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Against all Odds –
The Evolution of Planning for ESDP Operations
Civilian Crisis Management from EUPM onwards

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Table of Contents

Foreword.....	2
Executive Summary.....	3
Acronyms.....	7
1. Introduction	9
2. The Evolution of the EU Civilian Crisis Management Capacity	10
2.1. The Wider Political Context and the European Security Strategy	10
2.2. Civilian Crisis Management Capability	11
2.3. Institutional Structures	14
2.4. Concepts for Civilian Crisis Management	16
3. Planning the First ESDP Mission: EUPM	18
4. Planning and Mission Support	20
4.1. Evolution of Mandates and Mission Support	20
4.2. The Fact-Finding and Planning Phases	22
4.3. Procurement, Logistics, Personnel and Financial Arrangements.....	29
4.4. The Role of the European Union Special Representative	36
5. Cooperation with Other Actors.....	38
5.1. Cooperation with the European Commission (EC)	38
5.2. Cooperation with NATO – Berlin Plus in Theory and Practice	42
5.3. Cooperation with the UN.....	45
6. Conclusions	47
7. Annexes	51
7.1. Timeline of ESDP Missions.....	51
7.2. The Missions.....	52
8. Bibliography	60

Foreword

From being a marginal player, the European Union has within only three years moved to center stage in the field of international peace operations. Starting with the European Union Police Mission (EUPM) in Bosnia and Herzegovina in 2003, the number of operations under the European Security and Defence Policy (ESDP) increased to twelve during 2006. Both the geographic range and the field of activity of these operations have grown accordingly.

While the deployment of these missions clearly represents an impressive achievement, a number of challenges remain. For instance, the planning and mission support capacity in the EU Council Secretariat and the cooperation between the Council and the Commission needs to be improved.

The political will of Brussels and the member states to overcome these obstacles will be put to the test in the near future. The EU has declared its intention to replace the UN in Kosovo, pending the result of the status negotiations. This operation will be of a different order of magnitude both in size and in complexity compared to past ESDP missions. It will consist of police and Rule of Law elements as well as other civilian components and require a close cooperation with NATO-led KFOR.

In view of these developments, it is my pleasure to draw your attention to the paper "Against all Odds – The Evolution of Planning for ESDP Operations" by Annika Hansen. It offers an in-depth analysis of EU's crisis management capacity from 2003 to the present. Dr. Hansen, currently Senior Analyst at the Norwegian Defence Research Establishment (FFI), is particularly well placed to provide an insight into the designing, planning and deployment of ESDP missions, having worked both as a member of the planning team for EUPM and later as Chief Political Advisor of the operation.

The present paper is the result of research undertaken during a three months stay as visiting scholar at the Center for International Peace Operations (ZIF) in 2005.

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Executive Summary

Dramatic Evolution of ESDP in Three Short Years

Overall, the evolution of ESDP operations has been nothing less than impressive. From being added as an afterthought to Council Conclusions in Helsinki in December 1999, the civilian crisis management capacity has developed into one of the EU's most important foreign policy tools. The starting point for planning and deploying ESDP operations appeared rather bleak, given the unwieldy Brussels bureaucracy, inter-pillar rivalry, constraints inherent in intergovernmental mechanisms and the fact that civilian planning capacity was newly established and inexperienced. The dramatic development from planning EUPM to twelve concurrent operations three short years later and the current range, frequency and scope of missions affirms how decisive sheer political will is as a catalyst for success.¹

Where the will has been less apparent is in ensuring the expansion of capacity to plan and run operations in Brussels in line with the expansion of ESDP operations. The International Crisis Group points to the urgency of change, suggesting that "[t]here are glaring weaknesses in EU ability both to prevent violent conflict and to manage conflicts as they arise. Some of these are structural, many more result from a lack of capabilities, both military and civilian, and all could be vastly improved by a greater dose of political will."²

Enhancing Planning and Mission Support – but Not Enough

Planning and mission support capacity in the Council Secretariat has been increased, but insufficiently so. Challenges remain substantial in the area of personnel recruitment and management, procurement and the financing of operations. Beginning in 2002, the past years have witnessed several significant developments.

Planning Capacity:

- Planning capacity has grown and planning follows a certain routine, but is still too small for the rapidly growing number of ESDP operations. The planning pressure also allows little time to build institutional memory.
- Planning processes have been standardised through formal and informal documents, such as the Road Map used in planning and guidelines for fact-finding missions, but these could be used more systematically.
- Fact-finding missions and planning teams are established routinely and coordinate better with the political decision-making process but still overemphasise mission structure over programme development in mission planning.
- A Civil-Military Cell was established to provide autonomous planning capacity for non-Berlin Plus EDSP operations, to take the lead on civil-military coordination and to function as a think tank or strategic planning cell and – in the near future – as an operations centre. It has both drafted strategic concepts, such as for comprehensive plan-

¹ As of late 2005, the EU had deployed nine ESDP operations with approximately 7,000 military staff, 500 police officers and 420 international civilian staff. Note that these numbers include the 'old' EUPM and Proxima. Both follow-on missions have fewer staff members. Source: *Worldmap of Peace, Peacebuilding and Crisis Prevention Missions 2006*, Center for International Peace Operations (ZIF): Berlin.

² ICG, 2005, p. 2.

ning, and has actively participated in planning for the ESDP operation in Aceh. Importantly, it includes two Commission representatives in its staff.

Procurement, Logistics, Personnel and Financial Arrangements:

- A cost-sharing pattern was put in place for EUPM that has been replicated in most operations, in which common costs are covered by the CFSP budget and member states cover the costs of their own staff contributions.
- Procedures for accessing funds from the CFSP budget are time-consuming and ill-suited for reacting to a rapidly changing mission environment, typical of crisis management operations.
- CFSP budget is too small to meet the ambitious goals set in official ESDP documents, such as the *Civilian Headline Goal 2008*.
- Recruitment of mission staff is still a lengthy process and at times held hostage by the complex political decision-making process.
- Efforts are underway to strengthen the recruitment of specialists in the areas of procurement, finance, programme management or media.
- The concept of Civilian Response Teams (CRTs) has been launched to alleviate pressure in personnel and procurement and enable more rapid reaction.
- Training of civilian crisis management staff has become well-coordinated in Europe, but could benefit from a closer connection to the recruitment for actual missions.

European Union Special Representative (EUSR):

- The EUSR role has become more central and substantial but his/her authority, tasks and coordinating role need to be more clearly defined to realise the position's full potential.

The extent to which these measures can bring the anticipated improvements depends on the EU member states' willingness to allocate the necessary means to establish a well-staffed and resourced planning and mission support capacity. This willingness will be put to the test as the EU prepares to take on its most comprehensive and challenging endeavour to date, namely a take-over of at least part of the UN's portfolio in Kosovo, once talks on the future status of the province have progressed sufficiently.

Room for Improvement

Clearly, important shortfalls remain to be addressed despite the progress. Most importantly, the number of planning staff needs to be increased and staff recruitment needs to be more targeted and more varied to include civilian experts from the private sphere. While the planning capacity has grown and has developed a certain routine, the growth in planning capacity has not matched that of the rapidly evolving nature, scope and structure of ESDP operations, creating an increasing gap.³ As a result, planning staff is overburdened and overworked and has no excess capacity for three central activities:

- 1) The need for conceptual planning far outweighs the existing capacity to do so. The Civil-Military Cell has begun to fill that gap and develop strategic conceptual documents, but it remains to be seen whether these documents take their place among the

³ The December 2005 Presidency Report on ESDP outlines the need for further enhancements and calls for a strengthening of mission support capacity. *Presidency Report on ESDP*, December 2005, paras. 60, XIX.

long list of previously developed concepts or are actually useful and used in planning and mission design.

- 2) Little attention is paid to support of ongoing missions. Once an operation has been launched it is largely left to its own devices. This is perceived as a lack of political headquarters support by mission staff in-theatre. There have been few regular assessments and adjustments of mandates and resources. While benchmarking mechanisms are often discussed, they are not developed and implemented systematically.
- 3) Inadequate mission support, follow-up and benchmarking is related to the need to review lessons learned more thoroughly and systematically. ESDP operations are generally declared to be a success even *prior* to their launch. This pre-determined successful outcome relieves the pressure of mission support and prevents rigorous self-scrutiny. An unfortunate consequence of the EU's lack of transparency and honest review is that critics overplay the difficulties and undervalue the real achievements of ESDP operations. This study has looked at procedures and processes of planning. Much remains to be analysed with regard to the content and functioning of missions, mandate fulfilment etc.

Improved Cooperation between the Commission and the Council

From a dire starting point, Council and Commission cooperation has also made headway through daily contact at working level and through the presence of Commission representatives in the Political Security Committee (PSC) and the Civil-Military Cell. A discussion between the Council and the European Commission on the size and allocation of the CFSP budget is a welcome and indispensable step forward. As of mid 2006, it appears that a realisation is taking hold at the political strategic level in the Council and the Commission that drastic changes, such as an increase in or a reallocation of authority over the CFSP budget, are needed in order to fully realise the potential that lies in the EU's foreign policy toolbox.

Thinking Strategy beyond the European Security Strategy (ESS)

Although the ESS is a first step towards agreeing on a common strategic framework for ESDP Operations, it offers little in the way of prioritisation. Instead, it sketches a wide area of operation and leaves all doors open for potential future missions. There is very limited strategic thinking on when and where ESDP operations should be deployed and how each fits into an overall set of aims. This is less true of missions deployed in the EU's immediate neighbourhood than, for instance, of EUSEC DR Congo or the AMM.

While more guidance is desirable especially for mission planners, in reality no international organisation has developed a set of criteria for when, where and how to intervene. Instead, decisions are always politically motivated and depend on a number of circumstantial factors that defy pre-planning. As ESDP operations are an intergovernmental instrument, they will always struggle with reaching consensus which in turn threatens the EU's ability to respond rapidly to a crisis.

Tension between the Field and Headquarters in Planning

Another aspect that has not been explored in great detail in this study is the relationship between the field and headquarters in Brussels. The study is focused on Brussels and the planning

in the Council Secretariat, but clearly all shortfalls have significant consequences in the field and impede the achievement of an ESDP mission's objectives. In addition, there appears to be a significant disconnect between the field and headquarters that manifests itself in planning processes, such as for the follow-on operations to EUPM and Proxima, and is exacerbated by the limited emphasis placed on support to ongoing missions. This is not unusual for international operations in which field staff tends to feel neglected and misunderstood by their political masters. But it is not inevitable that the EU makes the same mistakes and it could be more proactive in alleviating grievances.

Planning for Kosovo and Other Future Challenges

Finally, a central question concerns the future challenges for ESDP operations. As indicated above, the ESS foresees the launch of ESDP operations on a global scale and with a wide variety of tasks. The current missions in Africa, in particular EUFOR in the DR Congo, and Southeast Asia are indicators that the EU is likely to engage in more partnerships with NATO, but probably even more so with regional organisations and with the UN. It will also be interesting to see when and whether the EU will be able to deploy a fully integrated civil-military operation. While the Civil-Military Cell is a promising new body, there is still a wide gap between civil and military planners that requires far more communication and cooperation to be bridged.

The prospect of designing, planning and deploying an ESDP mission for Kosovo underlines the need to reinforce planning capacity, especially in the area of programme development, to streamline planning and decision-making procedures and to remove structural obstacles among EU pillars, so as to be able to adequately support the mission and respond rapidly in potentially volatile circumstances. Ultimately, however, the actual capacity to conduct the mission may have practical implications for the mission's effectiveness, but will be less decisive than the political determination to meet this challenge. In that sense Kosovo is no different than any of the other operations the EU has launched.

