperation policy*". Thus, the Parliament monitors the process by regularly discussing the policies taken with the Commission. It can question the Commission and even oppose implementing decisions when it considers that a proposal promotes objectives not related to development (such as the fight against terrorism or trade) and that the Commission exceeds the scope of its powers[91].

The priority objective of development policy is the eradication of poverty as established at the article 177 of TEC, new 208 of TFUE, stating "*the Union development cooperation policy shall have as its primary objective the reduction and, in the long term, the eradication of poverty*".

Moreover, the Union's agenda for change adopted in May 2012 identified the main pillars of development policy as "the promotion of human rights, democracy, the rule of law and good governance" and "inclusive and sustainable growth". It also states that resources should be devoted as a priority to the "poorest countries", which includes fragile states and least developed countries (LDCs).

EU development policy is guided by the UN's Programme for Sustainable Development to 2030. Adopted in New York in September 2015, it follows the Millennium Development Goals (MDGs) and sets 17 Sustainable Development Goals (SDGs) to be achieved by 2030. The SDGs provide a policy framework for eradicating poverty and achieving truly sustainable development.

Following the adoption of Agenda 2030, the Union adopted a revised version of the 2005 European Consensus on Development, which was based on the MDGs. The new European Consensus on Development, signed on 7 June 2017,  is structured around the "5 Ps": People, Planet, Prosperity, Peace, Partnership[92]. The objectives of the EU development policies are listed as follows: the eradication of poverty, the transition to sustainable growth, the defence of human rights and democracy, the promotion of equality between men and women and the preservation of the environment as well as climate change mitigation[93]. It thus defines a common vision and a framework for action, reminding again that the eradication of poverty is the main objective. This framework will

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[91] European Parliament (2019)
[92] EU (2017)
[93] Ibid.

guide the development policy of the Union and the Member States over the next 15 years in their external and internal policies.

To achieve this, the EU, together with partner countries, develops cooperation strategies and mobilises the financial resources needed for their implementation. Funding allocations are appointed within the multiannual financial framework (MFF). For 2014-2020, the European Development Fund (EDF) count €30.5 billion and the Development Cooperation Instrument (DCI) €19.7 billion[94]. The EDF is the oldest of the financial instruments. Its fundings are directed to the fields of economic development, social and human development and regional cooperation and integration. It operates in particular within the scope of the Cotonou Agreement. The Cotonou Agreement will expire in 2020, which is why negotiations on the future relationship between the European Union and the ACP countries started in 2018.

In addition, the European Union is a member of the Development Assistance Committee (DAC), an international committee acting under the auspices of the Organisation for Economic Co-operation and Development (OECD). The DAC establishes codes of good practices which its members are expected to respect in the elaboration and implementation of their development policy. Compliance with these guidelines is monitored by a "triennial peer reviews of donor countries' performance".

It is clear in the DAC rules that Official Development Assistance is supposed to be *"a government aid that promotes and specifically targets the economic development and welfare of developing countries"*. What is not supposed to be is also precisely mentioned " *What is not ODA? Military aid and promotion of donors security interests*"[95]

To this extent, the DAC rules precise *"Development co-operation should not be used as a vehicle to promote the provider's security interests*."[96] As a consequence, ODA excludes the provision of aid to the military in partner countries including equipment providence, training, assistance that contributes to the strengthening of the military or fighting capacity of the armed forces etc... Nevertheless, DAC rules have been expended to allow for exceptional circumstances where some support can be provided notably within the scope of humanitarian aid. In addition, it also mentions that preventing violent extremism through a non-coercive use of development assistance can provide positive alternatives[97].

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[94]Donor Tracker numbers, available at :
https://donortracker.org/country/eu#:~:text=The%20European%20Development%20Fund%20
[95] OECD (2019)
[96]  OECD (2016). p 25.
[97] Ibid. p 30

Same as the SDGs and the New European consensus of development[98], the DAC rule highlights again the question on whether the eradication of poverty as a primary purpose of development policy requires a precondition of security as well. This perception supports the idea promoted by the New European consensus that development policy can engage with security sectors for this reasons, as precedently acknowledged in our research[99]. Then, it is not simple to establish that security shall or shall not be part of development goals, and therefore that any security cooperation included in development aid isn't legitimate. The question is more on how to set the limit then. To what measures such an express inclusion can lead? Is it still development aid afterwards? Can foreign aid support third countries military forces in the name of development instead of their own defence policy? Accordingly, with these elements of interrogation, the increasing discourse of a joined-up approach between security and development further add a new concept to the nexus namely "the securitisation of development policy".

### B. When do we talk about securitisation?

Consequently to the development-security nexus, the securitisation concept shows how, in practice, pursuing security goals and bringing security means within the scope of development can take the form of development policy being "securitised".

Securitisation term has been popularized through the study of the Copenhagen school and is understood as a critical term for how fields unrelated to security concern become "securitised" by actors who attach a security value to them. For this reason, this school describes security as "acts of speech" that identify particular issues or actors as constituting threats. As understand by Buzan (1998) [100] securitisation occurs when an issue is considered as an existential threat. Consequently, the measures taken are removing the issue from ordinary politics to emergency politics. They can lead to allow the security forces to use broader powers including detention and arrest in order to preserve the security of the state. In other terms, securitisation refers to the process of defining something in terms of its impact on security leading to legitimising particular strategies for tackling that threat. In this vein, Krasteva considers that security agenda can dominate all other priorities, including development, and marginalises Human rights, democracy and the rule of law[101].

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[98] See part Chapter I. I.
[99] EU (2017) §66
[100] Buzan, Wæver,De Wilde (1998).
[101] Krasteva A. (2017)

In the 2000s, this framework has been redefined several times by the addition of sociologically inspired elements. Balzacq[102], focus his studies on the social conditions under which a public accepts securitisation, which in the end foster its effectiveness. The process of securitization is thus a multi-faceted reality, complex to evaluate.

In the field of development, several authors demonstrated how foreign aid policies tended to be securitised. Referring to Paul Fishstein and Andrew Wilder, Pahlman[103] considers that securitisation is the use of aid as a form of soft power in the pursuit of the donor's own political and security objectives.

By *Brown and Grävingholt[104]* the term is understood more broadly. According to them, securitisation takes different forms and can be observed through changes in discourse, resource allocation and institutional structures. They characterize, for example, a form of securitization when donors justify aid for security reasons or when they prioritize certain countries according to security imperatives.

Thus, when countries identify inadequate socio-economic development and poor governance, notably through the so called "fragile country" qualification, they conceived them as threats. This conception, lead to place development assistance alongside military instrument in order to reduce the risk of conflict or transnational crime. To this extent, development aid can be seen as being securitised. According to Marchesin[105], the securitization of aid is becoming increasingly multilateral above all within the European Union (EU) as it seems to channel most security-related resources. Nevertheless, if a change in discourse can be somehow clearly established, securitisation is harder to prove empirically, particularly in the flow of funds. Still, academic literature proved how a body of evidence suggests a securitisation trend[106]. Some of the instruments pointed out as illustrating such securitisation of development policy will be therefore the subject of the following part.

## II.   Examples of EU "secured" development policy instruments

This section is not intended to provide an exhaustive overview of the securitisation of EU development policies. It does rather aim to give some concrete examples of what can take the form of securitisation and the dilemmas such instruments highlight. According to Furness M. & Ganzle (2016): *"The two instruments with which the EU explicitly pursues activities at the nexus of security*

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[102] Balzacq (2020)
[103] Pahlman K. (2014)
[104] Brown S. & Grävingholt J. (2016).
[105] Marchesin (2016) p 78
[106] See particularly the book The Securitisation of foreign Aid. In S. Brown & J. Grävingholt (eds)

*and development policy –the IcSP and the APF – are used primarily to assist in the provision of comprehensive security as a precondition for development.* [107]" On the other hand, the EU emergency trust fund for Africa shows a direct use of development funds allocated in strengthening security forces.

### A.  The Instrument contributing to Stability and Peace (IcSP)

While the IcSP is not strictly speaking a development policy instrument, it is nevertheless an example of the EU's attempt to fill the gap between security and development in the functioning of the EU. Further still, it shows how EU-supported development objectives can be put at the service of security objectives and in particular the EU's assumption of competence in military support abroad.

The Instrument for Stability and Peace is an EU foreign policy instrument under Heading IV of the EU's Multiannual Financial Framework (MFF) for 2014-2020. It was established on 11 March 2014 by Regulation 230/2014 and is the successor to the Instrument for Stability (IfS) introduced in 2006, which according to some authors was intended to bridge the grey area between CFSP, ESDP and the Commission's development policy.  The legal basis for the IcSP is Articles 209 (development cooperation) and 212 (economic, financial and technical cooperation) of the Treaty on the Functioning of the European Union (TFEU). The IcSP finances activities in the areas of crisis response (accounting for 70% of funds),  conflict prevention, peace-building and crisis preparedness, as well as trans-regional and emerging global threats response[108].

From a financial point of view, the IcSP is an instrument with a relatively limited budget. For the current MFF (2014-2020) it has a  €2.3 billion at its disposal. Incidentally, the allocation of resources seems to underline an alignment with the European external migration policy. For example, elaborating specifically on the allocation of funding, Bergmann points out that in the case of Turkey, 20 million euros - almost half of the funds allocated to IcSP projects in the country - are devoted to strengthen the operational capacities of the Turkish coastguard (2016-2018) implemented by the International Organisation for Migration (IOM).

The IcSP is also funding projects within the EU strategy in the Sahel region. In Chad, the Instrument contributing to Stability and Peace (IcSP) finances several actions aimed at promoting stabilization, security and peaceful cohabitation, for a total amount of approximately 21 million EUR.[109]In Niger, two short term measures are implemented under the Instrument contributing to Stability and Peace (IcSP). The first one supports security and development in Northern Niger funding €21.3 Million. The

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[107]Furness M. & Ganzle (2016) p 157
[108] European Commission Website
[109] EU (2016a) p 4

second aims at fostering resilience in the south-eastern Diffa region and prevent risks related to migration with an amount of €15.5 Million. According to Bergmann, between 2014 and 2018, 9 projects have been funded through the IcSP focusing particularly on the Diffa region bordering Nigeria and Chad as well as the Agadez region in central Niger, known as key transit hub for migrants. According to Bergmann J. (2018), in Niger, the IcSP has been used primarily as a gap-filler until the EUTF became operational and could follow-up on IcSP projects and reveals coordination difficulties while wanting a comprehensive approach in security and development due to the political pressure over the region.

### 1. *IcSP filling the gap between EU security and development policies*

According to Bergman, the IcSP provides a bridge between the EU's security and development policy according to 3 arguments. Firstly, from a legal point of view, the IcSP Regulation translates the obligation of the EU institutions to promote the coherence of external policy into secondary law (i.e. regulations, directives and decisions). In particular, it says that measures financed by the IcSP must be complementary to activities adopted under the Common Foreign and Security Policy[110]. Secondly, from an institutional point of view, it bridges the gap between the Commission and the European External Action Service (EEAS) as both are involved in the decision-making and implementation processes of the interventions financed by the IcSP. Thirdly, the scope of the IcSP is twofold. On the one hand, a short-term component for rapid responses to crises, complementing humanitarian aid, on the other hand, a longer-term component focusing on capacity building, thus preparing the ground for programmes financed by EU development instruments[111].

It is noteworthy to mention that the IcSP interventions are not all the time necessarily declared as ODA according to DAC criterias. Indeed, the IcSP purposes include the fight against terrorism and violent extremism, organised crime, cybersecurity and stabilisation as well as migration management. Still, as reported by Bergmann in 2018[112], 90% of the activities are declared as ODA. The nature of the IcSP at the interface of EU security and development policy means that it is easily exposed to concerns about EU development policy securitisation[113]. The risk of IcSP interventions securitisation has, therefore, become a highly controversial issue within the EU policy community, particularly in the context of discussions on Capacity Building for Security and Development (CBSD)

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[110] EU (2014) Regulation No. 230/2014
[111] Furness M. & Gänzle S. (2016). P 149-150
[112] Bergmann J. (2018)p 24
[113] Furness & Gänzle, 2016, pp. 149-150

## 2. *The Capacity Building for Security and Development (CBSD), a legal controversy.*

High Representative/Vice-President Federica Mogherini said: "I*nvesting in the security of our partner countries, at their request, is in the EU's and our partners' interests. The EU is not only a political actor and an economic partner, but also a critical security provider, notably in Africa. We have already trained more than 30.000 policemen and women, soldiers, judges: with this new measure, we'll now be able to complete our support by providing them the necessary tools to perform their duty. This will help empower our partner countries to tackle their own security, governance and stability, essential prerequisite for a sustainable development.*"[114]

In line with this position, an amendment to include Capacity Building in support of Security and Development was adopted on 12 December 2017[115]. This is the first instrument allowing the financing of capacity building of third-countries military actors from the EU budget[116]. 3 conditions are nevertheless required. First of all, the requirements must not be met in any way other than through recourse to military actors. Secondly, there must be a threat to the existence of state institutions or to human rights and fundamental freedoms which the state institutions cannot cope with. Finally, cooperation can only be established within the framework of an agreement between the partner country and the EU. The financing of military expenditure is therefore supposed to be exceptional and excludes the acquisition of arms or munitions and the financing of training specifically designed to contribute to the combat capability of the armed forces.

Such financing is explained by the idea that "*In some cases, lasting solutions to conflict and insecurity will not be possible without the contribution of the military, which is an integral part of government and institutional setup of states.*"[117] Today the CBSD represent 2 677 000 euros and is implemented notably in Sudan, Mali and Niger.

The process leading to the investment of this amendment is quite interesting in view of this risk of securitisation of EU development policies, which has been thoroughly analysed by *Bergmann*.

In this context, it is worth exploring where such a willingness to strengthen the EU's means to support partner countries' militaries comes from and why the IcSP has emerged as the most appropriate instrument to do so.

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[114] European Commission (2017)
[115] EU (2017) Regulation (EU) No 2017/2306
[116] Bergmann J. (2018)
[117] European Commission (2017a)

It begun with the experiences of Mali and Somalia under the aegis of the European Union training mission showing that training efforts have been undermined by the lack of available equipment, infrastructure and sources of funding[118]. In order to fill the gap left by the lack of an appropriate instrument for such funding, the European Commission and the High Representative of the Union for Foreign Affairs and Security Policy issued a Joint Communication on "Capacity Building in Support of Security and Development" in April 2015. This communication signalled that the provision of training and equipment to military actors was understood as a core component of the EU's efforts to address the security-development nexus[119]

To implement the CBSD, the Commission proposed in June 2016 a regulation amending the IcSP, adding a new type of assistance measure allowing the capacity building of military actors in partner countries. The proposal stipulated that financial resources for CBSD activities would be generated by redeployment of funds within the EU budget. Accordingly, it proposed to increase the IcSP budget by 100 million euros until 2020 to cover military "capacity building" (non-lethal equipment and training) in partner countries. The commission also provided a framework under which the financing of recurrent military expenditure, (the acquisition of arms and ammunition, and training which is intended solely to contribute to the combat capability of the armed forces) will continue to be excluded[120].

Furthermore, the legislative proposal linked the CBSD to the Agenda 2030 and the Sustainable Development Goals (SDG), in particular SDG 16: "*The improvement of the functioning of military actors and the strengthening of their governance, particularly in fragile contexts and countries emerging from conflict, contributes to peace, human security, and stability, and thereby to the achievement of the SDGs*"[121].

Nevertheless, this initiative has been subject to debates and has revealed the divergent points of view when security-development nexus is put into practice, thus raising the question of the securitisation of development policy. Article 41(2) of the EU Treaty stipulates that expenditure arising from operations having military or defence implications may not be charged to the Union budget. How,

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[118]In mali" *the trained units lack communication equipment, thus hindering command and control. Soldiers do not have protective equipment against mines and explosive devices. Other needs and requirements include ambulances, water tanks and fuel trucks to ensure autonomy and the ability to operate independently. Basic essentials, including accommodation, food and medical support are also lacking. Assistance in providing such equipment and support is necessary to ensure that trained battalions do not have to rely on the support of the local population.*" European Commission (2015) p6.
[119] Ibid p 2
[120] European Commission. (2016b).
[121] Ibid p. 3

then, could the Commission be in a position to finance cooperation with military actors? This question leads to a legal controversy.

The Commission's own legal services initially concluded that the use of EU funds to support the military in third countries is illegal. In 2015 it stated that cooperation with security and military actors could not be carried out within the legal framework of development cooperation. Rather, it should be carried out by the Member States within the framework of their Common Foreign and Security Policy (CFSP), through a budget provided by the Member States themselves and not through the EU budget.

In a second opinion delivered in February 2017, the Legal Service argued that financing of the CBD through the IcSP was possible if it served development objectives[122]

Indeed, given that the IcSP's legal basis consisted of TFEU Articles 209 (development cooperation) and 212 (economic, financial and technical cooperation), choosing the IcSP was the only way to finance activities through the budget insofar as it was covered by development objectives. According to Aid Watch, political pressure within the Commission led it to "*fudged the rules by emphasising the development nature overturning efforts to block this initiative*" [123].

Within the Council, there have been many discussions on the content of the Proposal. One point of discussion was whether the CSBD infringed on the competences of the Member States in the context of the CFSP/CSDP. Some Member States were broadly in favour of deepening the measures, while others wanted a close link with development objectives to exist for financing the activities of the CBSD. In the end, the Council mandate approved the Commission's proposal, but that aid in support of the partner country could not be used for purposes other than the achievement of development or security for development[124]

The instrument has also provoked much debate within the Parliament itself, with critics pointing out that this change is incompatible with the stated objective of the European Consensus on Development to end poverty. The legal opinion requested by the European Parliament stated that the legal bases of the IBSP are not appropriate for capacity building in support of security and development (CBSD): "*the proposed Regulation mainly pursues objectives that fall primarily within the scope of the CFSP. It cannot therefore be adopted on the legal basis of Articles 209 and 212 TFEU*". Several months later, the same service issued a cautious opinion, requiring a reinforced link with development in order for these actions to be considered compatible with the TFEU. It was argued that the financing of capacity building of military actors from EU budgetary resources could only be legally justified if there was a

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[122] Bergmann (2018) p 26
[123] AID watch (2018) p6
[124] European Parliament. (2017) p 15 referred by Bergmann (2018) p 27

strong link with development policy as a legal basis. What is paradoxical is that by asserting this, the parliament has thus confirmed that development policy is the correct basis for CSBD, while at the same time demanding that no development funds be used for these activities.

Bergmann put his finger on the overall main problem. "*Without making a substantive argument on how the provision of training and equipment to military actors in partner countries contributes to the achievement of development objectives, there is a strong risk that the initiative represents another step towards the instrumentalisation of EU development policy for security purposes. One part of the problem is that the Commission has not invested a lot of effort in clarifying how the capacity-building of military actors is linked to and reinforces development initiatives in fragile states[125].*" Continuing, he argues that the concerns raised by the CSBD may lead to a general questioning of the EU policy and legal framework for activities dealing with the security-development nexus. "*Given the weak justification of the link between CBSD activities and EU development objectives, the use of EU budget resources to train and equip military actors could be interpreted as a further step towards the "creeping securitisation" of EU development policy*"[126].

Thus, the cited elements of contradiction revealed the tensions between security and development that are inherent in the EU's approach to this link. The debate highlighted the legal uncertainty regarding the EU's efforts to interweave security and development policies. Such a link is not reflected in the current EU Treaties, which gives rise to differing interpretations. This debate reveals the political grey area between security and development. It is noteworthy to mention that the compatibility of such an assumption of competence by the EU with the TFEU was already questioned in 2010, which was highlighted as problematic following the creation of the Instrument for Stability (IfS). According to Dr. Gänzle "*Challenges to security and development policy alike, such as state fragility and post-conflict reconstruction, however, are unlikely to respect any institutional boundary or delimitation of competences - in particular not the ones imposed by the European Union's complex pillar structure*".

### B. The African Peace Facility (APF)

Established in 2004, the APF is the EU's main financial instrument to support cooperation with Africa in the field of peace and security. One of its objectives is to enhance political dialogue on peace, justice and reconciliation in Africa. The APF is also implemented in order to strengthen the

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[125] Bergmann (2018) p 28
[126] Furness & Gänzle, 2016 p. 138 cited in Bergamm (2018)

African Peace and Security Architecture (APSA). The APSA, created by the African Union, aims to reinforce dialogue and institutional cooperation by supporting the implementation of "African solutions to African problems" - Paradoxically, it is noteworthy that the framework of the Africa- EU partnership; cooperation between the AU and the EU is presented as important to allow the full operationalisation of the APSA[127].

Finally, the last objective of the APF is to increase cooperation to address the root causes of conflict.To this end, the APF is based on a triple approach. Two of them are the implementation of an early response mechanism and the other is a capacity building mechanism. The one we are most interested in here is the one covering the majority of the APF budget: the African peace support operations.  This consists of medium and long-term support for public security both in support of military and civilian operations, including peacekeeping, law and order, police, infrastructure reconstruction, political dialogue and national reconciliation.

This mechanism is particularly active in the Sahel region.  We can first mention the Multinational Joint Task Force implemented under the auspices of the Lake Chad Basin Commission of the AU. It was set up in 2015, in response to the Boko Haram threat that has gradually spread over the past 10 years affecting northeastern Nigeria, Chad, Cameroon and Niger and has threatened regional stability. According to the 2018 annual report, violence and insecurity have had a negative impact on the lives and livelihoods of more than 17 million people in the region. There are also 26 million forcibly displaced people[128]. In August 2016, the EU signed an agreement with the AU to provide €50 million until December 2018 to "*strengthen regional coordination of the response and support effective coordination and command of military operations*"[129].  In December 2018, the EU extended its support to the MNJTF until the end of 2019, increasing its contribution by €5 million to a total of €55 million. The APF's support to the MNJTF is part of a broader EU strategy to support resilience, stabilisation and economic recovery in the Lake Chad Basin.

The G5 Sahel Joint Force is also an African-led Peace Support Operation. It was created in 2017 on the initiative of the countries concerned (Burkina Faso, Chad, Mali, Mauritania and Niger) and aims to combat terrorism, transnational organised crime and trafficking in human beings in the region. This initiative has been encouraged by the EU as it was demonstrating a willingness of the G5 countries to tackle transnational threats. The APF's support for the joint force is part of the EU's integrated approach in the Sahel.  For the EU, the objective is to help restore effective state control over areas

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[127] see African-EU partnership website
[128] European Commission (2019) African Peace Facility, Annual Report 2018.
[129] Ibid.

affected by armed terrorist and criminal groups. According to the 2018 annual report[130] "*Doing so would create favourable conditions for socio-economic development of the G5 Sahel region.*" which shows the particular link it gets with development purposes.

A delegation agreement was signed in August 2017 with Expertise France, the French agency for international technical cooperation, to ensure that the joint forces headquarters and the three command posts are adequately staffed and equipped to carry out their functions: "*This covers the following areas of support: providing equipment for the forces (ground mobility, counter-IED equipment, personal protection equipment); building of infrastructure (headquarters, command posts); providing services such as casualty evacuation*"[131].

As stated on their website Expertise France is indeed a French public institution acting in various fields of expertise including security and peacekeeping. In this matter, Expertise France supports the security system reform processes of several countries, for example by participating in the European programme DRC Progress supporting the reform of the Ministry of Defence of the Democratic Republic of Congo[132].

Overall, 70 million between September 2017 and December 2018, was spent through the African peace support operation of the G5 Sahel joint force in addition to ongoing actions under the EU Trust Fund for Africa or CSDP missions in the region (EUTM Mali, EUCAP Sahel Mali and EUCAP Sahel Niger).

It is more precisely at the level of APF fundings that rise the questions of development policy securitisation. The APF, whose aim is, as we have developed, to finance the consolidation of peace in Africa, which includes the support of security actors, is financed by the European Development Fund.

More specifically, the APF has been mainly financed by the "intra-ACP" envelopes of the ninth, tenth and eleventh EDFs. Other sources have sometimes been used such as EDF regional envelopes, commitments from previous EDFs, or additional voluntary contributions from EU Member States to the EDF. However, it should be noted that the list of ineligible expenditure of the APF includes arms, munitions and specific military equipment, spare parts for arms and military equipment, salaries and military training of soldiers[133].

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[130] Ibid p 20
[131] Ibid p 20;
[132] Expertise France (2017)
[133]European Commission (2019) African Peace Facility, Annual Report 2018. Ibid p 8

Nevertheless, the fact that development aid is somehow financing peacekeeping operations has been interpreted as a clear example of securitisation.