Acronyms

AMIS	African Union Mission in Sudan
AMM	Aceh Monitoring Mission
APF	African Peace Facility
ASEAN	Association of South East Asian Nations
AU	African Union
BiH	Bosnia-Herzegovina
CARDS	Community Action for Reconstruction and Development
CFSP	Common Foreign and Security Policy
CIVCOM	Committee for Civilian Aspects of Crisis Management (European Council)
CJA	Council Joint Action
CMC	Crisis Management Concept (CIVCOM)
CMCO	Civil-military co-ordination
CFMI	Crisis Management Initiative (Aceh)
CoE	Council of Europe
CONOPS	Concept of Operations (EU)
COREPER	Committee of the Permanent Representatives
CMC	Crisis Management Concept
CMP	Crisis Management Procedures
CRCT	Crisis Response Coordination Team (CIVCOM)
CRT	Civilian Response Team
DDR	Disarmament, Demobilisation and Reintegration
DG	Directorate-General
D-SACEUR	Deputy Supreme Allied Commander Europe
EC	European Commission
ECHO	European Humanitarian Aid Office (European Commission)
EDF	European Development Fund
EIDHR	European Initiative for Democracy and Human Rights (European Commission)
ESDC	European Security and Defence College
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EU	European Union
EUMC	European Union Military Committee
EUPM	European Union Police Mission in Bosnia-Herzegovina
EUROGENDFOR	European Gendarmerie Force (also EGF)
EUSR	European Union Special Representative
FFM	Fact-finding mission (EU)
FPU	Formed Police Units
FYROM	Former Yugoslav Republic of Macedonia
GAERC	General Affairs and External Relations Council
GAM	Free Aceh Movement
GoI	Government of Indonesia
HoM	Head of Mission
HR/SG	High Representative/Secretary General (EU)
IMP	Initial Monitoring Presence (Aceh)
IPF	Integrated Police Force (Kinshasa, DRC)

IPTF	International Police Task Force (Bosnia-Herzegovina)
IPU	Integrated Police Unit
JHA	Justice and Home Affairs (EU)
MONUC	United Nations Organization Mission in the Democratic Republic of Congo
MoU	Memorandum of Understanding
NAC	North Atlantic Council (NATO)
NATO	North Atlantic Treaty Organization
ODIHR	Office for Democratic Institutions and Human Rights (OSCE)
OPLAN	Operation Plan
OSCE	Organisation for Security and Cooperation in Europe
PCA	EU-Georgia Partnership and Cooperation Agreement
PSC	Political and Security Committee (EU)
RRM	Rapid Reaction Mechanism (European Commission)
SAA	Stabilisation and Association Agreement
SACEUR	Supreme Allied Commander Europe (NATO)
SAP	Stabilisation and Association Process
SFOR	Stabilisation Force (Bosnia-Herzegovina)
SOFA	Status of Forces Agreement
SSR	Security Sector Reform
TACIS	Technical Assistance to the Commonwealth of Independent States
ToR	Terms of Reference
UN	United Nations

1. Introduction

When the EU declared its intention to participate in military and civilian crisis management operations in the late 1990s, it was generally met with scepticism based on the view that the unwieldy Brussels bureaucracy, the inter-pillar rivalry and the constraints inherent in intergovernmental mechanisms would make it impossible to provide dynamic decision-making for crisis management. It was clear from the beginning that mission planners would have to navigate a range of political and organisational concerns. At the same time, member states dispelled any doubt about the sincerity of their intentions, putting in place the conceptual frameworks and organisational structures and authorising missions in quick succession. Since the launch of the European Union Police Mission in Bosnia-Herzegovina (EUPM) – the very first civilian crisis management mission under the European Security and Defence Policy (ESDP), the European Council has authorised fifteen missions in the Balkans, the Middle East, the Caucasus, Southeast Asia and Africa.⁴

Following the experience of planning EUPM, the limited planning and mission support capacity in the Council Secretariat was increased. While capacity has grown and developed a certain routine, its growth has not matched that of the rapidly evolving nature, scope and structure of ESDP operations. There is little emphasis on lessons learned, so that planning is still haphazard and has no institutional memory to fall back on. Furthermore, little attention is paid to support for ongoing missions, leading to difficult relations between field and headquarter staff. Other measures included a rethink of procedures for fact-finding and planning and most importantly, the establishment of a Civil-Military Cell. The Cell is the nucleus of a planning capacity for non-Berlin Plus operations and is currently setting up an Operations Centre. Although still in its infancy, it has already contributed in specific mission planning for the Aceh Monitoring Mission (AMM) and in developing joint concepts, such as for comprehensive planning.

As the EU is poised to take on its most challenging endeavour – taking over at least part of the United Nation’s current portfolio in Kosovo, it is critical to ask whether the political ambitions have been matched by the development of institutional capacity for planning and running operations in Brussels. This study takes a closer look at how planning has evolved since EUPM, whether lessons have been learned and applied and how the EU planning and implementation capacity has adjusted to changing realities of a wide variety of missions. In the European Security Strategy (ESS), Secretary General Javier Solana urged the EU to be “more active, more coherent and more capable.”⁵ Other policy documents have called for steps to enhance the EU’s ability to react early, to react rapidly and react appropriately, i.e. proportionately, adequately

⁴ For an overview over the main aspects of all ESDP missions, see the Annex of this report.

⁵ *A Secure Europe in a Better World. European Security Strategy*. Council of the European Union: Brussels, 12 December 2003, p. 11. The ESS goes on to define “more active” as “early, rapid, and when necessary, robust intervention” and sees the combination of military and civilian instruments as pivotal in achieving this goal.

and effectively. Whereas the ability to react early and appropriately is clearly contingent upon political decision-making, the ability to react rapidly and to launch a mission rapidly hinges on available capabilities, as well as on financing, procurement, recruitment and so on.

The study begins by sketching the wider context and the evolution of the EU's crisis management capacity in Chapter 2. It presents the institutional structures, key documents that guide the planning and deployment of ESDP operations and gives a brief overview over the decision-making and planning process. In order to have a baseline for assessing what has changed in planning and mission support, Chapter 3 describes the EUPM planning process in 2002. In an effort to address some of the shortfalls in the planning and mission support capacity, improvement measures were suggested, agreed and implemented in the Political Security Committee (PSC) and Council Secretariat. These measures are outlined and assessed in Chapter 4. Cooperation with the European Commission and with other international organisations has also been a major issue in planning and deployment. It is discussed in Chapter 5. The limited scope of this study and the research period at disposal do not allow an assessment of the success or failure of the ESDP missions to date. Instead, the study concludes with an overall assessment of how the EU's ability to plan and support missions has evolved and what future challenges lie ahead.

2. The Evolution of the EU Civilian Crisis Management Capacity

2.1. The Wider Political Context and the European Security Strategy

While international crisis management has been a central issue and political factor for the EU in and of itself, it should also be seen in connection with the wider political context. This consists of various elements in the EU's foreign, security and development policy, including aid, enlargement, human rights and justice and home affairs, and forms the backdrop for decision-making on ESDP missions. For instance, the police missions in the Balkans have been closely tied to the prospects for and debates on accession – within the Stabilisation and Association Process (SAP) – and have drawn on calls for “police reform, judicial reform and border security management”⁶ to strengthen their own causes. EU policy towards its wider “neighbourhood,” ranging from the Commission's European Neighbourhood Policy (ENP), through the Barcelona Process and to the Cotonou Agreement, will frame future ESDP activities.⁷ The decision to launch EUJUST Themis

⁶ Hänggi, Heiner and Fred Tanner, 2005: *Promoting Security Sector Governance in the EU's Neighbourhood*. Chaillot Paper no. 80, EU Institute for Security Studies: Paris, July 2005, p. 28f.; International Crisis Group, 2005a: *EU Crisis Response Capability Revisited*. Europe Report No. 160, ICG: Brussels, 17 January 2005, p. 33f.

⁷ ICG, 2005, pp. 33-37.

on 28 June 2004 is a case in point, in that it followed hot on the heels of the Council's inclusion of Armenia, Azerbaijan and Georgia in the ENP.⁸

The main change in the political context since planning for EUPM began in 2002, has been the adoption of the European Security Strategy (ESS) in December 2003. The adoption itself was accelerated by the Iraq crisis and the desire of member states to counteract impressions of divisions within Europe. With its emphasis on democratisation, human rights and security sector reform as instruments of stabilisation and consolidation of a peaceful neighbourhood, ESDP aligns itself with the Commission agenda. The ESS is relevant for planning in that it outlines potential areas of operation and potential tasks. It underlines the fact that the EU is a global player and points to the interlinked sources of insecurity, including regional conflicts, state failure and organised crime, and the resulting need for multifunctional approaches that combine a variety of instruments.⁹ This also coincides with the enlargement process, as a result of which some challenges that were on the outskirts of Europe have become internal security issues, such as organised crime and human trafficking.¹⁰ It suggests that ESDP operations will find wide usage and continue to become an increasingly central and versatile tool for European foreign and security policy. Despite the formal declarations of intent, the EU could do more to reflect this realisation through more integrated planning.¹¹

2.2. Civilian Crisis Management Capability

The development of the EU's crisis management capability has been swift. The foundation for developing crisis management tools under the Common Foreign and Security Policy (CFSP) is the Amsterdam Treaty, which entered into force in May 1999, and the commitment of member states to develop the capacity to conduct the Petersburg tasks, namely humanitarian and peacekeeping operations. The first steps towards civilian and rule of law capacity were taken at the Helsinki European Council in December 1999.¹²

The civilian capacity developed in the shadow of the military capacity. While the military dimensions had developed sufficiently to set its Headline Goals in Helsinki, non-military crisis management was only added as an afterthought. In Helsinki, the Council defined civilian polic-

⁸ Monaco, Annalisa (2004) "Another first for ESDP: The Rule of Law Mission to Georgia," *European Security Review*, No. 23, July 2004.

⁹ *A Secure Europe*, pp. 6-7.

¹⁰ ICG, 2005, p. 4.

¹¹ *European Union Presidency Seminar on Civil-military Coordination, 17-18th October 2005. Chairman's Seminar Report*. Royal United Services Institute, Whitehall, London, 17-18 October 2005, p. 5.

¹² The following draws on Hansen, Annika S., 2004: "Security and Defence: The EU Police Mission in Bosnia," in Carlsnæs, Walter, Sjursen, Helene and Brian White (eds) *Contemporary European Foreign Policy*. Sage Publications: London, pp. 175-177.

ing as a central tool for crisis management and agreed to develop a civilian rapid reaction capacity. Six months later at Santa Maria da Feira the Council created the organisational structures that now “run” ESDP operations, namely the Political Security Committee (PSC), the Committee for Civilian Aspects of Crisis Management (CIVCOM), the European Union Military Committee (EUMC) and the European Union Military Staff (EUMS). With the creation of these bodies, policy instruments to implement the Common Foreign and Security Policy (CFSP) moved from the Community to the Union. In the summer of 2000 at Feira, the member states also agreed on Headline Goals for police, which called for 5,000 civilian police personnel by 2003 – of which 1,000 would be deployable within 30 days.

During the French Presidency, the understanding of civilian crisis management was expanded to also include the judicial and penal sectors. The conclusions of the European Council meeting in Nice in December 2000 called for the establishment of a Rule of Law capacity, including a roster of judges, prosecutors and corrections staff. The Nice Conclusions also identified two main types of civilian crisis management operations that the EU would take on, namely strengthening or substitution missions.

Sweden declared the development of policing as a crisis management tool a priority for her Presidency and the June 2001 conclusions of Gothenburg created the Police Unit; a designated capacity for planning and conducting police operations which, in contrast to the military staff, is not a self-standing body but located within the Council Secretariat. During the Presidency a meeting of police chiefs from member states was held at which the police chiefs designed a Police Action Plan that outlined priority areas and next steps. This was an attempt to render the development more consistent in the face of rotating presidencies. Areas of improvement identified then and still valid at present include “planning, training, command and control, interoperability and the ability to deploy rapidly, through standby units, such as Headquarters or integrated police units, and through enhanced military-police co-operation.”¹³ Although a useful forum, Police Chiefs did not gather again until the Netherlands Presidency, three and a half years later. Only six months after Gothenburg the civilian crisis management capacity was declared operational at Laeken. Also, during the Belgian Presidency, the first Commitment Conference for police was held. Although informal discussions on a possible takeover of the UN International Police Task Force (UNIPTF) mission had been ongoing, the Council formally confirmed its decision to assume responsibility for the European Union Police Mission (EUPM) – the first ESDP mission – in Seville in June 2002. At the same time, it declared that it would look into deploying its first military mission under ESDP to Macedonia. Already six months later in Copenhagen, the EU declared its willingness to take over from SFOR in Bosnia-Herzegovina.

¹³ Hansen, p. 176.

The rapid evolution continued under the Greek and Italian presidencies which saw the launch of the first ESDP missions, EUPM, Concordia, Artemis and Proxima, in the course of 2003. In addition, cooperation agreements were reached with NATO and the UN and the European Security Strategy (ESS) was published.