According to Marchesin[134] the introduction of development within security is materialized by such dedication of the development fund officially and exclusively to security. He develops "*The EDF dedicates a part . . . [of its funds] to the 'Peace Facility' and thus to security programmes. From that, the 'Peace Facility' pays for example for African troops in Somalia. So there, it is really armies that are aided. Most often,it's even the domestic security sector: police, gendarmerie and civilian protection forces.*"[135]

According to Furness M. & Gänzle S. (2016) senior officials related that the original budget line was created in the EDF for pragmatic reasons, simply because there was no other source of funding legally available, in the end following the same logic as the CBSD. The 2018 Annual Report itself states "*Due to the limitations of the Treaties, the EU budget is unable to cover all EU areas of action in the field of security and defence. However, the European Development Fund (EDF) - the main instrument for funding the Cotonou Agreement - is not part of the EU budget and is therefore subject to different rules*"[136].

### C. The emergency Trust Fund for Africa (EUTF)

The EUTF  illustrates the migration-development-security nexus mentioned above. The EU trust fund for Africa was introduced in November 2015 at the Valletta Summit on Migration and focuses partly on the Sahel region, including the Lake Chad Basin, and the Horn of Africa.

In the Constitutive Agreement, these regions are first mentioned as facing demographic, environmental, economic, institutional and security challenges. This last point is particularly highlighted, bearing in mind the context of terrorism and illicit trafficking as well as the internal conflicts in Sudan, southern Sudan and Mali. This is combined with an economic deterioration that is reducing local and foreign investment. All this context is viewed as symptomatic of an increase in forced migration. Calling for ways to combat illegal migration and forced displacement in countries of

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[134] Marchesin (2016)
[135] Leconte cited in Marchesin (2016) p 78
[136] Ibid p 8

origin and transit, the document advocates a 'comprehensive approach', referring also to the EU Sahel regional action plan and the corn of Africa plan previously mentioned in this research.

The trust fund consequently aims at providing the opportunity to create a fund that will enable the EU, its member states and the international community to respond collectively to these challenges with the primary goal of "*stability and addressing root causes of irregular migration and displaced persons in africa*". To this end, it is clearly stated that the approach is based on "*promoting resilience, economic and equal opportunities, security and development and addressing human rights abuses*"[137].

The trust fund is established under the EDF but also has other sources of funding such as the Development cooperation instrument (DCI), the European Neighbourhood Instrument (ENI), the Instrument contributing to Stability and Peace (IcSP) as well as the European Instrument for Democracy and Human rights[138]. The allocation of funds to local projects is carried out through different implementers, among them, we can mention the GIZ as one of the most important one[139].

Overall, the 2019 EUTF annual report[140] states that in the Sahel and Lake Chad region the EUTF has approved new programmes totalling €302.1 million, contributing to the stabilisation efforts in the region. Looking at the countries focused on for this research, in 2019 €18 million has been granted to Mali, €5.5 million to Niger - as part of the untitled action "Joint Investigation Team (ECI-NIGER) for the fight against criminal networks linked to irregular immigration, trafficking in human beings and smuggling of migrants" [141]- and up to 57 million in Sudan (which is included in the budget allocation for the Horn of Africa). Similarly, the Emergency Programme for the Stabilisation of Border Areas in the G5 Sahel (PDU) received an additional 45.23 million euros. According to *Akkerman*, the EUTF is an example of how the EU's focus on security policies has led to the diversion of development money for security projects[142].

Oxfam published an in-depth study of the fund in 2017 and established 5 categories of actions to which it seems to be dedicated: category 1: migration management; category 2: security,

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[137] European Commission (2015a)
[138] Ibid §14
[139] "*GIZ was also involved in one of the largest border security contracts ever, the €2 billion contract awarded in 2008 by Saudi Arabia to Airbus (then called EADS) for the supply of a surveillance system for all of its borders. As part of the deal, dozens of German police officers, paid by GIZ, were deployed to Saudi Arabia to work together with EADS in training Saudi border officials, including weapons training, as well as advising them on executing border patrol activities*" Akkerman (2018) p 82
[140] European Commission (2020)
[141] Ibid p 52
[142] Akkerman (2018) p 36

peacebuilding and P-CVE (preventing/countering violent extremism) ; category 3: development cooperation; category 4: research and monitoring.

On the basis of these categories and an analysis of the funds allocated, the organisation has determined that 22 per cent of the budget is dedicated to migration management, 13.5 percent to security, peacebuilding and P-CVE, 63 per cent to development cooperation and 1.5 per cent to research and monitoring[143].

Looking more precisely at the category 2 Security, peacebuilding and preventing/countering violent extremism (P-CVE), this category includes a variety of objectives including reducing tensions between refugees and host communities, de-mining, building conflict management skills, but also increasing the capacity of the security forces. According to Oxfam, this last point represents between 121 and 161 million euros (about 7% of the total ) supporting direct collaboration with security forces implemented by groups such as Interpol, Civipol, cooperation agencies and private and public companies[144].

To give specific examples, Niger hosts many EUTF-funded projects; in June 2017 it received a top-up of EUR 50 million to enhance "*the state capacities in the sectors of security, counter smuggling, and include addressing trafficking in human beings*"[145]. It is also one of the pilot countries of the EUTF-funded programme 'Support to the strengthening of police information systems in the broader West Africa region' (WAPIS). This programme interconnects national police data systems in order to better fight against terrorists and criminal networks[146].

The EUTF has also funded the migration management programme to the extent of EUR 40 million to support selected countries, including Sudan, through training, technical assistance and the provision of equipment for migration and border management. According to Akkerman, in 2016 English and German media reported confidential documents saying that the EU had earmarked funds for training the Sudanese border police and planned to provide recording and monitoring equipment to the Sudanese authorities.

In Chad, two EUTF-funded projects, each costing €10 million, aim to train and build the capacity of the Chadian security forces, in particular those managing the borders. On the one hand, there is the support for training and security in Chad adopted in May 2017, the general objective is to contribute

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[143] Kervyn E. and Shilhav R. (2017) p 3.
[144] Kervyn E. and Shilhav R. (2017) P 5
[145] European Commission (2017d) p 3
[146] European Commission (2020) p 25

to Chad's internal security by improving the daily security offer and the specific objective of strengthening the capacity of the internal security forces to carry out their mission[147]

In addition, there is also the Security and Border Management project (SECGEF), whose objectives are to strengthen the development of State policies and strategies in the area of security, particularly in terms of border management, to strengthen the operating and management capacities of the institutional structures of the ISF and, lastly, to increase the financial capacity of the authorities to maintain internal security[148].

Finally in Mali, another example is the Programme d'Appui au Renforcement de la Sécurité dans les régions de Mopti et de Gao et à la gestion des zones frontalières, helping the Malian government to re-establish adequate security conditions in the centre and along the borders with Niger and Burkina Faso, in particular by strengthening the capacity of its internal security forces and providing them with (non-lethal) equipment[149].

Taking all these elements into account and despite some positive contribution of the EUTF, Oxfam denounce "*A securitized approach to emergency aid*": "*While improving security and building capacity to prevent violence is an essential step on the way to achieving sustainable development, it is concerning if flexible emergency instruments are used as an opportunity to fund security forces in third countries over solutions that address legitimate grievances (particularly around democratic processes and the rule of law, social accountability, wealth distribution/inequality, gender justice and access to services) or without ensuring a focus on human security*"[150]

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Overall, according to Furness M. and Gänzle S. conclusion[151], while it is clear that security and development have become closely intertwined in the EU policies and instrument, it is less clear that "securitisation" is the main factor. The driving force behind this evolution has been the affirmation of the EU as an international actor, particularly in the field of security. For member states, security belongs to a sovereign domain rather than a supranational one, which is why the EU's entry

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[147] see https://ec.europa.eu/trustfundforafrica/node/97
[148] see https://ec.europa.eu/trustfundforafrica/node/698
[149] European Commission (2017b) p 30
[150]Kervyn E. and Shilhav R. (2017) P 5
[151] Furness M. & Gänzle S. (2016) p 156

point for security in its external relations has been in development aid.  The authors go on to argue, however, that this does not mean that the critical view of securitisation is invalid. In their view, some cases, such as the Sahel, demonstrate that the EU's security interests have come to the forefront, which can imply negative consequences. Perceived threats to Europe from this region of Africa can , therefore provide a backdrop to security measures implementation. These issues posed by integrating security to development policy will be the focus of the next section.

<p style="text-align:center">***</p>

## CHAPTER III. BLURRING THE LINE BETWEEN DEVELOPMENT AND SECURITY: MORE COHERENCE OR A HUMAN RIGHTS STEP BACK ?

The security-development linkage has been presented as permitting more coherence into EU external policy. However, the question remains on whether such coherency is perpetuated according to the pursuit of development goals suiting local realities and human rights fulfilment.

Whereas we have cited examples of rhetorics in support of security-development nexus as well as three EU instruments illustrating the securitisation thesis, these elements do not provide an exhaustive picture. Furness M. & Gänzle S. (2016) show many other ways in which security and development can be brought closer together across EU institutions, instruments and funding allocation, showing evidence as well of such securitisation. According to the authors, these trends are part of a global effort to move towards "coherence" in the EU's external policies rather than a deliberate securitisation of development policy and aid[152].

Already in 2002, Duffield stressed a key concept underlying the securitisation of aid is reflected in the term "coherence". In this vein, "*The different tools of aid and politics, trade and diplomacy, civilian and military actors, and so on, should work together in the interests of stability and development*"[153] so that aid would form a coherent whole.

In the face of new challenges, which are emerging in a "grey zone" between traditional foreign security and development (and humanitarian) policy, EU governance is somehow compelled to find

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[152] Furness M. & Gänzle S. (2016). p140
[153] Duffield M. (2002) p 95

new ways for institutional collaboration in order to provide effective policy responses. This is illustrated through the IcSP whereby the European Commission has sought to bring the external policies of the different EU pillars closer together[154]. The recognition that development and security are interdependent, and that measures to pursue them separately may be counterproductive, has led to EU efforts to improve the coherence of policy frameworks and the creation of appropriate instruments to achieve this. Along this line, overcoming the division of the two fields would foster greater effectiveness and enhance the EU's reputation as a development and security actor, particularly in Africa. From the angle of aid allocation, Furness M. & Gänzle S. (2016) also stressed that addressing security and development challenges together at EU level would allow the Member States to pool resources and deploy a wider range of capabilities than they can do bilaterally.

While linking security and development in common policies may be the result of a desire to enhance coherency, the perspective of recipient countries seems to be overshadowed by the rationale. In particular, does such coherence serve the people concerned, taking into account local realities? Does it promote the fulfilment of human rights that are supposed to be the overarching objectives of poverty eradication and human security?

Article 21(1) of the TEU states that: "*The Union's action on the international scene shall be guided by the principles which have inspired its own creation, development and enlargement, and which it seeks to advance in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, the principles of equality and solidarity, and respect for the principles of the United Nations Charter and international law*".

Relations and partnerships with third countries are therefore expected to share these principles. Does the inclusion of security in development policy follow more coherency in this specific sense? Several risks can be underlined in this concept that will be the subject of the sections.


I.     **The risk of undermining development goals in favor of regional security interest**

A.  *A contrast between development goals and aid allocation*

The desire to overlap security and development objectives take the risk of diverting fund allocation of development policies to security purposes. On the one hand, it could lead to prioritizing

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[154] Gänzle S. (2010)

some countries with a security interest over others in more need, and on the other hand, it can result in a reduction of funds for development to the benefit of military actors.

About the first point, various authors have stressed that the security paradigm leads to rank countries for aid allocation, not according to their need in terms of poverty reduction, but according to the security threat they pose[155]. According to Aidwatch, aid data supports this theory and shows that EU donors tend to allocate more funds to regions that pose a threat to their own immediate security interests. In 2017-2018, most of the top 10 recipients of EU aid are strategic priority countries: Turkey is in the first place, followed by Syria, Afghanistan, Egypt, the West Bank and Gaza[156].

All of these countries experience insecurity, conflict and poverty, but do not necessarily have the levels of deep poverty faced by many others. Referring to the HDI, Turkey, the largest beneficiary of the European ODA, has a score of 0.806 and is ranked 59th over 189 countries in the Human Development Index Ranking [157]. Moreover, if we look again at the OECD charter and the net ODA by income group, it says that Upper Middle-Income represents 27% while LDCs (least developed countries) 23.5%[158]. This shows that, although development aid targets poverty reduction, the prioritization of countries for fundings is not defined accordingly.

This bias in spending suggests that donor policy is not driven by poverty or humanitarian concerns, but rather by the ambition to achieve the EU's national or common geostrategic objectives. With that in mind, Akkerman emphasises how the priority is given to countries of departure and/or transit of migration flux, which might be the reason why Turkey could be the first aid receiver country[159].

Yet few nuances can be added to these initial considerations. First, although there is evidence of higher aid flows to some countries, it is difficult to establish with any certainty that it is the security paradigm that determined the distribution of aid. Indeed, there are certain parallels between EU aid allocations and countries of importance for security reasons, but there are also many causal factors to be taken into account. Finally, the risk of prioritisation according to European interests is not exclusive to the securitisation of development policies. Whether aid follows security, political or economic interests, aid policy is in any case conducted with the interests of donors in mind. As Furness M. & Gänzle S. states, "*political rivalries, business interests and national foibles have been*

[155] Pahlman K. (2014)
[156] OECD (2019)
[157] UNDP (2019)
[158] OECD (2019)
[159] Akkerman (2018) p37

*part of the European development policy story ever since the establishment of aid agencies in the 1960s*"[160].

Beyond a prioritisation of recipient countries, what is most worrying is a potential prioritisation of the activities to be funded. The desire to include security as a key element of development has indeed led some actors to express concern about the risk of resources being diverted from the direct fight against poverty to security and the military[161].

According to Aid Watch *"a key impact of aligning development policy too closely with EU security objectives includes the risk of diverting existing aid budgets (whether by loosely interpreting aid rules, or shifting budgets to other government departments) to deliver short-term national foreign policy and security goals*"[162]. As a result, other development priorities, such as education, health care, poverty alleviation or environment causes, may lose the much-needed investment.

This criticism proves to be well-founded. As we developed in the previous section, the desire to combine development and security in common and integrated policies can lead to the securitization of development policies, i.e. a shift from poverty reduction as the main objective to the pursuit of northern stability. Consequently, it justifies, for example, that money from the European Development Fund end up in the donation of military or police equipment, as well as border security.

This is to the great satisfaction of the European security industry, which sees it as a market to be exploited. More specifically, researches show how the securitisation of aid has been done parallelly to a shifting of the military industry for border security investment in Africa which represents a huge export market for Europe as well. In this line, according to Akkerman a "*group of arms and security companies profit from EU and member states' funding and pressure on third countries to purchase border security equipment. Not surprisingly, member states often choose to fund or donate equipment from companies from their own countries.*" Among them, thales or OT-Morpho. The latter was previously part of the French military company Safran, and signed in 2010 a contract with Mauritania to produce biometric-based ID documents as well as a 10 years contract with Mali for using biometrics-based electronic passports. Thales, the 10th largest arms producer in the world and fourth in Europe, is also an important supplier of arms to the Middle East and Africa but also an important player in the EU's border security industrial complex. In this respect, it plays an important role in lobbying for European border security and migration policies. As regards the externalisation of EU borders, Thales is said to have provided nine African countries with systems for checking

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[160] Furness M. & Gänzle S. states (2016) p 141
[161] Akkerman (2018).
[162] Aidwatch (2018) P 8

identification documents, among them Nigeria. According to Martin Lemberg-Pedersen, border externalisation ultimately serves in this sense to stimulate and encourage more states and companies to create a highly profitable export market for the European arms industry namely border security[163].

According to him, this industry involves "*international financial actors including banks, investment firms, hedge funds, and stockholders which provide and circulate the capital underpinning European border control'*. In the end, he argues that *'the militarization of border control isn't only about political desires for protecting nations by excluding vulnerable people, it's also pushed by borderless financial interests'*[164].

Besides the private companies, many projects funded by the EU or member states are implemented by (semi)public institutions. As an example, the EUTF funded Civipol in order to respectively implement a secure information and management system in Mali (with €13 million allocated) and support for Justice, Security and Border Management in Niger (with 4 million allocated)[165]. In another field, Civipol was also provided €7 million from the EUTF in order to contribute to strengthening governance, stability and security of the 5 member countries of the G5 Sahel (Burkina Faso, Mali, Mauritania, Niger and Chad)[166].

Although development aid can finance security equipment this does not necessarily imply a reduction in funds for development objectives. Aligning security and development can just as easily lead to a reduction in the budget for anti-poverty efforts as it can lead to additional funding being allocated to security actors. On the contrary, some authors even argue that the integration of a counter-terrorism element into some development issues could be a way to mobilize additional aid resources[167]. They suggest that feeling of insecurity encourage a willingness to fund large expenditures abroad if it is believed that this will enhance security. In their view, the new focus on counter-terrorism has indeed led to a significant overall increase in ODA. At last, the impact of foreign aid on individuals does not depend on the amount of funds but rather on the manner in which the funds are allocated.

Overall, although the security perspective might influence countries and activities prioritisation of aid allocation, this doesn't necessarily lead to a reduction of fundings for other activities. It, however, shows how security can take a significant part within development goals which question how the former support the latter in the long term.

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[163]Lemberg-Pedersen M. (2018) cited in Akkerman (2018) p 71
[164]Lemberg-Pedersen M. (2015)
[165]European Commission (2017b) p 63 and p 59
[166] Ibid p 51
[167] Beall, J., Goodfellow, T., & Putzel, J. (2006)

**B. Short term want VS long term needs**

While claiming the development-security nexus as a coherent methodology, the attempt to address the fight against terrorism, transnational crime and migration on the same level as poverty and economic inequality may, in fact, present inconsistencies. This is particularly apparent in the different timeframes in which the two areas operate. The military and police sectors work with a shorter-term orientation, while solidarity organizations think in the longer term, which is the time needed for development[168]. As argued by Amer, R., Swain, A., & Öjendal, J. (2012) "*Short term security considerations of rich and powerful countries increasingly override the long-term developmental challenges of poor regions. This approach also poses challenges for long-term engagements necessary for sustainable peace.* " There is actually a risk that the ultimate goal of aid is no longer the poverty reduction but the security of the donor, and that funding is determined on this basis to the detriment of the people to whom the aid should be directed.

It is noteworthy to mention here the concept of "war aid economy". Pahlamn K. explains it in the context of the US policy in Afghanistan, which was to consider aid as a non-lethal weapon that should be used "*to win hearts and minds*". Rapid-impact development is used to enable better cooperation with the civilian population in order to gain their support and legitimacy in a military intervention. However, this way of conducting aid in a short-term manner, especially when administered by military personnel, can in some cases perpetuate instability, fuelling corruption and reinforcing power inequalities[169].

In a Report "The politics of poverty: Aid in the new Cold War", Christian Aid has strongly criticized linking development aid to the war on terror[170]. The danger is that the fight against terrorism will become a top priority where poverty reduction programmes are marginalized. According to Picciotto, between defence and security, in the end, the defence agenda would inevitably outweigh the development agenda. In his view, defence policy coherence always takes precedence over development policy coherence, which explains the shift in spending[171]. According to Beall, J., Goodfellow, T., & Putzel, J. (2006), "*Where claims are made that combating terrorism and combating poverty are basically the same thing, a notion linked to the idea of 'coherence', there are reasons to be sceptical: at some point the two goals will come into conflict, and it is clear which objective carries the most weight in international politics.*". This is particularly true since, as we have

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[168] Marchesin (2016)
[169] Pahlamn K (2014) p 56
[170] Christian Aid ( 2004) p. 24
[171] Explained in Beall, J., Goodfellow, T., & Putzel, J. (2006)

already developed, the link between poverty, education and terrorism is indirect and complicated to establish and so is migration reduction and development.

The contradiction between European security objectives and development can be seen particularly in the desire to strengthen borders, which is already openly addressed in many documents, especially the EUTF, as an ultimate goal of development policies. In light of this, an over-emphasis on migration and advancing the EU security agenda can undermine the purpose, principles and effectiveness of development cooperation[172]. Global Health Advocates (GHA) also questioned in this sense the impact of the EUTF on poverty reduction since "*it did not respond to 'a development emergency in partner countries, but rather to what the EU experienced as an emergency domestically*"[173]. A relevant example to be mentioned is Niger.

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**-    Niger case study -**

Cooperation with Niger is regularly presented as a model of cooperation by the EU, but the consequences of pressures on the country with regard to its migration management had local effects that seem to go against the poverty reduction goal.

Efforts to combat migration have indeed led to the weakening of the Agadez migration-based economy[174]. In 2015 the country implemented the law on "illegal trafficking of migrants". Before migrants used to openly travel by buses.  It seems that, in the region of Agadez, migration offered direct employment to more than 6000 people in Agadez[175] . In March 2017, the regional council of Agadez estimated that about one-fifth of the population - 100,000 people in the region- benefited indirectly from this activity. Afterwards, the list was reportedly reduced to 6,565[176].

 In a deplorable economic context, this has reduced employment opportunities. The country was already facing the closure of uranium mines due to the fall in world prices which led to thousands of people being unemployed. In 2017, the government also closed the gold mines in Djado, which has impacted smugglers and migrants who used to come to work there[177]. The weakening of a migration-based economy also seems to have impacted on the fragile stability of the north of the country as its former beneficiaries are now forced to find new forms of livelihood, which can lead

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[172] Aid watch (2018)

[173]Lemanska K., Grindatto G.  & Voitzwinkler F. (2017) p 16

[174] Akkerman (2018) p52

[175] Hoffmann, A., Meester, J. and Nabara, H. M.( 2017). p19

[176] interviews from Tubiana J., Warin C., Mohammud Saeneen G. (2018)

[177] Hoffmann, A., Meester, J. and Nabara, H. M. (2017) p19

to new criminality.  The economic positions of former Tuareg rebels who had been encouraged to turn to migrant transport (rather than crime or drugs) have been impacted.

This has fuelled tensions between the authorities and the local Tuareg and Tubu communities[178]. Moreover, the security forces themselves relied on migration to receive bribes, and this shortfall would potentially lead them to find other ways of getting money[179]. In particular, bribes to pass the checkpoints are reported to have apparently doubled to 300-600,000 XOF (West African francs)[180] for the entire journey between Agadez and the Libyan border[181]. The reduction of migratory movements in Niger thus seems to run counter to the long-term objectives of development and stability in the Sahel[182].

Here, the Niger case study shows how the perspective of European security, meaning migration reduction, is going against the human development expectation that the migration based economy was giving locally.

### C. Rewriting the development objectives to the expense of the fight against poverty, a disregard for human rights?

Overall, the secure approach to development assistance is potentially dangerous and counterproductive. The predominance of security in development programmes ultimately invites us to question the very purpose of development itself, "*Not only is this a world away from the goal of poverty reduction or economic development for its own sake, but it is also a move towards using development as a sort of foreign relations exercise* "[183].

In the end, if human rights are supposed to pull the strings of European politics, they themselves can be the ones impacted by it.

Poverty and rising inequality in a globalised world is one of the most important challenges in terms of human rights. Indeed, victims of poverty are denied  practicable all rights. Apart from the right to

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[178] for more development see Tubiana J., Warin C., Mohammud Saeneen G. (2018) p 22-35
[179] Akkerman (2018) p52).
[180] 450-900 Euros
[181] Tubiana, J. 2017. Europe's "Migrant Hunters", op. cit; HALCIA (Haute Autorité de Lutte contre la Corruption et les Infractions Assimilées). 2013. Rapport de Mission sur les Pratiques Corruptives dans la Région d'Agadez. Cited in Tubiana J., Warin C., Mohammud Saeneen G. (2018)
[182] Tinti P. (2017),
[183] Beall, J., Goodfellow, T., & Putzel, J. (2006).

adequate food, housing or healthcare, civil and political rights are even more difficult to achieve. Participation in politics, information and education, even access to justice are much more difficult for the poor social classes to have access to. That is why the fight against poverty is so central. These points resonate in the concept of human development. When the EU's development policy is being "secured" it seems to move far away from them.