Under the Irish Presidency, the Council agreed to establish a limited planning capacity in a so called Civil-Military Cell and adopted the *Action Plan for Civilian Aspects of ESDP* in June 2004. It called for an update of available resources and the inclusion of a broader range of civilian experts in fields, such as “human rights, political affairs, security sector reform (SSR), mediation, border control, disarmament, demobilisation, and reintegration (DDR), and media policy.”¹⁴ The Action Plan pointed ahead to the Capabilities Commitment Conference scheduled to take place during the Dutch Presidency in November 2004 and the subsequent formulation of a consolidated Civilian Headline Goal 2008. In November, the Ministers of Defence also accepted a proposal by France, Spain, Portugal, Italy and the Netherlands to create a European Gendarmerie Force (EUROGENDFOR) that would be rapidly deployable and able to operate under both military command and civilian control.

The *Civilian Headline Goals 2008* outline the ambitions and tasks of EU crisis management ranging from military combat roles to monitoring.¹⁵ On the civilian side, the four priority areas are policing, the rule of law, civil administration and civil protection. One ambition is to conduct missions concurrently, “including at least one large civilian substitution mission at short notice in a non-benign environment.”¹⁶ Further, the Goals call for the EU to be able to launch a mission within five days of the Crisis Management Concept (CMC) being approved by the Council and to deploy capabilities within 30 days of the decision to launch. This raised the bar to a high level and would require substantial commitment from member states that would have to take steps towards improving the availability and quality of personnel for civilian crisis management, reflected in the Capabilities Requirements List. The Civilian Headline Goal 2008 also foresees close cooperation with the military where necessary and desirable. It especially points out that the civilian capabilities should have the ability to draw on “military enabling capabilities,” such as the Civil-Military Cell.¹⁷ Finally, it calls on the Council and the Commission to collaborate closely, in particular when it comes to planning and implementing ESDP missions.¹⁸

¹⁴ *Action Plan for Civilian Aspects of ESDP*. Council of the European Union, Brussels, 17-18 June 2004, para. 1.

¹⁵ *Civilian Headline Goal 2008*. Council of the European Union, Doc no. 15863/04, Brussels, 07 December 2004.

¹⁶ *Civilian Headline Goal 2008*, paras. 4, 5.

¹⁷ *Civilian Headline Goal 2008*, para. 6.

¹⁸ *Civilian Headline Goal 2008*, para. 7.

2.3. Institutional Structures

As mentioned above, the bodies created at Santa Maria da Feira in 2000 are the most central actors in the planning of and decision-making on ESDP operations today. The relationship of these bodies with the Commission is dealt with in Chapter 5 below.

From the beginning, planning for civilian crisis management was hampered by the fact that ESDP was based on an intergovernmental approach, which brought with it a host of consultation mechanisms in which member states are represented.¹⁹ Although the myriad bodies appear confusing to the outsider, they have settled into a modus operandi and interwoven planning and decision-making process. The following briefly outlines the composition and tasks of the bodies and their respective role in the decision-making process: The Political and Security Committee (PSC); the Committee of the Permanent Representatives (COREPER) and the General Affairs and External Relations Council (GAERC); the Police Unit in the Council Secretariat; the Civilian Crisis Management Committee (CIVCOM); the European Union Military Committee (EUMC); and the EU Military Staff (EUMS).²⁰

The PSC was formed in 2001 and is composed of member state representatives at the ambassadorial level. The PSC is responsible for CFSP and proposes the overall EU strategy in a crisis situation. In relation to ongoing ESDP operations, the PSC exercises political control and gives strategic direction. Before the launch of the first ESDP mission in Bosnia-Herzegovina, the PSC travelled to the country in order to gain a better understanding of the country situation and a better foundation for providing political control and strategic direction. The COREPER, whose remit goes beyond CFSP, consists of the member states' ambassadors who discuss issues and prepare decisions for the GAERC. The GAERC, then, is composed of member states' foreign ministers and takes the formal decision. As the PSC and the COREPER are similar in rank, there is a danger of rivalry as ESDP missions take centre stage among other foreign policy issues. Since January 2005, the PSC has also included a Commission representative in an effort to enhance the cohesion among different CFSP instruments. In addition, the CFSP Working Groups under the PSC provide advice to the European Council and offer a forum for exchange between the Commission and member states' representatives.

The PSC is supported by two advisory bodies, the EUMC and the CIVCOM, which deal with military and civilian aspects of crisis management respectively. The EUMC advises the PSC on military crisis management, also makes financial assessments, develops military operational concepts and monitors their implementation, but does not plan. The EU Military Staff (EUMS) supports the EUMC. The EUMS consists of approximately 150 staff and is located outside of the Council

¹⁹ Dwan, Renata, 2005: "Civilian Tasks and Capabilities in EU Operations," in Kaldor, Mary and M. Glasius (eds) *A Human Security Doctrine for Europe: Project, Principles, Practicalities*. Routledge: London.

²⁰ For a more thorough explanation of the Brussels structures, see ICG, 2005.

Secretariat. In contrast, the Directorates-General (DG) – including also the Police Unit – that support the CIVCOM are components of the Council Secretariat. While CIVCOM issues the directions and decisions, the Secretariat contributes substance. Both the CIVCOM and the EUMC consist of member state representatives which report to the COREPER and the PSC and assist in coordinating Commission and Council contributions. The PSC is called upon to ensure that the needs of civil-military co-ordination (CMCO) are reflected in central planning documents approved by the PSC, such as the Crisis Management Concept (CMC).²¹ At the same time, the need for more coordination and integration at lower levels has been stressed in order to keep the PSC from getting too involved in operational planning.²²

Deliberations on a potential ESDP operation can be initiated in the PSC, by the High Representative/Secretary General or by a member state in the Council. Central planning documents, such as the concept of operations for a mission, are then passed back and forth among the above bodies until agreement is reached in the PSC.²³ This process also involves continuous consultations with the Commission. Once the PSC has decided on a draft joint action – the formal authorisation for a mission – the document is forwarded upward through the system via the COREPER and the GAERC to the European Council, which adopts the relevant Council Joint Action (CJA) that formally establishes an ESDP operation.

The fact that the decision-making and consultation processes are extensive and complicated offers a partial explanation for delays and sometimes rushed planning. However, the formal political decision-making is often preceded by what the International Crisis Group have termed a “gestation” period.²⁴ For instance, it was decided during the Luxembourg Presidency in the first half of 2005 that a follow-on or continuation of EUPM would be desirable. And yet, deliberations and drafting of planning documents continued for a significant amount of time and a formal decision to continue the mission was not taken until late November. Other examples are EUPOL Kinshasa and the support for the African Union Mission in Sudan (AMIS II), which were discussed for over a year before conditions were ripe for a political decision on an EU contribution.²⁵ Similarly, an operation in Moldova was under consideration since mid-2003, but it has taken over two years to finally take shape. Proactive planning is also hampered by a “lack of political guidance from the PSC about prioritisation among potential crises of concern to the EU.”²⁶

²¹ *Civil-Military Co-ordination (CMCO)* (Council of the European Union, Doc no. 14457/03, Brussels, 07 November 2003), IV.10 f.

²² *Seminar on Civil-military Co-ordination*, p. 6.

²³ *Suggestions for Procedures for Coherent, Comprehensive EU Crisis Management*. Council of the European Union, Doc no. 7116/03, Brussels, 06 March 2003.

²⁴ ICG, 2005, p. 11.

²⁵ Pauwels, Natalie, 2005: “EUPOL ‘Kinshasa’: Testing EU Co-ordination, Coherence and Commitment to Africa.” *European Security Review*, No. 25, March 2005.

²⁶ *Seminar on Civil-military Co-ordination*, p. 9.

The brief political discussion that preceded the decision to deploy the Aceh Monitoring Mission (AMM) is the exception that confirms the rule and rather illustrates the role that individual member states can play. The mission was very much driven by Finland and Sweden in continuation of the negotiations led by former Finnish President Martti Ahtisaari. In Brussels, several explanations are cited for its ability to deploy rapidly. The first is the determination of Finland and Sweden, as well as the incumbent Head of Mission all of whom engaged in extensive lobbying for contributions among member states long before the political decision to establish an ESDP operation in Aceh had been made. A second reason was the fact that the issue of a potential operation arose during the Brussels summer lull in which member states were not as alert or willing to engage in political battles. The second reason was reinforced by a third, namely that assistance to Aceh was uncontroversial due to the general sympathy and concern triggered by the Tsunami disaster of December 2004.

2.4. Concepts for Civilian Crisis Management

In addition to the political ambitions stipulated, for example, in the Council's Presidency Conclusions and the bodies created to realise those ambitions, a number of concepts have been developed to guide the operational implementation. Before planning for any ESDP mission had begun, both the military staff and the police unit started developing generic concepts for planning with very little communication between the two bodies. The concepts were to guide decision-making, planning and deployment of ESDP missions and aimed at standardising the approach to different types of missions and different steps in planning, in order to streamline the process.

The early concepts were comprehensive, unwieldy and dominated by the military approach, due to the fact that the military staff was far larger and had more experience in developing operational concepts. The crisis management procedures developed by the military staff were then gradually adjusted for civilian use. In 2001, Guidelines for fact-finding missions were developed. They include a laundry list of factors and issues to consider when conducting an assessment of a crisis situation. The guidelines were structured in a way that was intended to facilitate subsequent planning of an operation.

In late November 2002, a *Comprehensive Concept for Missions in the Field of Rule of Law in Crisis Management* was adopted that provided a blue print for one of the four priority areas for ESDP.²⁷ Other documents make specific proposals for improving the EU's capacity to conduct crisis management. In March 2003, the Political and Security Committee (PSC) approved a report on *Sug-*

²⁷ *Comprehensive Concept for Missions in the Field of Rule of Law in Crisis Management*. Council of the European Union, Doc no. doc. 14513/02, Brussels, 19 November 2002; Annex on NGOs and other non-state actors added in May 2003 (Doc no. 9792/03).

*gestions for procedures for coherent, comprehensive EU crisis management*²⁸ that sought to clarify procedures for consultation and decision-making during the launch and preparation of an ESDP mission. A European Council paper on Civil-Military Co-ordination (CMCO), released in November 2003, outlined basic principles for bringing together relevant EU actors into a cohesive response to emerging crises.²⁹ In October 2003, the PSC approved a report by the Secretary General/High Representative entitled *Report on planning and mission support capability for civilian crisis management*³⁰ outlining the need to strengthen institutional capacity in the Secretariat to better plan and support ongoing missions. What individual suggestions entail, the extent to which they have been implemented and the extent to which they have proved useful and adequate will be discussed in Chapter 4 below.

In February 2004, the Council established ATHENA, which is “a mechanism to administer the financing of the common costs of European Union operations having military or defence implications.”³¹ Apart from the Framework Agreement on Financing reached between the Council and the Commission in 2002, there is no similar mechanism for civilian crisis management operations.

In connection with the adoption of the Civilian Headline Goals 2008, the Council also called for the development of a rapid integrated response concept. The General Secretariat duly followed up this recommendation and submitted a document on *Multifunctional Civilian Crisis Management Resources in an Integrated Format – CIVILIAN RESPONSE TEAMS* to the PSC in June 2005.³² Concepts for SSR and DDR were suggested in the Action Plan for Civilian Aspects of ESDP in June 2004 and are being developed by the Civil-Military Cell at the time of writing. These concepts are seen as natural, cross-cutting areas which can serve as a catalyst for enhancing cooperation between the military and the civilian arms of ESDP, as well as a link with the activities of the Commission. A Comprehensive Planning Concept has also been developed in Brussels in order to enhance coordination between different EU actors.³³

²⁸ *Suggestions for Procedures*.

²⁹ *Civil-Military Co-ordination (CMCO)*.

³⁰ *Report on Planning and Mission Support Capability for Civilian Crisis Management*. Council of the European Union, Doc no. 13835/03, Brussels, 23 October 2003.

³¹ Council Decision 2004/197/CFSP, Council of the European Union, Brussels, 23 February 2004.

³² *Civilian Headline Goal 2008 - General Secretariat Document: Multifunctional Civilian Crisis Management Resources in an Integrated Format – CIVILIAN RESPONSE TEAMS*. Council of the European Union, Doc no. 10462/05, Brussels, 23 June 2005.

³³ *Draft EU Concept for Comprehensive Planning* (Document partially accessible to the public, Council of the European Union, Doc no. 13983/05, Brussels, 03 November 2005).

3. Planning the First ESDP Mission: EUPM

In order to be able to assess progress, adjustments and lessons, it is important to have a clear picture of the starting point, i.e. the most difficult challenges that arose during the first ESDP planning process. As EUPM was the first ESDP mission, there was also an understanding that decisions made in the planning for EUPM might set a precedent and become established procedures and models for future ESDP operations. As a result, finding workable solutions for issues such as financing took on an extended significance.

It was also clear that civilian crisis management capacity was developing in the shadow of the military capacity. As a result, the police planning capacity – initially only 7-8 personnel – was far smaller than the military capacity with then over 130 staff members. Not surprisingly therefore, the lessons identified from planning EUPM included the need to increase capacity in Brussels, in particular the recruitment of procurement experts, standby staff for planning teams and better coordination with the Commission. In that way, the experiences of deploying the first ESDP mission to Bosnia-Herzegovina led directly to the expansion of the police unit and the creation of the mission support and planning capacity, although these two units still only have approximately 30 staff members and do not expressly recruit planning experts.

The political discussions on a potential EU follow-on mission to take over from the UN International Police Task Force (IPTF) began in 2001. At the same time, the OSCE was conducting an assessment of the status of policing in Bosnia-Herzegovina and the future demands of a follow-on mission under the OSCE. In the end, the EU member states – who had been looking for a suitable arena to test their ability to deploy an ESDP operation – stepped in and proposed that an EU mission should follow on from IPTF's efforts. The EUPM was then designed in accordance with the model suggested in the OSCE assessment report.

One of the most difficult issues to resolve in the run-up to the actual decision to establish EUPM was the question of financing. In February 2002, the Council Secretariat agreed on a compromise with the Commission and the European Parliament that the common operational running costs of the mission would be covered from the common budget and that personnel costs would largely "lie where they fall."³⁴ This meant that member states would have to cover the costs of their contributions, in effect limiting contributions to what governments could afford. The compromise formula found for EUPM has been used in most subsequent civilian crisis management missions (see more on financing below).

The formal decision to establish the EUPM was taken in the Council Joint Action (CJA) of 11 March 2002. The CJA stipulates the size, structure, chain-of-command and objectives of the

³⁴ This is also laid out in the Council Joint Action 2002/210/CFSP, 11 March 2002, Article 9.

mission and includes details on financial and other practical arrangements. For the purposes of the present study, the fact that the CJA calls for the establishment of a planning team, to be operational from 1 April to 31 December 2002, is especially interesting. The deployment of a planning team that would have eight whole months to develop EUPM on the ground was new and something that UN peacekeeping missions had not had the luxury of relying on in the past. The actual deployment of the planning team was then also preceded by a five-day visit of a fact-finding team to Sarajevo in April 2002 that began mapping the political, legal and logistic demands of the first ESDP mission. The planning team then returned to Sarajevo in May 2002 to prepare the ground for the deployment of the actual mission on 1 January 2003.

The tasks of the planning team included the negotiation of leases for office space and EUPM locations and a Status of Forces Agreement (SOFA) with the Bosnian authorities; the planning and procurement of IT equipment, vehicles, office furniture etc; recruiting staff; establishing mission structures; cooperation with the UN; writing internal mission documents, such as the Concept of Operations (CONOPs), the Operation Plan (OpPlan), the Standard Operating Procedures (SOPs) and so on. During planning, the need to strengthen the civilian planning and mission support capability in Brussels already emerged.³⁵ As this was the first implementation of ESDP, member state interest was high and the PSC became understandably but excessively involved in operational details. Given the frequency of missions, being planned and supported at present, the PSC simply does not have the time or capacity to get equally involved. Tensions arose with regard to the Commission when it launched a rule of law assessment in several countries in the region in connection with its CARDS programme. Member states felt quite strongly that the assessment should have been tied into the planning of EUPM and that the Commission's lack of flexibility boded ill for coordinating EU police and rule of law efforts.

The EUPM Planning Team consisted of a limited number of staff until early November 2002 when EUPM personnel began arriving to build the mission up to almost full capacity by the launch date, 1 January 2003. The bulk of planning was completed by the launch of the mission in 2003, but planning can never foresee perfectly the reality of the operational mission. It became clear almost instantly that some adjustments would be necessary, mainly an increase in key equipment – computers, mobile telephones and cars – and shifts in staffing, the strengthening and creation of additional units, etc. In addition, any organisation – mission or otherwise – has to engage in a constant review of its structures and functioning and EUPM made some significant changes in its second year in response to an altered environment, but also to correct inevitable misjudgements of the planning team.

³⁵ Solana, Javier, 2002: Speaking Notes, Civilian Crisis Management Capability Conference at ministerial level (GAERC). Brussels, 19 November 2002.

4. Planning and Mission Support

4.1. Evolution of Mandates and Mission Support

Mandates – as stipulated in the Council Joint Actions – have changed with a widening range of tasks beginning with a more modest mentoring role and expanding to include border management, assisting in the fight against organised crime, building confidence in the rule of law and regional cooperation. The ambitious range of tasks that emerged at the summits in Feira and in Nice in 2000 was reinforced in the Civilian Headline Goals 2008. Motivated by a desire to test the potential and limitations of the ESDP, every mission appears to have been a ‘test-case’ for a type of task or a type of mission structure. As a result, planning has had little to fall back on from previous planning experience. Also, the test case approach has suffered from the absence of a strategic plan and has raised the political stakes given the pressure to succeed that rests on each and every ESDP operation. These factors have presented an additional challenge in the planning of ESDP missions.

Typical tasks that have emerged since planning for EUPM began in 2002 are security sector reform and capacity building; training; border management assistance; and the fight against organised crime.³⁶ Despite the wide range of tasks and organisational structures in different missions, ESDP operations to date have included similar elements. All the police operations have mandates that include similar formulations, in particular the aim to establish “sustainable policing arrangements” that live up to “European and international standards.” All the purely civilian missions have had advisory mandates that focus on the mid to senior management level and are based on the principle of co-location with the local counterparts. This is similar to the European Commission’s twinning concept and has been judged rather successful in Macedonia.³⁷ In the early missions, planners did not manage to adequately translate the reform mandate in the mission structure. Both EUPM and Proxima placed excessive emphasis on operational capacity in the beginning. Other similarities include the financial arrangements and the split between Community and Union contributions and the chain of command, in which the PSC exercises political control and gives strategic direction and does so through the EUSR (where applicable). In the same way, Council Joint Actions (CJAs) for ESDP operations follow a standard formula with regard to the chain-of-command and relations to the Commission.

All ESDP operations have been subject to a high degree of political pressure to succeed from the outset and have therefore been defined as successes even as they were launched. At the launch of EUJUST Themis, critics worried that the mission’s size would only suffice to “scratch the sur-

³⁶ *Presidency Report on ESDP*. Council of the European Union, Doc no. 15891/05, Brussels, 19 December 2005, para. 47. These tasks are reflected in the new capability requirements.

³⁷ International Crisis Group, 2006a: *Macedonia: Wobbling toward Europe*. Update Briefing, Europe Briefing No. 41, Skopje/Brussels, 12 January 2006, p. 9.

face.”³⁸ Ultimately, the mission interpreted its mandate narrowly and limited itself to developing a reform strategy in consultation with the Georgian authorities, rather than taking on the implementation of a criminal justice reform programme. In that way, it could be declared a success even though the Head of Mission Sylvie Pantz has subsequently criticised the limited reach of the mission. Further implementation now depends on the extent to which there is complementarity between the criminal justice reform strategy as pursued by the EUSR’s team and the assistance provided by the Commission, as well as that provided by the UN, the OSCE and bilateral donors.

Despite the fact that EUPM was charged with carrying out an ambitious reform programme, the mission’s long mandate period is now questioned. Shorter mandate periods that allow regular reviews and adjustment as well as closure and termination of an operation are now the preferred option. Here there is a difficult balance to strike: reform mandates require longer mission periods, not least longer periods of guaranteed political commitment. However, there must also be opportunities for course corrections and revision of the mandate and organisational structure of an ESDP operation. Missions have also grown smaller, a trend that is in large part due to the difficulty of recruiting sufficient personnel. The most recent mandates, for EUPOL COPPS and for the continuation of EUPM, again cover three and two year periods respectively, but both missions are far smaller than the original EUPM.

Mandates, including duration, size and practicalities of an operation, naturally reflect political interests. For example, EU member states wanted to contribute to post-conflict stabilisation in Iraq without associating themselves too closely with the US effort.³⁹ EUJUST Lex offered a way to do this and was designed to be implemented in member states, also for reasons of cost and security. The limited size of EUPOL Kinshasa reflects member state reservations about forays into Africa.⁴⁰ The significant political interest in the Sudan peace process explains the assistance provided to AMIS in Darfur, which – with 90 police officers and 35 military staff – is a relatively large ESDP operation.

³⁸ Monaco, 2004.

³⁹ Cornish, Paul and Geoffrey Edwards, 2005: “The Strategic Culture of the European Union: A Progress Report.” *International Affairs* Vol. 81, No. 4, p. 809.

⁴⁰ Pauwels, p. 2. Discussions on missions in Africa have been driven by the UK and France. Ulriksen, Ståle, Catriona Gourlay and Catriona Mace, 2004: “Operation *Artemis*: The Shape of Things to Come?” *International Peacekeeping*, Vol. 11, No. 3, Autumn 2004, p. 508f., 521.

4.2. The Fact-Finding and Planning Phases

In the case of EUPM, the Council Joint Action was adopted early on, nearly nine months before the launch of the mission. Lessons identified later suggested that it may have been too early for such a detailed binding document. Alternatively, it was argued that there should be room for revision in the course of the planning process.⁴¹ Later missions were not formally decided upon through a Council Joint Action until shortly before their launch and involved substantial fact-finding and pre-planning, the formulation of concepts of operation and other key documents prior to adoption of the CJA. While this addressed the lessons from EUPM, it also harbours difficulties for the planning process, as there are essential steps that cannot be initiated without the formal political decision. This especially affects recruitment and the Call for Contributions, which are pressed for time as it is. For ongoing missions, such as in the case of the extension of Proxima's mandate in 2004 and the decision of whether to establish a new EUPM or continue the existing mission in late 2005, this also entailed debilitating uncertainty for mission staff.

The planning process involves the development of a myriad of concepts, procedures and guidelines. Due to the fact that the military staff has been far larger than civilian planning capacity, the "military were responsible for setting the framework and drafting the first texts for EU crisis management concepts and guidelines."⁴² Planning staff in the Council Secretariat admit to following the guidelines where they can save time, but do not do so consistently.⁴³ Central planning documents are the Military/Police/Civilian Strategic Options (MSOs, PSOs, CSOs), Crisis Management Concept (CMC), Council Joint Action (CJA), Concept of Operations (CONOPS), Operation Plan (OPLAN), Standard Operating Procedures (SOPs), Rule of Engagement (RoEs). At times, the Crisis Management Concept (CMC) and the Crisis Response Coordination Teams (CRCTs) – both of which are intended to be a forum for civil-military coordination⁴⁴ – can be somewhat marginalised. The CMC has suffered due to the time pressure under which mission planning is taking place, so that the formulation of mandates has moved into the Concept of Operations (CONOPS).

Planning and Mission Support Capability

It became clear during the planning for EUPM that a Police Unit staffed only with 7-8 experts would be far too small to plan and support missions effectively. In 2003, the PSC recommended to COREPER that – at a minimum – 18 positions were required to fill the most urgent planning needs. The PSC report also suggested that increased cooperation and greater synergy with the

⁴¹ *Lessons from the Planning of the EU Police Mission in Bosnia and Herzegovina (EUPM), Autumn 2001-December 2002*. Council of the European Union, Doc no. 11206/03, Brussels, 14 July 2003.

⁴² Dwan, p. 16.

⁴³ Interviews, Council Secretariat, Brussels, October 2005.

⁴⁴ *Civil-military Co-ordination (CMCO)*, IV.10-13.