Yet from the point of view of international law, the donor country is not properly termed as a duty bearer, the State of jurisdiction remains responsible for the delivery of economic, social and cultural rights to its citizens and residents. It is therefore up to this state to fulfil its positive obligations, i.e. to take the necessary steps within the framework of ESCR or to enable the fulfilment of civil and political rights. Thus, it is not because Europe would not promote its donations for ultimately achieve human rights that a violation would take place.

Nevertheless, in the light of the new transnational challenges, human rights law compliance is crucial to avoid abuses and power games to the detriment of individuals. Migration, the fight against terrorism and transnational crime should always be carried out bearing in mind the impact that foreign policy can have on the people of the third country. This aspect leads to the next section, by interrogating on whether or not a security according to the donor's view, the EU, can be considered as an improvement for people's rights and well being.


## II.  The risks imply by a top-down securitisation under development policies

### A.  Making the externalisation of securitisation legitimate under development goals

A real issue of financing security actors through development aid is the disjunction between thé discourse and the practice, the claim to strive for poverty reduction while allocating funds to security forces and so according to the assumption that the latter would serve the former. The issue of securitisation is even more problematic as it can lead to legitimising the support of security actors in third countries under the argument of development. Even more dangerous than an underestimation of development, the securitisation of development policies can induce a "top-down" securitisation. Here the allocation of funds creates dependency and offers the possibility of conveying a security model, which is why some may see this as a form of neo-colonialism.

Significantly, the securitization of development policies is taking place in parallel with the so-called "externalisation of securitization" in Africa, the two ultimately going hand in hand.

Some academics consider that the exportation or externalisation of securitisation has even become the norm in the continent[184]. According to them, the dependence on the donor community has compromised the freedom of African countries, such as DRC, Nigeria or Uganda, to decide on their own policies which is the essence of securitisation from outside. External securitisation would be thus designed to complement the donor country's internal securitisation. They conclude that this secure environment in Africa has contributed little to solving many of the continent's development problems. On the contrary, there would be a reversal of the progress made in the areas of human rights, democracy and respect for the rule of law. Marchesin also points out the fundamental problem about how locals may in the end view security only as a foreign business[185].

This is even more problematic in the context of the EU's fight against illegal migration in Africa. Some authors argue that African governments and the African Union are excluded from funding decision-making bodies such as the EUTF, so that only European priorities to stop immigration are taken into account[186]. Moreover, according to Claire Rodier, a lawyer at the GISTI (Immigrant Information and Support Group), with regard to the EU's border externalisation policy, "the method is clever because talking about co-development makes it possible to pass the pill of unilateral decisions on to the populations of departure, described as 'actors of their own development', and to lend credence to the idea, with the opinions of European countries, that the development of the countries of origin will curb illegal immigration[187].

As mentioned above, the rationale of the vicious circle of underdevelopment, fragile state and insecurity leads international actors to ultimately consider underdevelopment as a threat to their own national security, thus underlining the imbalance in the link between security and development[188]. This rises the question again of the intention underlying the merging of the two fields. Conversely, however, the security argument can also benefit receiver country and, as will be seen later, lead to the creation of security as a means of blackmailing for more development aid.

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[184] Appiagyei-Atua K., Muhindo TM, Oyakhirome I., Kabachwezi EK & Buabeng-Baidoo S.,(2017)
[185] Marchesin (2016)
[186] Akkerman (2018) p37
[187] Rodier C. (2008)
[188] Brinkestam J. (2012)

### B. *Implementing security over local dynamics*

At the end of our previous analysis, according to the justifications given for supporting a "joined-up approach", bringing security and development closer together in foreign policy has significant advantages for the EU when it comes to dealing "at source" with potential threats to its territory, its citizens and/or its businesses.

The link between development and security is claimed, as we have said, according to the vision of a more coherent foreign policy and a comprehensive response adapted to contemporary challenges. Nevertheless, as Carbone argues in studying the coherence of EU development policies, coherence is a rationale term, meaning that what may be coherent for one may be less so for the other. According to him, in development policy, coherence refers to the consistency between purposes of aid (i.e. promoting donor or recipient interests), channels (i.e. aid to non-state actors, aid to state actors…) and functions (i.e. budget support)[189].

In line with the seek of coherency, the question remains on whether the implementation of a security element is in line with local development needs. The difficulty of aligning the needs/priorities of recipient countries with the wants/priorities of the EU, especially in terms of migration, has even been highlighted in the External Evaluation of the Instrument contributing to Stability and Peace (2014 - mid 2017). Indeed it underlining the "*challenges to translate political commitments (e.g. to intervene in particular countries or in relation to specific issues, like migration) into suitable actions that align country needs/priorities with EU political priorities.* "[190].

If the link between security and development is somehow undeniable in the sense that states ravaged by conflict may face development challenges, this is quite different from the idea of donor countries using "development" to make their own citizens feel less insecure[191]. The issue of pursuing a security agenda from a donor perspective can have unintended consequences as it undermines local dynamics that can lead to greater insecurity for local populations. As the OXFAM alert "*While improving security and building capacity to prevent violence is an essential step on the way to achieving sustainable development, it is concerning if flexible emergency instruments are used as an opportunity to fund security forces in third countries over solutions that address legitimate grievances (particularly around democratic processes and the rule of law, social accountability, wealth*

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[189] Carbone (2008) p 326
[190] European Commission (2017c) p 2.
[191] Beall, J., Goodfellow, T., & Putzel, J. (2006

*distribution/inequality, gender justice and access to services) or without ensuring a focus on human security*"[192]

### 1. *Strengthening security forces, a progress for development and human rights ?*

To a certain extent, support to security forces can lead to the fulfilment of human rights as long as it contributes to the positive obligation of the state to prevent a violation of the rights of individuals (torture, violation of life, etc.). But it can also constitute a freedoms infringement and have the opposite effect to lead to insecurity. Generally talking, criticisms have emerged with regard to security measures. There is more and more discussion on looking elsewhere for the sources and experiences of insecurity, referring not to state insecurity but individual insecurity. For example, Stern M., Öjendal J. (2012), acknowledge the way in which security measures - often employed by the state - create waves of violence and fear, hence producing more insecurity - both for those whom the security measures are intended to protect and for others. This goes in line with how a sense of imminent danger calling for rapid responses goes at the expense of long-term security policies. Particularly when using development aid to promote migration management and secure borders, one may ask how this contributes to the fight against poverty in the countries concerned and what might be the adverse effects of supporting border security forces.

In particular, the aid cooperation has been done with partners such as Sudan despite its authoritarian regime. Sudan has been ruled by Omar al-Bashir , since he led a military coup in 1989 until 2019, with repression and violence. The International Criminal Court has issued two arrest warrants against al-Bashir. The regime has been accused of genocide and war crimes, mostly perpetrated by an armed militia, known as the Janjaweed. It is therefore not new information to acknowledge that any cooperation and development aid allocation to countries ruled by an authoritarian or unstable regime should be approached with caution. This is particularly true when such cooperation includes the strengthening of military and security capabilities, including training, financing and the provision of equipment.

In a 2016 resolution, the European Parliament "*expresses grave concern at the impact which the EUTF may have on human rights, if containing migratory flows involves cooperating with countries which commit systematic and/or serious violations of fundamental rights*;"[193]. It is arguable that such cooperation with authoritarian regimes, helping to strengthen their security forces through training and the provision of equipment, could contribute in part to support their legitimacy[194]. Notably,

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[192] Kervyn E. and Shilhav R. (2017) p 22
[193] European Parliament (2016) §33
[194] Akkerman; 2018

Oxfam observes that *"the EU has increased the amount of funds paid to many of the same regimes that people so desperately flee from*[195]

Moreover, the support of third countries to the already fragile state structures in the field of migration management, while using the tool of development aid, may have negative repercussions on their stability and in some countries may aggravate existing militarisation policies[196]. In other words, they can support the empowerment of militias that may be simultaneously involved in smuggling and trafficking of human beings and whose presence in itself constitutes a security threat. While the EU may have good faith in trying to avoid as far as possible the funding of such forces, in practice, it is very difficult to ensure that EU support does not end up in the wrong hands[197].

In addition, the potential positive effect of strengthening the security forces is even more questionable in terms of migration management as it seems to infringe on the rights of migrants themselves. the international federation of human rights well summarises that such cooperation makes the actors of the repression against the migrant people: police, armies, transnational agencies, and non-state actors such as the militias or the multinational companies, unaccountable. "*The consequences in terms of non respect of human rights are heavy: repressions, unfair trials, arbitrary detention, police violence, expulsions. Moreover, this repressive situation is pushing people on increasingly dangerous roads, to bypass the most heavily used roads now excessively controlled and militarized. Pushed into the hands of criminal actors, people on the move find themselves in situations of slavery, trafficking ill-treatment, sexual violence or gender-based violence*"[198].

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**-Sudan case study-**

Sudan is a good example of the risks taken by the EU in supporting border reinforcement through aid. In fact, in 2013, Karthoum transformed some of the Arab militias in Darfur, notably the Janjaweed, into a new military force, the Rapid Support Forces led by Mohamed Hamdan Dagoo aka alias "hemmeti". In 2016, coinciding with the dialogue between Europe and Sudan reinforced by the Khartoum process, the RSF was deployed in the North to patrol up to the Libyan and Egyptian borders. Sudan has thus entrusted the role of border guards to members of former militias known for their human rights violations and war crimes committed in Darfur. Human Rights Watch has '*found that the RSF committed a wide range of horrific abuses, including the forced displacement of entire communities; the destruction of wells, food stores and other infrastructure*

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[195] Oxfam International (2016)
[196] Tubiana J., Warin C., Mohammud Saeneen G. (2018)
[197] Ibid.
[198] FIDH (2017)

*necessary for sustaining life in a harsh desert environment; and the plunder of the collective wealth of families, such as livestock. Among the most egregious abuses against civilians were torture, extrajudicial killings and mass rapes'*[199].

These militias are reported as playing a double game because, while claiming to slow down migration, they seem to be involved in trafficking. According to the study carried out by the Clingendael Netherlands Institute of International Relations, the interviews conducted reported acts of torture by the RSF, ransom demands, bribes recovered from transport vehicles and even participation in migrants smuggling, as well as collaboration with Libyan traffickers and tubu traffickers on migrants sales[200]. In this light, a senior research consultant for the Institute for Security Studies, Tuesday Reitano underlined that the smugglers are not the greatest threat to migrants in the region but rather the border-control efforts of states themselves, and persecution by authoritarian regimes'[201].

Although any funding of the RSFs has been denied by the EU, in a context such as Sudan there is, in reality, no guarantee that the funding and equipment provided for border security under the Better Migration Management - funded by the EUTF- has not fallen into their hands[202]; Even if this were the case, the risk is still to indirectly support the Sudanese regime repression[203].

To mitigate risks the EU has stated that the funds will not be directly be managed by the Sudanese government and will not be channelled through Governmental [structures]'. As a result, the funds are managed by agencies of the member states. However, this raised further concerns as it is even more difficult to track the money's use. This may certainly allow the EU to avoid supplying the Sudanese forces, at least directly, but what about the implementer partners? One of them, the GIZ, has even expressed its awareness of the risks involved in cooperating with the police and security forces in Sudan[204]. According to the CRU report "*Arguably, human smuggling and trafficking is now a major economic substrate of Sudan's 'militia-isation'. The focus on externalising EU borders to Sudan thereby unwittingly strengthened the government's 'militia-isation' policy, as it*

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[199] Human Rights Watch (2015)
[200] Tubiana J., Warin C., Mohammud Saeneen G. (2018) p40
[201] Reitano T. (2016)
[202] Better Migration Management Programme Phase II, Project Reference: T05-EUTF-HOA-REG-78, available at : https://ec.europa.eu/trustfundforafrica/sites/euetfa/files/t05-eutf-hoa-reg-78_-_bmm_ii_ocnhpwq.pdf
[203] Ibid. Risk highlighted on page 16
[204] GIZ (2017)

*bolstered the rise of the RSF, thus potentially making the 'push factor' worse – in particular for Darfurian civilians[205]."*

More recently, an insurrection began on December 19, 2018 following the increase in bread prices, and was met with severe repression and hundreds of deaths leading to the removal of former President Omar al-Bashir .  General "Hemetti" was said to be at the head of the repression, appearing on the Military Council led by Abdel Fattah al-Burhane following the dismissal of the former president. [206] As the mobilization of the demonstrators continued outside the army headquarters in Khartoum, on Monday, 3 June 2019 their sit-in was brutally dispersed by the security forces, who stormed and fired into the crowd. The death toll was very heavy: 108 dead and more than 500 wounded, according to a committee of doctors close to the protest. The Military Council refutes any use of force, citing a "clean-up operation" near the rally that turned out badly. According to the Military Council, 61 people were killed in this operation. At that time, inhabitants described a situation of "terror" with the presence of paramilitaries from the Rapid Support Forces (RSF)[207]. Nevertheless, an agreement was finally reached that led to the official signing of the Constitutional Declaration on 17 August 2019  in Khartoum.