Commission might alleviate the most pressing staffing needs in the short-term.⁴⁵ Member states then decided to create a Planning and Mission Support Capability in the Council Secretariat, in November 2003, to be established and staffed by late 2004. The Capability was intended to serve two main purposes: mission support and best practices. The *Action Plan for Civilian Aspects of ESDP* adopted in June 2004 points out that the planning and mission support capacity in the Secretariat remained dependent on member states' "short-term secondments of personnel,"⁴⁶ indicating that the political will among member states in Brussels did not necessarily translate into targeted recruitment of planning experts at home. As of late 2005, the total number of staff is approximately 30, nine of which belong to the Police Unit. Despite this increase, additional staff will be needed if the EU is to fulfil the ambitious targets outlined in the Civilian Headline Goal 2008 – police, rule of law, civilian administration and civil protection.⁴⁷ This is especially true if the EU indeed takes over from UNMIK in Kosovo.

While there is now dedicated staff for coordination, logistics, human resources, procurement and finance, there is still not enough staff and there is no clear chain-of-command. In practice, every staff member therefore fulfils a whole range of tasks and functions. The lack of staff and structure impedes the learning process, mostly because most of the work is conducted under significant time pressure, which in turn means that staff members simply find their own solutions rather than collecting their colleagues' experiences and lessons learned.⁴⁸ Similarly, there is little emphasis on identifying and learning lessons when the next job is already waiting. As of December 2005, the mission support staff was planning and executing twelve operations concurrently.

The Roadmap

Once the political discussions have matured sufficiently for an ESDP operation to be considered, a so-called roadmap is developed. The roadmap is not a formal document, but an organising and planning tool written by the Council Secretariat and is distributed to the member states as a courtesy rather than for approval. A roadmap provides a detailed itinerary for the planning and decision-making process and has served to systematise the process of planning. It also illustrates that any delays in decision-making have a trickle down effect throughout the planning process and roadmaps are constantly being adjusted and updated. The development of a generic roadmap that delineates all the necessary steps and consultation partners in the decision-making process has been an important step forward. Besides being used in a given planning process, the roadmaps have value in making different planning steps more routine and strengthening institutional memory.

⁴⁵ *Report on Planning*.

⁴⁶ *Action Plan*, para. 13.

⁴⁷ ICG, 2005, p. 16.

⁴⁸ Interviews, Council Secretariat, Brussels, October 2005.

Joint Situation Centre

The Joint Situation Centre (JSC) was established as part of the Policy Planning and Early Warning Unit and is intended to be a joint civilian policy unit and military situation centre. The JSC opened on 1 January 2003, coinciding with the launch of the first ESDP mission, EUPM. It is staffed with intelligence officers and tasked with risk assessment, ad hoc intelligence briefings and urgent reports, increasingly on potential terrorist threats. Reports go to the PSC and European Union Military Committee (EUMC), but the JSC has no operational power. As the Policy Planning and Early Warning Unit functions as the HR/SG Solana's cabinet, the Joint Situation Centre seems somewhat awkwardly placed. While it can serve a useful purpose for the HR/SG when it comes to early warning, it is sidelined with regard to ongoing operations. It is perhaps not surprising then that with regard to planning for ESDP operations, the Joint Situation Centre contributes a risk assessment for the deployment of the fact-finding mission, but has no other operational relevance. The fact that the JSC plays a marginal role is a product of the wider issue of information sharing and intelligence cooperation among member states. Although policy documents, such as the ESS, argue that common threat assessments are critical and call for greater exchange and cooperation, there is currently no system for exchange and the EU remains dependent on national contributions.⁴⁹

Fact-Finding Missions (FFM)

In accordance with the timetable outlined in the roadmap, a fact-finding mission (FFM) is dispatched to the conflict area in question. This has been the case from EUPM onward. The fact-finding teams assess whether an EU mission is feasible and what its mandate and structure might consist of. The PSC agreed on guidelines for the FFM in 2001, but from the very beginning these are in practice only used for writing up the fact-finding report rather than for guiding the in-theatre assessment.⁵⁰ This report is forwarded to the member states in the PSC who request advice from CIVCOM and the EUMC. On this basis, the PSC then asks the Council Secretariat to further develop a Crisis Management Concept (CMC) or the Concept of Operations (CONOPS).

A problem has consistently been that the field visits by the fact-finding teams have been too short and that the teams do not consult enough with other actors in the field. The wide consultations held in connection with the planning for EUPM follow-on suggests that there may be some improvement, although stakeholders in the field voiced concerns that the FFM was not long enough and not willing to take on board input from in-theatre staff.⁵¹ The effort of the FFM could be enhanced if their work was emphasised more, they had their own budget and in that way could provide a more thorough analysis. One of the lessons from the planning of EUPM in

⁴⁹ Giegerich, Bastian and William Wallace, 2004: "Not Such a Soft Power: the External Deployment of European Forces." *Survival*, Vol. 46, No. 2, Summer 2004, p. 175f.

⁵⁰ Interviews, Council Secretariat, Brussels, October 2005; *Lessons*.

⁵¹ Interviews, EUPM, EUSR Office, EC Delegation, Sarajevo, October 2005.

2002 was that there needed to be follow-up to the initial fact-finding assessment. This could either take place through additional fact-finding visits to clarify specific aspects or through regular reviews of initial findings as planning proceeds.⁵²

Planning Teams

Planning phases and planning teams are now established as a matter of course in ESDP operations, although the period scheduled for planning varies. In contrast to EUPM and the EU Planning Team for Kosovo, planning teams are often not delineated as an explicit phase in the formal process, as far more of the planning takes place before the adoption of the Council Joint Action (CJA). In the case of EUJUST Themis, the planning phase was intended to last about two weeks – the CJA calls for the planning to begin no later than 1 July 2004 and the operation itself to begin no later than 15 July 2004. The CJA for EUJUST Lex foresaw a planning phase of a little less than four months from March to July 2005. Despite the fact that several planning processes have been concurrent, they have generally not influenced each other in a significant manner, aside from limited mutual assistance.⁵³ At the same time, it should be underlined that planning for all of the seven mainly civilian and the three civil-military missions has been conducted largely by the same small group of staff and institutional memory is personified rather than formally recorded. As a result, planning has benefited from the routine developed by planning staff, but planning mistakes have also been institutionalised due to a lack of quality control and oversight. A common shortfall in planning has been an exaggerated focus on the organisational structure of a mission rather than on the substance of programme development.

To some extent planning is contingent upon the political context. An important question is therefore which formal decisions are necessary to initiate a planning process. Alternatively, one might ask which political processes slow down the planning and – not least – the procurement process. For instance, there was concern in the Council Secretariat that the lack of decision-making on what would follow EUPM would lead to delays in recruitment of seconded staff. There was also confusion over who had the responsibility for conducting recruitment, the mission support and planning capacity, the existing EUPM personnel department or the EUPM follow-on planning team that had travelled to Sarajevo to assess the needs of a potential new EUPM.⁵⁴ The planning and the political process strike a fine balance where planning proceeds as far as it can until the vacuum is filled with a strategic decision on mandates, size and structure of the ESDP operation being designed.

For a less visible mission, such as EUJUST Lex in Iraq, this type of confusion is avoided, and the “mission planning, and use of a small expert team with multi-functional expertise, was certainly

⁵² *Lessons.*

⁵³ Interviews, Council Secretariat, Brussels, October 2005.

⁵⁴ Interviews, Council Secretariat, Brussels, October 2005.

a positive development and should help ensure that the mission adds value to other EC and member state efforts and those of other international organisations, including the provision of training for police by the UN and NATO's training of security forces."⁵⁵

One of the lessons identified in EUPM was the need to put in place a media strategy and the concomitant media staff and adequate resources as part of the planning process.⁵⁶ At the time of writing, however, there is no media expert among the planning and mission support capability or the Police Unit, which indicates a lack of understanding of how critical the media component of missions is and results in the media strategy falling by the wayside.

Civil-Military Cell

When the notion of a full operational headquarters and planning capacity to rival NATO's established structures proved too much to swallow for the UK, the Civil-Military Cell was proposed as a compromise. It was created on the basis of a proposal by the United Kingdom, France and Germany in December 2003 and is a strategic planning cell within the EUMS with military and civilian elements.⁵⁷ Even though it has barely begun its operations, the Cell appears to have quickly carved out a role for itself indicating also its potential future contribution to planning. The Cell has four main functions. First, it can provide an autonomous planning capacity for ESDP operations that do not make use of Berlin Plus arrangements with NATO. This has not been made use of aside from its role in the planning of the AMM.

Second, it is to function as a kind of think-tank and a strategic planning cell, to conduct advance planning and to assist in crisis response planning in support of both Directorate General (DG) VIII on defence aspects and DG IX on civilian crisis management. At the time of its inception, Renata Dwan argued that it ought to review core planning documents, including the Crisis Management Concept and the CIMIC and CMCO concepts.⁵⁸ Strategic planning on a specific topic is initiated upon request by the High Representative/Secretary General or the PSC. The aim of the long-term strategic and contingency planning is to enhance the EU's ability to react rapidly by having fundamental pre-agreed concepts in place. The Cell was not given a remit to produce any concepts on its own initiative, as the member states want to retain control over its activities. The Cell also cooperates closely with the Policy & Early Warning Unit and regularly receives information from that source.⁵⁹ An example of strategic planning is the development of an EU

⁵⁵ Gourlay, Catriona and Annalisa Monaco, 2005: "Training Civilians and Soldiers to Improve Security in Iraq: An Update of EU and NATO Efforts." *European Security Review*, No. 25, March 2005.

⁵⁶ *Lessons*.

⁵⁷ Menon, Anand, 2004: "From Crisis to Catharsis: ESDP after Iraq." *International Affairs*, Vol. 80, No. 4, pp. 642f.; Cornish and Edwards, p. 811f.

⁵⁸ Dwan, p. 16.

⁵⁹ Interviews, EU Military Staff, October 2005.

Concept on SSR (for DG IX), which the Civil-Military Cell is producing at the time of writing.⁶⁰ The rationale for the Cell's involvement is its unique position of straddling civil and military aspects of reform. In November 2005, the Politico-Military Group presented a Draft EU Concept for Comprehensive Planning for integrated missions developed by the Cell that is to improve the civil-military interface in operations by clarifying contentious issues such as the chain-of-command and other operational details.⁶¹ Another area that the Cell might be asked to work on is Disarmament, Demobilisation and Reintegration (DDR).

Third, once an operation is ongoing the Cell can also function as an operations centre. In accordance with the European Council Conclusions of June 2004, "[t]his operations centre is not designed as a standing headquarters but rather is to be activated when a joint civil-military response is required, and no national headquarters is identified."⁶² At the time of writing, the Cell was developing basic documents, such as SOPs, and recruiting staff. It was expected to become operational as an operations centre by mid 2006. The operations centre also has the potential to provide a critically important and commonly agreed situational awareness in ongoing operations.⁶³

Fourth, the Cell also takes the lead on civil-military coordination. There is some confusion as to whether the Cell would only be used for operations that have civil and military components. Its Terms of Reference (ToR) underline its role in the civil-military interface and it was used in connection with planning for the Aceh and Sudan missions, which are both civil-military operations. The Cell contributed to the planning of the monitoring mission in Aceh by drafting the OPLAN in cooperation with the incumbent Head of Mission Pieter Feith. Shortage of staff during the summer encouraged the Council Secretariat to ask the Cell's assistance. While a military component is not a prerequisite for activating the Cell, civil-civil missions are not its primary target. The Cell can develop common tactical approaches and doctrines across civilian, police and military components and serve as a "coherent institutional framework at the strategic level."⁶⁴

The Cell counts approximately 25 staff members, roughly the same as the mission support and planning capacity that is handling all ongoing operations. The member states have high expectations of the Cell – the importance of the civil-military interface is particularly being promoted by the UK – and expect the Cell to be involved in a wide range of planning processes. The main

⁶⁰ The SSR Concept draft was to be submitted to the PSC in the course of October 2005 and following comments from the EU military Committee and CIVCOM is expected to be decided on in the PSC by late November 2005.

⁶¹ *Draft EU Concept for Comprehensive Planning*.

⁶² *Brussels European Council 17 and 18 June 2004 Presidency Conclusions*. Council of the European Union, Doc no. 10679/2/04, Brussels, 19 July 2004. ICG, 2005, p. 11; Menon, p. 643.

⁶³ *Seminar on Civil-military Co-ordination*, p. 5, 10.

⁶⁴ *Seminar on Civil-military Co-ordination*, p. 1.

problem is that its role has not been sufficiently distinguished from the other existing bodies in the Council Secretariat, including the mission support and planning capacity, the Police Unit more generally and the Joint Situation Centre. Thus, it is unclear who is to take the lead on fact-finding and planning or on operational guidance. Clashes have not arisen so far, due to the fact that the Cell and the Police Unit have not yet “shared” a planning process.

Two staff members in the Cell represent the Commission. In fact, the Cell is one of the few permanent bodies in which both the Council and the Commission are present. The Commission is of course represented in the PSC, but that is at a strategic rather than an operational level. When it comes to coordinating Council and Commission activities, the Cell is intended to play a complementary role to the Crisis Response Coordination Team (CRCT) where the Cell can act as the CRCT’s working-level counterpart or where the contingency plans developed by the Cell can facilitate the CRCT’s planning in response to a specific crisis.⁶⁵

The International Crisis Group believes that “the EU’s added value in conflict management should be its ability to deploy mixed civilian and military missions rapidly. But just as this requires new thinking about the function of armed forces, it also requires new seriousness about civilian capabilities as, in many situations, at least an equal complement to military capabilities.”⁶⁶ Civil-military integrated missions remain a challenge for the future and have yet to be put fully to the test. The main challenges lie in the issues of chain-of-command, differing *modus operandi* and the need to marry diverging priorities. The Civil-Military Cell has begun to address a number of these challenges.

Lessons Learned

The Civilian Headline Goal 2008 underlines the need to draw on Lessons Learned from past EU-led operations in order to better pinpoint the specific capabilities required.⁶⁷ Lessons Learned and Best Practices were also identified as a central task that the mission support and planning capacity was intended to fulfil. While the mission support and planning staff recognises the usefulness of collecting, analysing and implementing best practices, they point out that they are too busy with planning new missions to do so systematically.⁶⁸ In relation to the EUPM, lessons were regularly collected in reports, but in other cases very little, if anything has been done.

In addition to Council experience, an evaluation should also draw on Commission views. Here the CRCT could play a role in integrating Council and Commission experiences from the planning

⁶⁵ *Seminar on Civil-military Co-ordination*, pp. 1, 7, 12; Ahtisaari, Martti, 2006: “Coordination and Coherence: How to Improve EU Civilian Crisis Management.” speech given at *International Workshop – The Role of the EU in Civilian Crisis Management*, Vienna, Austria, 12-13 January 2006.

⁶⁶ ICG, 2005, p. 31.

⁶⁷ *Civilian Headline Goal 2008*, para. 16.

⁶⁸ Interviews, Council Secretariat, Brussels, October 2005.

phase through to a compilation of Lessons Learned. In the area of training some assessment has taken place, but this could also be done more systematically. Council Joint Actions now prescribe for regular reviews on mission progress and in Aceh, Bosnia-Herzegovina, Darfur and the DRC first steps have been made in studies on EU impact.⁶⁹ In the past, reports have not been particularly critical and raise questions about the ability of missions and the planning capability to engage in rigorous 'self-assessment.' Clearly, better procedures need to be put in place and "institutional ownership," such as in a department dedicated to best practices, needs to be assigned.⁷⁰

The weakness in collecting and analysing Lessons Learned again reflects the difficult challenge of handling and sharing information within the EU, be it in the JSC, in the nascent Operations Centre under the Civil-military Cell or in the systematic review of past performance.

4.3. Procurement, Logistics, Personnel and Financial Arrangements

A major challenge for ESDP operations has been the EU's ability to plan, deploy and run crisis management missions that demand dynamic interaction and support from headquarters. In large part, this has had to do with unwieldy EU regulations for procurement and logistics. These bureaucratic parameters severely hampered the ability to adapt to changing circumstances and adjust miscalculations in planning during the first ESDP mission, the EUPM. On the other hand, a significant innovation of planning for the EUPM – in contrast to previous UN practice – was the targeted selection of personnel. The bureaucratic obstacles have been exacerbated by micro-management of contributing member states, so that even relatively straight-forward decisions have been imbued with political weight that far surpasses their actual importance. Clarifying the financial arrangements, i.e. deciding on who would pay for ESDP operations, was one of the most difficult political issues to resolve.

Financial Arrangements

The formula for distributing the costs associated with deploying and running EUPM became the standard approach for subsequent missions. To reiterate, the common operational running costs are covered by the CFSP budget and the personnel costs are almost entirely carried by contributing member states.⁷¹ The distribution of costs has worked fairly well in practice, but has in effect meant that the size of personnel contributions from poorer countries has been limited. Since participation in missions is costly for member states, there is a danger – which has not been realised to date – that interest wanes over time and with a larger number of deployed missions.

⁶⁹ Ahtisaari.

⁷⁰ *Seminar on Civil-military Co-ordination*, pp. 2, 8-9.

⁷¹ EUPOL Kinshasa is an exception in that its costs are covered by the CFSP budget in their entirety. Pauwels, p. 2. Similarly, EUBAM Moldova is covered by the RRM and the TACIS programme.

Another consequence of the way in which costs are split has been member states' demands to exercise more political control over the missions than is usual in the context of UN peacekeeping operations. With increasing routine and not least an increasing number of ongoing operations, micromanagement has diminished somewhat, but at times still hampers effective management of ESDP missions.

The CFSP budget is administered by the Commission and faces two main problems. First, the procedures for paying out funds are cumbersome and time-consuming. In the past, external activity by the Commission has typically been more long-term and tender processes emphasise thoroughness and accountability. This differs fundamentally from the needs of crisis management. And yet, "[a]lthough the Commission administers the CFSP part of the civilian crisis operations' budget, no fundamental assessment of what changes to contractual, funding, disbursement and procurement procedures are required for crisis management has, as yet, taken place."⁷² This is in the process of changing and thinking is now underway – in the context of enhancing mission support – on how access to CFSP funds can be simplified and sped up. The lengthy process of disbursing funds affects the rapid reaction capacity of ESDP, but is also a challenge in planning in that it is difficult to predict the exact cost of a mission. Despite the preparatory work of the FFM and the Planning Team, cost and procurement estimates are bound to include flaws, and later adjustments are cumbersome, in turn causing delays in mandate implementation. The challenge is to adjust procedures so that ESDP operations can be deployed swiftly and mission needs can be met continuously without losing the transparency and accountability of the funding process.

The second problem has been that the budget is far too small. Especially given the level of ambition set by the *Civilian Headline Goal 2008*, the CFSP budget has to be increased.⁷³ Rory Keane contends that "it is difficult to see how this [high level of ESDP activities] can be sustained over a long period without an injection of financial support and the appropriate institutional mechanisms."⁷⁴ The Commission has an external action budget, administered by the Directorates-General for external relations. Only 0.6 per cent of the budget (approximately €50 million) is allocated to CFSP.⁷⁵ Improved effectiveness depends on member states' willingness to address the financing arrangements for civilian crisis management, more specifically their willingness to increase the CSFP budget and to promote better cooperation between EU institutions.⁷⁶

⁷² Dwan, p. 19.

⁷³ This remains on the agenda for the incoming Austrian Presidency. *Presidency Report on ESDP*, December 2005, para 4, XIX.

⁷⁴ Keane, Rory, 2005: "Does Internal EU Paralysis Threaten External Action?" *European Security Review* No. 26 (June 2005), p. 2.

⁷⁵ ICG, 2005, p. 13. An additional €90 million in 240 is set aside for humanitarian aid and emergency relief and administered by the Commission's European Humanitarian Aid Office (ECHO).

⁷⁶ Dwan, p. 23.

In addition to the running costs of ESDP operations, the European Union Special Representatives (EUSRs) – of which five additional ones were appointed in 2005 – are paid from the CFSP budget as are the Heads of Mission. This buys the Commission influence over the strategic political approach and the implementation of ESDP operations. The Commission is also the formal ‘owner’ of any ESDP operations equipment which gives it a say in decisions on re-deployment among operations, re-use and mission closure. The general view in the Council Secretariat is – not surprisingly – that the CFSP budget ought to be under their control or that the Council Secretariat ought to have its own budget for ESDP operations.⁷⁷

The Commission also has a Rapid Reaction Mechanism at its disposal which was launched in 2001. It was used for the first time in connection with the crisis in Macedonia in 2001, when €12.8 million were released for reconstruction and institution building, including police and judicial sector reforms. It was considered a way in which to kick-start the longer term assistance that would be forthcoming under the CARDS programme.⁷⁸ Another example is the use of the RRM in support of negotiations in Darfur in connection with the cease-fire agreement of 28 May 2005.⁷⁹ The Rapid Reaction Mechanism works well and provides more flexible and rapid funding but it is only intended as a short-term measure and therefore not suitable for long-term institution building that both ESDP missions and the Commission’s assistance programmes aim at.⁸⁰ The *Action Plan for Civilian Aspects of ESDP* called for the development of other rapid financing mechanisms, drawing on the Commission’s experience with the RRM.⁸¹

On the military side, member states agreed to put in place a permanent funding mechanism, called Athena, in February 2004. Athena contains a set of rules and procedures for common costs in military missions and is to be managed through a special commission that includes representatives of the Council Secretariat, the contributing states (including non-members) and the operation commander. Its founding Council Decision claims that “Athena has the considerable potential to speed up the decision-making process, since it eliminates the need for a fresh Council decision on a financial framework for each military ESDP mission.”⁸² At the least, the International Crisis Group points out that Athena should be able to speed up the process of collecting funds for military operations.⁸³

⁷⁷ Interviews, Council Secretariat, Brussels and European Commission, October 2005.

⁷⁸ Mace, Catriona, 2004: “Operation Concordia: Developing a ‘European Approach to Crisis Management?’” *International Peacekeeping*, Vol. 11, No. 3 (Autumn 2004), p. 478.

⁷⁹ *Factsheet – EU Response to the Crisis in Darfur*. EU Council Secretariat: Brussels, June 2005. In the case of Darfur, the Commission also used a regional fund, the African Peace Facility, to support the supervision of the cease-fire.

⁸⁰ ICG, 2005, p. 39f.

⁸¹ *Action Plan*, para. 15.

⁸² Athena created in Council Decision No. 197/04, 23 February 2004. ICG, 2005, p. 11.

⁸³ ICG, 2005, p. 42.

Personnel and Recruitment

When it comes to recruitment of mission personnel, the process is still lengthy. The difficulty of recruiting adequate numbers of sufficiently qualified staff in an efficient process has remained relatively unchanged in the history of international police missions. This has to do with structural issues and lines of communication from international institutions, in this case the EU, through their member state representatives, to the foreign, justice or interior ministries in the contributing countries, to the recruiting agencies for international deployment. In countries with a unified police structure, such as Norway or Sweden, this presents fewer problems than in large countries with decentralised police structures such as Germany or the United Kingdom.

As indicated above, a considerable step forward was the EU approach of developing more specific job descriptions for virtually all mission posts. But it has been consistently difficult to match specialised jobs with appropriately skilled personnel. Detailed job descriptions are useful, but are not necessarily met by adequate contributions from member states. The International Crisis Group agrees that the “current system has indeed proved slow and sometimes inadequate in getting the right people on the ground,” and point out that “[g]overnments are often reluctant to send their best civil servants, and recruitment of private experts is at an early stage.”⁸⁴ In relation to Third States, framework agreements have been put in place in order to streamline participation from non-EU members and to accelerate recruitment.

Already in the first ESDP mission, EUPM, financial, administrative and procurement experts, as well as media experts and crime analysts proved difficult to recruit. One of the lessons from the planning of EUPM was that recruitment for the planning team ought to be more flexible so as to attract the appropriate civilian and police expertise.⁸⁵ At the same time, the high standards set in selecting staff for the EUPM proved difficult to maintain over time. The *Action Plan for Civilian Aspects of ESDP* suggests closer cooperation with the Justice and Home Affairs (JHA) pillar of the EU in an effort to engage the Chiefs of Police in generating capabilities for ESDP operations and in integrating JHA activities in the fight against organised crime.⁸⁶ The low frequency of meetings of European Police Chiefs suggests that there remains room for improvement. A *Civilian Capacity Improvement Action Plan* was endorsed by the Council in December 2005 and its central goals were echoed in the *Presidency Report on ESDP*. This report underlines the need to activate key national stake holders, to identify specialists in the areas of procurement, logistics, human resources and finance and to further develop rapidly deployable capabilities.⁸⁷

⁸⁴ ICG, 2005, p. 31.