### 2, More insecurity as an unwanted result

Yet the effectiveness of border security in reducing migration has been widely contested as it seems to only put people more at risk and not discouraging them of moving[208]. In this line, another consequence of making Europe more secure may be the insecurity of migrants themselves. They face increasingly militarized security and border control, which pushes them to take more dangerous routes.

According to Tubiana J., Warin C., Mohammud Saeneen G. (2018), the general problem ultimately stems from the fact that Western migration policies claim to address not only the issue of migration, but also the problems of security, stability and terrorism, all together. This is based on a vision of all informal, illicit, illegal or criminal activities - smuggling of migrants, drug trafficking, arms trafficking and terrorism - as a conglomerate.  Thus, border security is achieved under the cover of the fight against human trafficking and smuggling networks, as claimed in the Khartoum Process. Seeing

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[205] Tubiana J., Warin C., Mohammud Saeneen G. (2018) p 73
[206] Crétois J. (2019)
[207] Hick C. (2019)
[208]Koser K. (2005)

smuggling from this criminal angle and equating it with human trafficking only risks increasing the inappropriateness of migration policies to local realities. As a matter of fact, most of the smugglers are not traffickers and their activities economically benefit cross-border Saharan communities. The transfer of these activities to the illegal economy may push the smugglers to turn their activities in a way that will increase insecurity (price increases, more insecure roads, traffic, etc.)[209].

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**-Niger case study -**

Returning to the example of Niger, capacity building in terms of migration management seems to have had the effect both of making migrants more insecure but also of weakening the country's stability. The routes used by smugglers are now more dangerous, both for migrants and for drivers. Some authors have noted that the routes that used to bypass Agadez are now following the one of drug trafficking[210].

While the deaths in the Mediterranean sea have been widely publicized in the media and rose many voices against European policies, the Sahara has received less attention. Yet the IOM and its Global Migration Data Analysis Centre, has reported that the number of migrants who died in the desert on the roads between Agadez and southern Libya or Algeria rose from 71 in 2015, to 95 in 2016 and 427 in 2017[211]. In addition, there are difficulties in establishing representative data on the disappearance of illegal migrants[212]. One of the reasons for this is the frequent dropping of migrants along the way, either because car-poolers are chased by security forces or bandits. "The main reason we see abandoned migrants is due to patrols," said Azaoua Mahaman of IOM Agadez, "smugglers are afraid to go to jail, so they drop the migrants and run away"[213]

On the other hand, and as mentioned above, the fight against migration has led to an upheaval in the balance that had been established between the various communities risking cross-border instability. After signing the peace agreements in the late 1990s and 2000s, the Tuareg rebels had been encouraged to become transporters of migrants. As a result, some rebels claimed that the 2015 law against illegal migration violated the peace agreements signed with Tuareg and Tubus, and some even threatened to restart a rebellion. As reported by the CRU report, Tuareg and Tubu

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[209] Akkerman conclusion; 2018
[210] Tubiana J., Warin C., Mohammud Saeneen G. (2018).
[211] Reported in Tubiana J., Warin C., Mohammud Saeneen G. (2018) p 25
[212] IOM Global Migration Data Analysis Centre (2017)
[213] Akkerman; (2018) p 52

> communities consider migration policies as the "*diktat of Europe, to which the Nigerien authorities obeyed to hit the jackpot*"[214].

Along with the insecurity of the road, two other consequences of the migration management path have been underlined by commentators.

First, some consider that border controls have probably fueled the growth of human trafficking[215]. The first victims are usually women or children, who are often exploited in domestic work or the sex industry. Moreover, trafficking exposes migrants to sources of economic, social and political vulnerability[216].

Second, the "irregular" status is another source of insecurity because its affects economic, social and cultural rights (access to health, education, housing, social benefits, etc.) but civil and political rights such as access justice[217]. It is worth mentioning that the United Nations Human Rights Council has expressed its concern about "*measures that, even when part of policies to curb irregular migration, make irregular migration a criminal rather than an administrative offence, when this has the effect of denying migrants the full enjoyment of their human rights and fundamental freedoms*"[218]

### 4) A breach in migrants rights?

At last, expenditure on development assistance aimed at securing the borders of Sahelian transit and departure countries can have an impact on rights related to migration. Nevertheless, the transnational character makes it difficult to establish a European extraterritorial responsibility.

As the present thesis doesn't aim to develop this question in further details, regarding notable asylum rights or the non-refoulement principle, the infringement of the right to leave any country gives an example of the issue at stakes in extraterritoriality.

The right to leave any territory is recognised by the 1948 Universal Declaration of Human Rights in Article 13 § 2, which normally entails a negative obligation on the part of the State not to prevent an individual from leaving its territory. The second paragraph of Article 2 of Protocol No. 4 to the

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[214] Interviews reported by Tubiana J., Warin C., Mohammud Saeneen G. (2018) p 30
[215] Koser K. (2005
[216] Ibid.
[217] Ibid.
[218] United Nation (2013)

Convention for the Protection of Human Rights and Fundamental Freedoms, also states that *″Everyone shall be free to leave any country, including his own″*. Nevertheless, the European Court of Human Rights has a restrictive interpretation of this right limiting its extraterritorial applicability. In a judgment of 11 January 2011, *Xhavara and Others v. Italy and Albania*, the Court held that the measures challenged by the applicants "*were not intended to deprive them of the right to leave Albania, but to prevent them from entering Italian territory. The second paragraph of Article 2 of Protocol No. 4 was therefore not applicable in the present case*. "[219].

This jurisprudence unfortunately leaves an opportunity for European countries to continue their external migration policy without being held accountable for preventing people to leave their country. Moreover, this slowdown in migration makes it more difficult for persons fearing persecution to leave, which raises the question of potential breaches of the principles of non-refoulement and the prohibition of collective expulsion.

### C. The use of aid as a grounded tool for coercion

Another consequence of the inclusion of security interests in EU development policy is the policy of conditionality to which it may be subject.

Conditionality is first supposed to be primarily used in cases of human rights violations. The human rights and democracy clause is incorporated in all EU cooperation agreements, establishing, in principle, a suspension mechanism in case of violation. Article 96 of the Cotonou Agreement has developed it very comprehensively. It allows for sanctions to be imposed by the EU in the event of violations of the principles of human rights and democracy[220]. When sanctions are imposed, they are most often in situations of military coups or elections with serious irregularities and involve the suspension of government aid. Nevertheless, the application of sanctions has often been criticized as selective and inconsistent. Del Biondo[221] has indeed researched cases where Article 96 has not been applied despite that the situation would call for it. In this vein, she studied Ethiopia, Rwanda, Nigeria, Kenya and Chad cases over the period 2001 to 2010. She concluded that the influence of security interests was the most important factor in explaining the non-implementation of the clause, particularly in Nigeria, Ethiopia and Kenya, which are "*key partners of the West in the fight against*

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[219] ECtHR, 11 January 2011, *Xhavara and Others v. Italy and Albania*, no. 39473/98, decision on admissibility, p. 7

[220] Crawford G. & Kacarska S. (2019) p190

[221] Del Biondo K. (2011)

*terrorism and the maintenance of peace in their respective regions*"[222]. Economic interests would have been a "*minor explanatory factor in the economically little important Sub-Saharan African region*"[223], except Nigeria considering its oil production.

Conditionality remains thus an important political tool in line with security interests acknowledged as becoming a dominant element. Authors even underlined that conditionality as a tool to promote human rights and democracy has been "*replaced by its use as an instrument to promote Western security interests in line with the securitization of development*"[224].

According to them, "*This shift reflects the rise of the development-security nexus (...), though not in a manner where security is emphasised positively as a necessary condition for development, as stated in policy documents, but in terms of the securitisation of development where development assistance is subordinated to, and used instrumentally to promote, the security interests of the major powers. Therefore, a significant change has occurred in which the normative agenda of democracy promotion, in so far as it existed, has been re-oriented to serve the security interests of its Western advocates.*"[225]

This risk was also raised by aid watch in 2018 in the sense that aid would be conditioned not on respect for human rights but on respect for a security model. Development aid would henceforth be conditional on migration management in particular. Aid watch gives the example of Afghanistan[226] among other countries whose aid became conditional on their acceptance of expelled migrants. Lisa Watanabe, researcher at the Center for Security Studies also confirmed how the so-called "EU compacts" conducted with certain Sahelian countries offer them counterparts and if these countries do not perform well, they could be penalised by a reduction in development aid or trade from the EU[227].

In the same line, it has been reported how the European governments wanted to use the EUTF to prevent the arrival of illegal immigration and enhance return efforts. From an African perspective, concerns were expressed about the European pressure on return policy, and the implication that this policy can have on sustainable development[228]. OXFAM recommended therefore that the allocation of aid should at no time be conditional on cooperation with the EU on return and admissions or border management. Accordingly, the organisation considers that "*positive rewards for regimes that rely on*

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[222] Ibid p 390
[223] Ibid.
[224] Crawford G. & Kacarska S. (2019) p 184
[225] Crawford Gordon, Kacarska Simonida, (2019),p205
[226] Aid watch (2018) p 30
[227] Mutelet A. (2019)
[228] Raty R. & Shilha R. (2020), p3

*military interventions to reduce human mobility may undermine respect for human rights, democracy and resilience*"[229].

As a logical consequence, another issue of providing aid according to the EU perspective is that the need for establishing security in the region in order to prevent insecurity in Europe becomes a tool for bargaining in the receivers countries as well. For example, the need for the EU to fight against illegal migration increases the interest of receiver countries in making migration more visible. Indeed, african governments well understood that the so-called " refugee crisis" could give them a chance to obtain further political and financial support[230]. Therefore, migrants can become a political tool in order to gain fundings, in other words, a bargaining chip.

The threat of a breakdown in border controls has been used several times in order to obtain more funding, notably by Qaddafi himself in Libya[231]. As a more recent an example, the General Hemeti, commander of the RSF (the Rapid Support Forces) well known for its human rights abuses, has several times spoken out publicly about how RSF is combating migration 'on behalf of Europe', by arresting migrants and smugglers. '*We are hard at work on behalf of Europe in containing the migrants, and if our valuable efforts are not well appreciated, we will (re)open the desert to migrants,*' he declared in August 2016. On this behalf, he required more EU funding threatening to open the border with Libya[232].

The same story can be told in regard with Barka Sidim an old Tubu rebel. Although most of the tubu have been hostile to migration reduction policies, on the contrary Sidimi has adopted an anti-smuggling agenda by creating an armed group under the name Saqur Sahara (Sahara Falcon)[233]. They have positioned themselves in Libya near the border and have been officially recognised by the commander of the Libyan National Army who provided them with vehicles in 2017. Contacts have been established between the EU and Sidimi's representatives. Sidimi forces supported the need to reduce migration and impress upon the EU on the diseases transmitted by migrants from Libya to Europe, such as Ebola and AIDS. In October 2017, Sidimi is reported to have asked the EU for 3 million euros to fund his militias, however the EU didn't follow his terms. To sum-up, "*Sidimi's story appears to be one of an old Tubu rebel who, failing to position himself in any post-Qaddafi new Libyan Tubu militias, tried to regain a leading role at the Niger-Libya border. For this, he*

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[229] Ibid. p 5
[230] Akkerman (2018)
[231] Ibid.
[232] Cited in Tubiana J., Warin C., Mohammud Saeneen G. (2018). Al-Intibaha. 2016. 'Hemmeti Asks the EU to Pay a "Ransom" in Order to Protect It from Human Trafficking' [in Arabic], 31 August; Baldo, S. 2017. Border Control from Hell, op. cit., 10.
[233] Tubiana J., Warin C., Mohammud Saeneen G. (2018) p 34

*instrumentalised the migration issue in the hope of obtaining Europe's sponsorship. Yet this strategy got Sidimi into trouble with the larger Tubu community.*[234]"

Thus, through both cases, we can underline that outside of simply supporting security forces, making it through development aid take the risk to create a bias within the relationship between the two partners country. The security becomes a need for the EU and therefore the aid can be base on that need rather than the need of the people in poverty. This can be used as a tool even for the militias that well understood the role play that's going in development policies and especially the fight against irregular migration at stake.