⁸⁵ *Lessons*.

⁸⁶ *Action Plan*, para. 10.

⁸⁷ *Presidency Report on ESDP*, December 2005, para 49. See also, Ministerial Declaration on the Civilian Capabilities Commitment Conference.

One way to address shortfalls is to access the private market and hire contract rather than seconded staff. This approach has been slightly hampered by opposition in the Commission, as contracted staff are paid out of the common costs covered by the CFSP, relieve pressure on member states, and therefore 'subvert' the agreed distribution of costs. Perhaps for this reason, the Commission is reluctant to standardise hiring processes for contract staff and insists on time-consuming and unnecessary case-by-case negotiations over contracts.⁸⁸ Ideally, long-term plans for personnel management should be made that would involve standard packages for contract staff.

The nature of some ESDP operations also indicates that a greater reliance on contract staff might be useful. This is the case for operations whose mandates focus on mentoring and the development and implementation of reform programmes. The fact that staff is typically seconded for approximately one year is at odds with the time it takes to carry out reforms. Contract staff that can stay in a mission over longer periods of time might contribute much needed continuity to mandate implementation. The type of personnel required for programme design, development and implementation is also in short supply among police forces and may be more prevalent on the open market.

The mission support and planning capacity in the Council Secretariat has attempted to shorten the time needed for recruitment by pressing member states with shorter deadlines. Also, Calls for Contributions can be issued on the basis of a decision in the PSC or the GAERC; only the Head of Mission has to be formally appointed in the Council Joint Action authorising the mission. In response to a call for a rapidly deployable capacity, the Secretariat staff proposed the introduction of Civilian Response Teams (CRTs).⁸⁹ Initially, the goal is to have 100 named and fully equipped personnel on stand-by for deployment. The CRTs are intended to be used for three distinct purposes, as a fact-finding team, as a rapidly deployable presence and as a (temporary) reinforcement in support of an existing mission. The CRTs also have a logistical dimension in that they are to be self-sustaining. It is the member states' responsibility to identify, equip and fund the personnel that they contribute. The personnel on standby would also be pre-trained in courses developed and organised jointly by the Council and the Commission through the Commission-funded European Group on Training (EGT). In addition, the CRT can also represent the first step towards stand-by equipment. The Civilian Response Teams (CRTs) and other bilateral earmarking arrangements are intended to enable faster recruitment. While the idea of the CRTs is good, its success again depends on the member states' willingness to provide the necessary resources. Some member states may find it too expensive to contribute to the CRTs.

⁸⁸ Interviews, Council Secretariat, Brussels, October 2005.

⁸⁹ See *Civilian Headline Goal 2008– CIVILIAN RESPONSE TEAMS*.

Another initiative launched by the Police Unit, in accordance with the targets laid out in the Civilian Headline Goals 2008, is the concept of specialised teams. The rapid deployment capabilities can take the shape of Integrated Police Units (IPUs), Formed Police Units (FPUs), Specialised Police, individual officers or a headquarter. A rapidly deployable headquarters would consist of a core structure including at the very least a staff component and an IPU and would be pre-selected and pre-trained by member states. On the military side, a so-called Battle Group concept has been put in place. It establishes units of up to 1,500 troops to be deployable within ten days, sustainable for thirty days and combat-capable. The Battle Groups can be used as a contribution to an UN operation or as an advance force for a larger EU force deployment. Member states have underlined the need to coordinate this capability with the NATO Response Force. A final measure has been the launch of the European Gendarmerie Force (EUROGENDFOR). Italy, France, Spain, Portugal and the Netherlands signed a Declaration of Intent in September 2004 and the force was inaugurated on 23 January 2006. The force strength is 800 non-permanent constabulary forces deployable within 30 days, with 2,300 reinforcements and equipped for conflict prevention, support for military operation, and post-conflict stabilisation.⁹⁰ The EUROGENDFOR can also be contributed to UN operations or serve to bridge the civil-military gap.

Training has been hailed as a remedy to better overcome staffing and recruitment gaps. The cooperation and coordination of training across member states, for instance through the Commission financed EU Group on Training (EGT), works rather well. Needs are identified and addressed among European training institutions, usually with input from both the Commission and the Council Secretariat. A good example of this coordination is the fact that the new CRT concept is to be backed up with special training courses organised and developed in the context of the EGT. Still, there is room for improvement when it comes to linking trained personnel to recruitment and deployment in an ESDP operation. Other areas are more systematised induction training and better preparation of Heads of Mission. During the Luxembourg Presidency, the European Security and Defence College (ESDC), which had been in the offing for years, was established in June 2005. The ESDC is a network of national institutions and will hold courses on ESDP for both civilian and military staff.⁹¹ At this time, it does not appear that the ESDC will contribute much in the way of operational skills that would be directly applicable in an ESDP operation.

Procurement

Procurement is a major factor when it comes to the ability to launch a mission rapidly. Unfortunately, procurement is still cumbersome and bureaucratic and the Presidency Report of Decem-

⁹⁰ ICG, 2005, p. 23; "Euro Military Police Force Set up," *BBC News*, 23 January 2006, <http://news.bbc.co.uk/go/pr/fr/-/1/hi/world/europe/4638554.stm>.

⁹¹ "The European Security and Defence College has been established," Press Release, Luxembourg Presidency, 27 June 2005, <http://www.eu2005.lu/en/actualites/communiqués/2005/06/27cesd/index.html>.

ber 2005 recognised the need for improvement in this area.⁹² Where the aim is rapid reaction, there appears to be no other solution than bilateral tie-overs such as in the case of Aceh. Since at least 2004, there have been discussions on adopting a model similar to that of the OSCE, in which framework or window contracts are used to streamline procurement processes,⁹³ but only now are concrete steps being taken towards creating a catalogue of framework contracts. An alternative is to employ negotiated procedures which would speed up procurement by allowing the mission support and planning capacity to negotiate detailed pricing and other terms with prospective contractors, but guidelines for the use of negotiated procedures in ESDP had not fallen into place at the time of writing.

The discussions now seem to be channelled into the development of the Civilian Response Team (CRT) concept, which aims to address the procurement issue by assuming that staff members arrive fully equipped and that additional equipment can be pre-positioned in warehouses. The follow-on operation to EUJUST Themis, the reinforcement of the EUSR team, was the first that involved a Call for Contributions for fully equipped staff for border management.⁹⁴ With regard to pre-positioning, the notion of a virtual warehouse appears preferable to that of an actual warehouse, as there is as yet little insight into the frequency and needs of operations over time. Moreover, the volume of equipment is as yet too small to justify storage and there is no use in storing equipment that is unlikely to be used in the near future. On this issue, there are valuable lessons to be learned from UN or OSCE experiences and from arrangements within member states that the EU can benefit from despite the smaller scale and scope of its ESDP operations.

From a formal point of view, the contracting authority derives from the appointment of the Head of Mission which takes place after the budget has been approved by the Commission and allows formal access to funds. As the approval can take some time, some cases have featured what Council Secretariat staff described as “creative solutions.”⁹⁵ In the case of the AMM, contributions were provided in kind and costs of training under EUJUST Lex were controlled by shifting training to domestic sites.

For procurement, the issue of mission closure is also important, as equipment from one mission can be transferred to another. Transferring equipment from a closing mission requires permission from the Commission as the rightful owner of the assets. This has been done without fixed procedures on a case-by-case basis, for instance, some of EUPM’s equipment was passed on to Proxima and later also to EUPOL Kinshasa. The EU also did not have good procedures for closing down Themis, but the experience has triggered a thinking process on how this might be done

⁹² *Presidency Report on ESDP*, December 2005, para 4, XIX.

⁹³ See for example, *Action Plan*, para. 14.

⁹⁴ Three countries had responded by early October 2005, the United Kingdom, Denmark and Lithuania.

⁹⁵ Interviews, Council Secretariat, Brussels, October 2005.

better, including the question of what to do with the material assets of an operation, such as cars, IT equipment or furniture. The *Concept paper on procedures for the termination, extension and refocusing of an EU civilian crisis management operation*, issued in January 2006, provides some guidance underlining that provisions on termination should be included as early on as in the planning documents for an operation. It also stipulates the principle that equipment should continue to serve ESDP, i.e. preferably be transferred for use in another mission.⁹⁶ A database to manage assets deployed in various ESDP missions is also under discussion. But a problem persists with regard to procurement and logistics in that there are no standard technical specifications. In the context of mission closure, this means that non-standardised equipment is not necessarily compatible and usable in another mission. Therefore, for the time being, every mission by and large starts from scratch.

4.4. The Role of the European Union Special Representative

The European Union Special Representatives (EUSRs) now have an increasingly prominent role in civilian crisis management.⁹⁷ The EUSR has gone from being a purely political figure and representative of the HR/SG to taking on a more operational role, where the EUSR is tied into the achievement of an ESDP mission's goals. The EUSR is also assigned a role in civil-military coordination to ensure that different EU components work as cohesively as possible.⁹⁸ A key question in crisis management operations under all institutional headings is the issue of political chain-of-command, i.e. of reporting and providing strategic direction. In EU civilian crisis management a pattern has emerged where the Head of Mission (HoM) reports to the High Representative/Secretary General through the European Union Special Representative (EUSR). All EUSRs report to the HR/SG Javier Solana and to the PSC as well as brief the member state HoMs and Commission representatives in-theatre. The political direction flows in the opposite direction, emanating from the Political and Security Committee (PSC) through the EUSR to the HoM. The EUSR is paid through the CFSP budget and his/her mandate is renewed every six months.

The Civilian Headline Goal 2008 identifies the ability to "provide support to Special Representatives of the European Union" as an important task within civilian crisis management.⁹⁹ The EUSR can be useful in providing a uniform political voice for the EU and is a constructive way to coor-

⁹⁶ *Concept paper on procedures for the termination, extension and refocusing of an EU civilian crisis management operation* (Council of the European Union, Doc no. 5136/06, Brussels, 09 January 2006); interviews, Council Secretariat, Brussels and EUPM, Sarajevo, October 2005.

⁹⁷ The first EUSR, Felipe Gonzalez, was appointed in 1998 with the Former Republic of Yugoslavia (FRY) as his remit. Prior to this appointment, there had been EU Special Envoys (Miguel Angel Moratinos, appointed in 1996 for the Middle East) and EU Advisers (the first being Nils Eriksson, appointed in 1997, also for the Middle East).

⁹⁸ *Civil-Military Co-ordination: Framework paper of possible solutions for the management of EU Crisis Management Operations* (Council of the European Union, Doc no. 8926/06, Brussels, 02 May 2006)

⁹⁹ *Civilian Headline Goal 2008*, para. 3. This follows an earlier call in the *Action Plan for Civilian Aspects of ESDP* for a strengthening of the EUSR position and coordinating function in the field. *Action Plan*, para. 9.

ordinate Commission and member state interests. Strengthening the EUSR by establishing a clear structure and providing greater support has been identified as a priority in the Council Secretariat. In practice, the EUSR's role is defined on a case-by-case basis and can range from being a one-time measure to reinforcing a UN operation. Overall, the EUSR will have a long-term strategic rather than a tactical focus and therefore have a limited role in planning.

The European Council paper on CMCO suggests that the "activities of the EUSR are closely coordinated with those of the Force Commander [...], the Police Head of Mission and HoMs for other civilian operations."¹⁰⁰ How the EUSR and the HoM of an ESDP operation have related to each other and how influential the EUSR has been in the day-to-day management of the operation has differed widely in practice. In FYROM, the EUSR was appointed in connection with the decision to deploy Concordia and had a strong coordinating mandate that even encompassed other non-EU international actors but has been difficult to put into practice.¹⁰¹ In contrast, there is no ESDP operation in Afghanistan that the resident EUSR might oversee and the EUSR for the Great Lakes has a far wider portfolio than the limited ESDP operations deployed in the DRC. In EUBAM in Moldova, the EUSR Adriaan Jacobovits de Szeged, will have a mandate for Moldova, but the bulk of mission staff will be deployed in Ukraine. Another recent invention that has given the EUSR position a more operational flavour and has married it more closely to ESDP is the Reinforced EUSR Team with a mandate to monitor the implementation of the reform plan agreed under the aegis of its forerunner EUJUST Themis.