**III. The risk for human rights and accountability to be forgotten**

**A. The blur of responsibility**

In terms of compliance with human rights, the difficulty here lies in defining the EU's responsibility. If EU-funded security measures lead to human rights violations, who is ultimately responsible? Is it the state in which the violation occurred or does the donor country that instigated and supported such measures also have a responsibility?

This question is related to the extent to which there is an extraterritorial application of human rights treaties. Indeed, the state is responsible for a human rights violation that took place on its territory or under its jurisdiction. Nevertheless, the extraterritorial application has been well developed by various international and regional bodies.

Taking the right to life as an example, Article 2 (1) of the ICCPR obliges States to guarantee the right to life when individuals are on its territory or within its jurisdiction. As stated by the Committee "*States have the supreme duty to prevent wars, acts of genocide and other acts of mass violence causing arbitrary loss of life*"[235]. Accordingly, States have a positive obligation to protect the right to life including the obligation to "*take actual steps of enforcement with a view of preventing violations of the right to life, or, if a violation could not be averted to punish the perpetrator*". The UN Human Rights Committee has recognized extraterritorial application when an individual is in the power of authorities. In the case of *Lopez Burgos v. Uruguay*, the Committee recognized the fact that a State party remains responsible for committing abuses even if they took place on the territory of another State, in this case the acts of violations were committed by Uruguayan State agents in Argentina.

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[234] Ibid.
[235] General Comment N°.06: the right to life (art. 6): 30/04/82, sub2.

The European Court of Human Rights has also shown a tendency to broaden the interpretation of the application of the Convention. Article 2 of the Convention has also been applied extraterritorially in various cases before the Court, either because the State party had effective control over another territory or where the extradition or expulsion of a person would lead to an infringement of the right to life of an individual to the country of leadership (*Salah Sheekh v. the Netherlands; Cyprus v. Turkey; Soering v. the UK;* ). According to Rozakis C. analyse, in *Cyprus v. Turkey*[236] the European Court of Human Rights did not directly define the notion of effective control, it was assumed to mean "*the capacity of a state to exercise power through its agents in an unhindered manner in a specific area outside its territory and, furthermore, for a period of time allowing for the 'effective' deployment of this powe*r"[237]. Notably, in the case of *Ocalan v. Turkey*[238], the Court recognized that state may be held accountable for violation that happened under their control and authority even if not in their territory [239].

Thus the Human Rights Committee and the European Court of Human Rights have put forward legal arguments to extend their jurisdiction. These elements show that while human rights can be applied extraterritorially to a certain extent, the condition of a minimum of control remains. How far is such control determined?

Some authors advocate a broad application of extraterritoriality. According to the understanding of universal, interdependent, indivisible and interrelated law, human rights should be protected everywhere, regardless of the state of effective control[240]. As says Vreeman N."*the sovereignty of the state is no longer convincing in the globalized world we live in today*"[241]. Nevertheless, questions remain on to what obligations would be involved in this extraterritorial manner, notably the part relating to the positive obligation could, for example, justify the use of foreign intervention.

Thus, the scope of EU obligations in its relations with third countries should be further researched, including the extent to which funding and the imposition of concrete security or migration management policies may define an expansion of its jurisdiction. This could notably raise the question of whether the EU and its Member States would be in breach of their negative obligation not to infringe the right to life (for example) but also the other rights we have developed in this research.

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[236]*Cyprus v. Turkey*, application no. 25781/94, ECHR, 10 May 2001
[237] Rozakis C. (2006) p61 cited in Vreeman N. (2010) p 250
[238] *Ocalan v.Turkey,* application no. 46221/99 ECHR, 12 march 2003
[239] Vreeman N. (2010) p 251
[240] Ibid. p 252
[241] Ibid.

In any case, if such considerations seem thus difficult to establish accountability remains an essential point of any policy. At the same time the legislative and executive acts are taken by institutions, bodies, offices and agencies of the Union are still bounded by the Charter of Fundamental Rights of the European Union as stated by article 51 and 52. There the right to life, to asylum but also to economic and social rights as well as civil and political one is recognised. This means that human rights should be still a matter of concern in any foreign policy taken. To this extent, it would seem indispensable to set up an accountability mechanism whereby the fundings would be stopped when human rights are impacted as a result of policies supported by aid allocation. This is why the next section aims at further study the place given to human rights in the instrument subjected to the security-development nexus.

## B. Human Rights assessment and monitoring

Under the umbrella of the development and security nexus lies a certain number of risks both in terms of the effectiveness of development policies and in terms of the consequences of security measures reinforcement, which in the long term can itself be a source of repression and local instability. While the EU is based on the pillars of democracy, human rights and the rule of law, its approach to security should supposedly be based on the same principles. Any act of foreign policy taken should be followed by a strong assessment of the security, safety and protection needs of different groups, including the specific needs of minority groups, children and women. In terms of human rights, the implementation and monitoring of international standards should have also a primary place in development policies, as they are the ground for long-term human development. This is why, in line with our thesis purpose to evaluate what are the risks in regards with human rights, it is important to look at the place given to human rights through the example of the previous instruments analysed.

To begin with the IcSP, the Regulation establishing the instrument states in Article 10 (3) that: "*the Commission shall carefully monitor the implementation of the measures (...) in order to ensure compliance with human rights obligations. The Commission shall include information in this respect in its regular reporting*".

By this article, IcSP gives fortunately a special emphasize on the need of human rights compliance. Nevertheless, the External Evaluation of the Instrument contributing to Stability and Peace (2014 - mid 2017) acknowledged a lack of integration of gender equality and human rights principles. It also

highlighted that actions and programmes in the security sectors generate numbers of risks if they are not supported by a "*do no harm*" and conflict sensitivity analyses[242].

The "Do no harm" approach is indeed essential in every project implementation, whether it is an associative project or a political action. It consists of taking the necessary steps to ensure that a programme does not have a negative impact on the effects of the promotion of peace and stability. It involves understanding and analysing in-depth the context in which an operation takes place. It then takes into account the potential effects of a programme according to a range of factors (good governance, human rights, local dynamics, etc.). In the event of a conflict, it focuses on the effectiveness of peacebuilding practices and helps aid workers understand the complexities of delivering appropriate assistance. This approach therefore requires adjustments at the design phase or even after the project has been implemented in order to avoid any risk of a negative impact and to maximise positive effects.

Furthermore, and despite Article 10 of the Regulation, little information is provided on how compliance with human rights is to be achieved. The Operational Human Right Guidance for EU external cooperation actions addressing Terrorism, Organised Crime and Cybersecurity has established elements that they recommend to be taken into account in the framework of the IcSP. In particular, specific information on the implementation of Article 10 should be specifically mentioned in the annual reports of the IcSP[243]. The effects on human rights are indeed hardly indicated in the various reports. Moreover, the reporting on the implementation of a rights-based approach should be a specific contractual requirement of all IcSP programmes and projects. To this end, the guideline provide a very interesting checklist to be taken into account whether it concerns the IcSP or other instruments. The implementation and evaluation of projects should therefore consider 5 principles:

- Legality, universality and indivisibility of human rights;

- Participation and access to decision-making;

- Non-discrimination and equal access;

- Accountability and access to the rule of law;

- Transparency and access to information.

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[242] External Evaluation of the Instrument contributing to Stability and Peace (2014 - mid 2017), Final report, Service for foreign policy instruments. p 16; p 3.
[243] European Commission (2014) p 41

If these principles are at the heart of the project implementation process, and particularly if the time is now for security-development nexus, this will provide more guarantees for the individuals concerned. This could apply to all instruments that are used by the EU in its development policies and especially where it includes cooperation with security actors.

If we now look at the APF, this instrument, as we have said, is in line with the African Peace and Security Architecture. The APSA embraces a comprehensive agenda for peace and security in Africa in which figures the promotion of democratic practices, good governance and respect for human rights. Nevertheless, there is a widespread perception that the peace support operations to witch countries contribute with troops follows primary national security interests while evading international law by not respecting human rights obligations and democratic principles[244]. The 2019-2020 Action Plan for the African Peace Facility highlighted itself the risk that African-led PSOs may not be conducted in compliance with human rights and international humanitarian law, explaining that the integration of human rights into African PSOs is not systematic and that existing monitoring mechanisms remain fragmented[245]. However, it is essential that such actions by PSOs are conducted in compliance with International Human rights Law. This is why an indirect role has been given to the Office of the United Nations High Commissioner for Human Rights (OHCHR)[246].

To mitigate this risk, the programme plans to support both AU capacity at headquarters and in the field. The idea would be to implement a framework of respect for human rights and international humanitarian law, while remaining gender-sensitive. This would include ensuring that a complaints system can be functional and accessible to any member of civil society affected by PSOs. The plan also stressed that attention should be paid to the integration of relevant gender-sensitive guidelines and the protection of women, including the promotion of the implementation of the Protocol on the Rights of Women in Africa (Maputo Protocol), but also of children and people in the most vulnerable situations in the event of armed conflict. In this sense, they wish to promote the increased participation of women in the actions undertaken. This would include activities aimed at preventing rape, especially sexual and sexist violence in conflict and post-conflict situations.It is also stated that, to the extent possible, efforts will be made to integrate relevant guidelines on sustainable development, including those related to the integration of climate change and environmental issues. It remains to be seen how its resolutions have been integrated and whether a proper evaluation process has been put in place[247].

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[244]Mackie J., Hauck V., Kukkuk L., Zerihun A., Deneckere M. (2017) p46
[245] Council of the European Union (2019), p 24.
[246] Ibid. p30
[247] Ibid. p 28

Overall, what the Programme of Action aims to implement seems to be a fundamental and necessary step forward, particularly when providing for human rights to be mainstreamed in all planned activities, including all future African-led PSOs . It is still to be seen how these guidelines will be implemented in the future.

Finally, regarding the EUTF, it is difficult to find a mention of human rights evaluation in the related report documents. The effective monitoring and evaluation of the actions financed are overall carried out by visits of independent experts. They assess the relevance, efficiency, effectiveness and sustainability of the programmes selected[248]. A mid-term evaluation will also be published soon, it remains to see if it includes a human rights perspective[249].

This issues posed by the EUTF in regards to human rights has been analysed by OXFAM[250]. According to the organisation, at the moment, security projects are approved without any obligation to include an analysis of the conflict or an assessment of their impact on the dynamics of the conflict or the security of individuals. The recommendation by OXFAM in 2020 stresses that the ex-ante evaluation of all projects should include a risk assessment, an analysis of the context and, where appropriate, a conflict analysis. An in-depth analysis on women's participation should be carried out. If finally a risk is identified, especially if the project may have a negative impact on rights, OXFAM suggests that the project should be suspended. The association also raised the need for transparency, and that the available information should thus be made public[251].

To sum up, it seems that there is an overall lack of monitoring in order to implement Human Rights law and International Humanitarian law compliance. The safety and security of individuals, and in particular the vulnerable people including women and children, may not be sufficiently taken into account, neither properly included and consulted in the current reporting system. What can be noted is that the evaluation system allows, however, a good consciousness of the risk and the fragility by each instrument and minimum transparency for also permitting the organization to point out specific issues, even if more efforts should be made. This can easily allow great step forward to be taken, as shown by the african-led PSOs action under the APF. Following the path of transparency and accountability is a crucial point while financing and cooperating with security actors as it can have many adverse and unwanted consequences, especially on human rights.

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[248] European Commission Website (a),
[249] European Commission Website (b)
[250] Kervyn E. and Shilhav R. (2017)
[251] Raty R. & Shilha R. (2020)

# CONCLUDING REMARKS

In its 2004 report, the UN secretary-general was stating "*Development and security are inextricably linked. A more secure world is only possible if poor countries are given a real chance to develop[252].*" In line with Kofi Annan statement, the recognition of the interdependence of development and security have emerged on the international political scene as a promising practice: fighting poverty is to fight state insecurity and vice versa. Similarly to the UN, the European Union emphasise the need for forging a closer link between these two 'distinct' policy arenas calling for more coherency within its own institutions and instruments as well as aid allocation.

Paradoxically, while all claim a joined-up approach between security and development, such a nexus isn't precisely defined and can be seen from totally different or even opposite angles. Some even consider the security-development nexus "*as a conceptual chaos in which it is unclear what security or development is constituted of*"[253]. If it takes the form of conflict prevention in the words of the former Secretary General of the United Nations, the "nexus" provides a point of reference for many other terms such as state failure, crisis management, post-conflict stabilization, state-building and peacebuilding, concepts which are themselves difficult to define.

Certainly, there is an inherent reciprocity between the two fields that reveals how the linkage has been used not only recently but in the whole history of development policy: security can be considered as a precondition for development, development a precondition for security[254]. During the Cold War, the use of development was part of a security strategy to avoid the expansion of the communist world. But it is only more recently that the nexus has become an explicit tool to face security challenges. From 9/11, the global war on terror leads to conceive state fragility and institutions weakness, along with underdevelopment, as threats to global security. More recently, in the fear of massive migration flux, the development and security agenda has also been presented as the best strategy to contain people in their countries of departure. In each case, there is a security threat, either terrorism, migration or transnational crime which is calling for a two-side answer: one that requires a development aspect, the other that supposes security measures implementation. The combination of the two is thus understood as attacking "the root causes" of global issues faced notably by the European Union. Yet development as a suitable solution to both migration and terrorism has been

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[252] United Nations (2004) viii
[253] Bueger, C., & Vennesson, P. (2009).
[254] Bergmann J. (2018)

easily questioned by literature, especially when such development method is seeking to respond to emergency "threats" and not long term poverty and inequality reduction.

In trying to concretely strengthen its capacities at the interface of security and development policies, the EU has taken a worrying path of development securitisation. In this vein, development assistance is removed from its ultimate goal, which is the fight against poverty, and put along with the need for military and security strengthening.    The first example of this trend is the IcSP. Under this instrument, development goals as been used as a tool to bypass the European treaties limitations and allow the EU to cooperate with military actors in third countries, notably since the adoption of the Capacity Building in support of Security and Development.  Even though the funds excludes the acquisition of arms or munitions, the CBSD is the first instrument allowing the financing of capacity building of third country military actors from the EU budget including training, equipement and infrastructures support[255]. Beside, the APF and the EUTF, are supporting security actors respectively for peace-building and borders reinforcement purposes while being mainly funded by the European Development Fund. For instance, under the APF African-led Peace Support Operation, €50 million has been allocated to support effective coordination and command of military operations through the Multi-National Joint Task Force in the Lake Chad Basin region between 2016 and 2018[256]. The G5 Sahel Joint Force has also been supported in combating terrorism, transnational organised crime and trafficking via the APF. Finally, the EUTF permits direct collaboration with security forces implemented by groups such as Interpol, Civipol, cooperation agencies and private companies. As an example, in June 2017 Niger received 50 million euros under EUTF to strengthen *"the state capacities in the sectors of security, counter smuggling, and include addressing trafficking in human beings"*[257].

Although such a switch within development policies has been presented as more coherent for EU institutional system as well as fostering a more comprehensive approach in its regional foreign policy, the question remains on whether such coherency applies for the receivers countries and the needs of vulnerable people at stake.

The present thesis didn't develop the positive impacts that those instruments had on localities, and doesn't deny that they may have permitted a lot of contributions within the receivers countries. Nevertheless, as stated in the methodology, the purpose here is to underline the possible paradoxes and problematic points that could put Human Rights at risk.

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[255] Bergmann J. (2018)
[256] European Commission (2019) African Peace Facility, Annual Report 2018.
[257] European Commission (2017d) p 3

As a consequence of development policies securitisation, several authors alarmed that the security prospect might lead to a country prioritisation according to security interests and not anymore poverty reduction needs. Although there are parallels between security and money delivery, aid allocation is also driven by other interests (diplomatic, economical, political…) which makes country prioritisation not necessarily a phenomenon related uniquely to securitisation. The issue at stake is rather the disjunction between the claim, i.e. the seek of poverty reduction and fight against inequalities, and how the funds are finally allocated to training and equipment to border security and military actors. This interrogates on whether or not security measures implementation really contributes to the achievement of development objectives.

In fact, the paradox revealed in the thesis is the assumption that development and security convergence would foster coherency, even though they may differ in many aspects. Thus, the concrete purposes for which the nexus is to be applied, what it is intended to achieve and how it can be implemented, changes the way in which the intersection of security and development objectives is conceived. One may favour the other in the same way that they may contradict each other. Therefore, it is easy to question the simple premise stating these two areas should be addressed together.

As a matter of fact, aligning the fight against terrorism, transnational crime and curbing migration along with poverty reduction present in itself inconsistencies as each of those point required divers and multifactorial responses following also different timeframes. In line with the externalisation of securitisation occurring in Africa, the development-security nexus is risking to take the form of the EU security instruments putting aside development objectives. The trend of adding a security element into the aid allocation is also going hand in hand with European security industries being first in line to get the African security market, and especially the new promising one on border security. As the case study of Niger and Sudan underline, such cooperation becomes problematic since it interrogates on how aid could contributes to strengthening militarisation of repressive regimes through fundings of trainings, equipments and security systems, and also how it affects local economy and stability. Indeed, both cases study show that the security model implemented through aid allocation, especially the one of border securitisation, have participated in putting people in more insecurity as the security forces are sometimes considered as the primary source of threat. In Sudan, it probably indirectly strengthens the militias, notably the Sudanese Rapid Support Forces that have take the role of countering human smuggling at the sudanese borders whereas they have been reported as committing numbers of human rights violations including, paradoxically, human trafficking. On the top of that, the migration reduction goals seems to have as well destabilised the migration-grounded-economy and the fragile peace established along with tubus and touaregs communities in Niger. This study reveals a worrying approach to migration management based on a security rationale, while on the contrary,

development aid instrument should rather concentrate on increasing people's safety and livelihood prospects. Especially, a blind eye should not be turned on the use of violence and the commission of abuse against migrants by the African partners. Those elements lead to a necessary reconsideration of the external migration policy that is conducted through development assistance.

Overall, and especially since aid conditionality seems to have been also guided by security interests, the security perspective gives a bias within the development cooperation that is supposed to support people needs and not respond to Europeans wants. In the receivers country perspective, it can notably lead to the use of security measures as a bargaining chip for more development assistance. In the end, the risk is to bring more insecurity to people themselves, and consequently their right to security, life and be free from torture and ill-treatment while also undermining the progressive steps require for Economic social and cultural rights that should be taken by the state of residency as well as the implementation of the right to development. As a result of not paying attention to people's freedom from fear and freedom from wants, all human rights are consequently impacted systemically.

Consequently, the possible adverse effects are mostly envisaged in this paper according to whether or not security is conceived through its traditional approach, i.e. taking as a reference the integrity of a sovereign state, or a human approach, i.e. security thought subjectively according to individual points of view taking into account direct as well as structural violence - referencing to Johan Galtung stratification and peace conception - and the resulting living conditions. As pointed out by Furness M. & Gänzle S. (2016), if EU development policy were "securitised" from the perspective of the donor state, a logical consequence would be that European security interests would dominate political discourse, decision-making and aid allocation. If, on the other hand, security policy was primarily oriented towards protecting vulnerable people in fragile developing countries and creating a stable environment in which institutions can be built and development projects promoted, then Thérèse would be a more positive understanding of the development-security nexus.

Similarly, what the present research especially wish to emphasize is that if a bridging approach of security development is conducted as following UNDP conception of human security, and therefore focusing on human freedoms, it consequently take the path of the human rights fulfilment better than if the security is following a donor regional and/or state-centric approach. This conception is also based on the strong belief that global security cannot be achieved without respect of individual security according to which human rights are conceived as both pre-condition and result. While the term human security has been subject to controverses, and criticized as being vague, it also can be seen as a methodology in which individual freedoms are the main matter of concern in policy conduction. In its own Consensus of development of 2017, the European Union emphasize its will to

focus on human security within the development-security nexus[258].  Here, the present paper claim is not to conceive human security as the ultimate goal for development policies as it should rather aim human development and human rights in a mutually reinforcing perspective. The idea is more to see human insecurity, in its broad sense, as a red line to not cross when financing projects of development assistance. It leads to a necessary human and conflict sensitivity evaluation in line with the "do no harm approach" which require an in-depth understanding and analysing of the context in which operation takes place and its potential effects. The EU's own standards establish that '*development interventions in fragile and conflict-affected situations should bear in mind the "do no harm approach" and need to adopt a more context specific and flexible planning approach, recognising the high risk of failure and the need to quickly adapt to changing situations*'.[259] Accordingly, the human security paradigm would help to consider the threats posed to the individual in the human security framework including environmental, personal, economical, political and food security.  This approach could mitigate the adverse impact that a development-security nexus can have on human being and avoid extra-financing of militarisation in the name of development.

In term of international human rights law compliance,  the responsibility of the donor country would be complicated to establish. First, because the state of art do not set yet to which extent extraterritorial obligations shall be implemented. Second, because a violation could be difficult to establish especially since it might be more a result of a systemic situation rather than a specific aid allocation. Nevertheless, this does not alter that human rights, democracy and the rule of law should be the overarching perspective of the European Union.

In the Millenium Declaration, world leaders committed themselves to "*spare no effort to free our fellow men, women and children from the abject and dehumanizing conditions of extreme poverty*" and committed to making the *"right to development a reality to everyone*"[260].  Development aid, in order to mitigate poverty, must be conceived in a way it supports human development according to a social justice system, rather than an economic growth, neither should it be shaped under a donor's security paradigm. In this vein, respect for human rights is crucial for any development strategy. Achieving poverty eradication requires good governance, democracy, the rule of law, non-discrimination, and constant attention to the implementation of basic human rights.  It also expects continuous efforts in identifying the needs of the people vulnerable and to respond accordingly. The Human Development Report of the UNDP calls for development policies to be anchored in human rights reasoning as well as influenced by the conception and implementation of

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[258]  EU (2006) §65
[259] Council of the European Union (2017). §11
[260]  United Nations (2000)

international human rights norms. In this line, a human rights-based approach to development represents a path that could be taken in order to better assess the human rights impacts of the policy taken, with non-discriminatory and equality principles at glance. As claim by Ramcharan B. the objectives of such approach are to " *address the discrimination, powerlessness and weaknesses in systems of accountability that lie at the root of poverty and other development problems by applying the standards and related principles and values of human rights throughout development policies, activities and programming cycles*[261]. Therefore, an accountability scheme could ensure that fundings are used by partners in compliance with human rights and international human right law is of particular necessity. Also, participation and inclusiveness of civil society are crucial in order to make sure that project funded are prioritised on context-specific needs and vulnerability assessments, especially when the funds go for security structures.

Beyond framing development assistance delivery according to a human rights-based approach, a promising concept that requires special attention is the one of resilience[262]. It has been defined as "*the internal capacity of societies to cope with crises, with the emphasis on the development of self-organisation and internal capacities and capabilities rather than the external provision of aid, resources or policy solutions*"[263] Developed by recent literature it is somehow replacing the security-development nexus and can be already observed as mentioned in European Union's instruments - notably in the IcSP, the APF and the EUTF. It suggests a shift for a more pragmatic approach to international intervention admitting the limited scope of action from external coercion in the face of complex domestic problems[264]. In development assistance, it could suggest at least the implementation of a better consultative approach to resilience building with a strong emphasis on minority rights as well as gender equality and children rights as those are the more vulnerable when it comes to extreme poverty and time of crisis[265]. In the end, resilience seems to be a truly mean to de-politicised and de-securitised poverty in a way it supports the development of existing local capacities and capabilities[266].

Overall, blurring the line of security and development can lead to dangerous abuses if we are not careful on following a human-centred approach to both topics, bearing in mind the do no harm principle. The imperative to comply and promote international human rights law in any action taken, especially in development policies, is thus crucial to mitigate potential unwanted consequences when

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[261] Ramcharan B. (2004)
[262] Bergmann J. (2018)
[263] Chandler (2015) p. 13
[264] Bergmann J. (2018)
[265] Kervyn E. and Shilhav R. (2017)
[266] Chandler (2015)

allocating aid funds. Ultimately, the notion of resilience opens a door to a rationale less aligned with the economic and security interests of donor countries and rather accorded with the local dynamics and perspective, building on self-capabilities of the developing countries.

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