As the EUSR represents the overall political framework for EU activities in a given region, the Council and the Commission compete to claim EUSR positions, such as in FYROM, or to select and deploy the EUSR's support staff.¹⁰² On paper, of course, the EUSR represents the CFSP under which ESDP operations can be one of several instruments. However, Council Secretariat staff voiced concern about losing control over 'their' policy instrument.¹⁰³ The PSC planning discussions on the continuation of EUPM and proposals to – over time – transform the Office of the High Representative (OHR) into an EUSR office are a case in point. The Commission, sensing an infringement on its control of the EUSR, became very much involved in whether the merger should happen and – if so – how such an office should be staffed.¹⁰⁴

The EUSR is a flexible and therefore useful tool, but his/her effectiveness can also be hampered by the fact that his role is not clarified and that there is no dedicated concept, procedures or

¹⁰⁰ *Civil-Military Co-ordination (CMCO)*, IV.15; *Civil-Military Co-ordination: Framework*, II.C.16.

¹⁰¹ Council Joint Action 2003/92/CSFP, 27 January 2003, para. (3).

¹⁰² EU member states were keen to reinforce the EUSR team in Macedonia in order to retain some political control rather than handing the reins over to the Commission; not least with an eye to a potential ESDP mission in Kosovo in the future.

¹⁰³ Interviews, Council Secretariat, Brussels, October 2005.

¹⁰⁴ Interviews, Council Secretariat, Brussels and EUPM, EUSR Office, OHR, Sarajevo, October 2005.

legal framework and limited resources for the EUSR function. If the EUSR is to play a coordinating role, his/her authority and tasks need to be more clearly defined. In part, the role of the EUSR is emerging along the lines of the United Nations concept of the Special Representative of the Secretary-General (SRSG), in terms of his/her coordination and political functions. Since the EUSR will generally not have authority over the military component, mechanisms to coordinate the concerns of the EU Force Commander and the EUSR are important.¹⁰⁵

5. Cooperation with Other Actors

5.1. Cooperation with the European Commission (EC)

Areas of Overlap and Cooperation

The European Commission (EC) is the most critical partner for ESDP. Not only does the Commission bring a wealth of experiences to the table, it is part of the comprehensive foreign policy toolbox that the EU represents and to which ESDP operations are a relative newcomer.¹⁰⁶ The Commission's guidelines for programming assistance and its emphasis on good governance and the rule of law have evolved in parallel with the practical implementation of the ESDP in police and rule of law missions. Despite the convergence of ideas, Hänggi and Tanner bemoaned that "no efforts have been made to link the development discourse with the respective SSR discourses prevalent in other circles such as the security and democracy promotion communities, nor with the SSR-related language used in other EU policy areas such as enlargement [...] and conflict prevention [...]".¹⁰⁷ There are consistent calls for greater synergy – for instance in the European Security Strategy (ESS) – and several processes are now underway that promote cohesion among Council and Commission instruments, including the development of joint concepts such as on Security Sector Reform (SSR).¹⁰⁸

The Commission and the Council contributions are valuable and mutually dependent in the continuum from short-term crisis management to long-term development. In the various ESDP missions, the dividing line between institution building under the Commission and police and security sector reform assistance within an ESDP operation is becoming increasingly blurred. Typical Commission areas of activity include everything from "long-term political, trade, development

¹⁰⁵ Dwan, p. 17f.

¹⁰⁶ Hänggi and Tanner, p. 31f. This is reflected in the development of the civilian capabilities for crisis management and in the Commission's 2003 Communication on Governance and Development, which underlined security sector reform and institution and capacity building as central tasks in development. Among the long-standing Commission activities in the field of development assistance are PHARE, TACIS, MEDA and CARDS programmes. The European Development Fund and Justice and Home Affairs (JHA) area also key partners.

¹⁰⁷ Hänggi and Tanner, p. 32.

¹⁰⁸ *A Secure Europe*, p. 13.

and cooperation assistance, [to] civilian crisis instruments that can be employed on a short-term emergency basis.”¹⁰⁹ A common area of interest for the Council and the Commission has been support for Security Sector Reform (SSR), especially with regard to building management capacity, such as involvement in SSR efforts in DRC. In the context of planning and as more missions near closure, it will be interesting to follow the efforts to ensure a hand-over from intergovernmental crisis management through ESDP operations to community development assistance at the end of a mission period.

The EUSEC DR Congo mission is a continuation of Commission programmes in institution building rather than an intervention to manage a crisis. This led one Council official to describe the efforts as “back to front.”¹¹⁰ Similarly, the Commission funds equipment, facilities and training for police forces that EUPOL Kinshasa now mentors and monitors. In the Balkans, both the Commission and the ESDP operations – EUPM, Concordia, Proxima and EUFOR – focus on building institutions that guarantee “democracy, rule of law, human rights and respect for and protection of minorities.”¹¹¹

Another ESDP operation that directly cooperates with the Commission is EUJUST Themis, with a focus on institution and capacity building at the level of the Georgian Ministry of Justice, as well as on criminal justice reform and rehabilitation of corrections facilities. EUJUST Themis builds on the EC TACIS programme that aims to strengthen the rule of law and criminal justice system in Georgia. EC TACIS was launched in accordance with the 1999 EU-Georgia Partnership and Cooperation Agreement (PCA) that sought to strengthen democratic principles, the rule of law and human rights. In the case of Georgia, where this transition has taken place, there was little coordination between the reform efforts under EUJUST Themis and the parallel institution-building programmes of the Commission. Similarly, in the case of EUJUST Lex, “it remains unclear how such short-term ESDP efforts will be linked with longer-term efforts to build local capacity and institutions to provide relevant higher education and training in the rule of law.”¹¹²

There are wide areas of overlap between Commission activity and ESDP operations, ranging from strengthening institutional capacity at the African Union (AU) and the African Peace Facility (APF), which runs in parallel to the Council’s AMIS II support mission, to cooperation in Aceh where the Aceh Monitoring Mission (AMM) is involved in monitoring the disarmament and demobilisation of former GAM rebels and the Commission is contributing to their reintegration

¹⁰⁹ Dwan, p. 18.

¹¹⁰ Interviews, Council Secretariat, Brussels, October 2005.

¹¹¹ Hänggi and Tanner, p. 28f. Hänggi and Tanner point out that stable institutions were considered a prerequisite for membership

¹¹² Gourlay and Monaco.

into society. Similar direct cooperation exists within the context of EUPM, Proxima, EUPOL COPPS and EUBAM Rafah.

In addition to the community and the intergovernmental pillar, the Justice and Home Affairs (JHA) Pillar is concerned with police cooperation within the EU. In order to become an EU member and thus be integrated in JHA, Chapter 26 of the *acquis communautaire* calls for specific capabilities as prerequisites for accession. Thereby the JHA pillar has a concrete role in the reform of police forces and border security arrangements.

Coordination Mechanisms

The Commission will always have the advantage of being able to activate its mechanisms without the lengthy political wrangling that hampers Council action. At the same time, the evolution and activation of structures in the Council, including the EUMC and CIVCOM, have caused the Commission to be being back-footed and confined to financing rather than exercising a policy formulation role.¹¹³ As a result, the Commission at times uses its control of the budget to position itself or to gain access to leadership positions in the field, such as in the case of Proxima follow-up. The question of operational lead has been especially contentious in the cooperation between the Council and the Commission. The more politically sensitive an operation the less likely for the Council to be willing to allow Commission leadership.¹¹⁴

In order to improve coordination in planning, the concept of Crisis Response Coordination Team (CRCT) was launched. It was “founded on the need to draw together, as a rule at a high level, Commission and Council General Secretariat services in a given crisis situation in order to help to ensure the necessary degree of coherence and comprehensiveness of draft planning products, including ongoing activities, for consideration by delegations.”¹¹⁵ Key tasks were to draft the Crisis Management Concept (CMC), to contribute to planning and ensure cohesion between civilian and military components of EU action – in the later implementation phase. At this point in time, the CRCTs are being bypassed by regular meetings and daily exchanges between Commission and Council Secretariat staff that render the formalised approach less pressing.¹¹⁶ At a working level, there is close cooperation between the mission support staff for a given mission and their finance counterparts in the Commission in RELEX Working Groups. Also, each mission is followed by a designated Commission staff member that acts as the point of contact for the mission planning and support staff in the Council Secretariat. Given that the Commission ad-

¹¹³ ICG, 2005, p. 13, 20.

¹¹⁴ ICG, 2005, p. 41.

¹¹⁵ *Suggestions for Procedures*, Annex 2 to ANNEX, para. 1. In contrast to the Civil-military Cell, the CRCT is an adhoc body. *Seminar on Civil-military Co-ordination*, p. 6, 9.

¹¹⁶ Council staff argue that the CRCTs retain a role when it comes to ESDP missions in the area of civil protection and disaster response where rapid coordination is needed.

ministers the budget throughout a mission, there is a constant need for consultation and clarification between the Council Secretariat and the Commission.

In the past there have been proposals to make use of the Commission's insight into crisis areas or unstable regions by using the Commission's Country Strategy Papers (CSP) more systematically in the planning of ESDP operations. Conflict impact assessments frequently used in the development field could be usefully employed in the context of fact-finding and mission planning.¹¹⁷ The Conflict Prevention and Crisis Management Unit within the Commission develops conflict assessment methodologies and works with the Council Secretariat and the Joint Situation Centre. In practice, however, Council staff admit to never having seen a country strategy paper and – according to the Council Secretariat – the Commission Action Plan on Georgia only took ESDP concerns into account where they coincided with the Commission view.¹¹⁸

In the field, the EU Heads of Mission meetings can function as a coordinating mechanism. In Bosnia-Herzegovina, the co-location of European Commission staff working on joint EU CARDS-EUPM projects significantly facilitated the coordination and division of labour with regard to the follow-on mission. As indicated above, the evolving role of the EUSR also points toward the EUSR fulfilling more of a coordinating function.¹¹⁹ With an increasing number of operations, cooperation takes place as a matter of course and the Commission is, for instance, always asked to join the fact-finding missions. For EUPM and Proxima, task forces consisting of Council and Commission staff were established. An effort is also made to submit joint reports, but this has proven a lengthy and cumbersome process.¹²⁰

In part, the long-term coordination now takes place within the context of the Civil-Military Cell, which includes staff members from the Commission. The aim is to develop joint concepts and contingency planning and to engage in joint planning from the outset. The greatest sticking-point is the Commission's desire to clearly delineate areas of responsibility with regard to crisis management and long-term institution building. The Council Secretariat is reluctant to divide mission tasks into absolute categories, as it wishes to retain maximum flexibility in the types of missions the Council takes on. Therefore, the Civil-Military Cell downplays the Commission's concerns by arguing that overlap is not problematic as the Commission and the Council contribute different, complementary approaches.¹²¹

¹¹⁷ Dwan, p. 19; ICG, 2005, p. 14.

¹¹⁸ Interviews, Council Secretariat, Brussels, October 2005.

¹¹⁹ *Seminar on Civil-military Co-ordination*, p. 2.

¹²⁰ Interviews, Council Secretariat, Brussels, October 2005.

¹²¹ Interviews, Council Secretariat and European Commission, Brussels, October 2005.

Overall, procedures for planning, developing strategies and setting priorities diverge widely between the Council and the Commission and joint planning is therefore difficult. Still, the two appear to be moving toward an institutionalisation of relations and cooperation patterns that has been forced through the daily operational contact in ESDP missions. In addition, a rapprochement appears to be occurring at high levels, where discussions between the Council and the Commission now centre on how to better administer the budget, including finding more workable solutions for procurement.¹²² The outcome and the practical implementation remain to be seen, but the discussions are a welcome move that reflects the recognition that change is needed.

5.2. Cooperation with NATO – Berlin Plus in Theory and Practice

The relationship between the EU and NATO has been described as a strategic partnership, but has in practice vacillated between cooperation and competition in the field of crisis management operations.¹²³ The formal framework for cooperation was agreed at the Washington Summit and consisted of a package of agreements between EU and NATO that regulate EU use of NATO assets, in effect since March 2003 and commonly known as Berlin Plus. The Berlin Plus arrangements regulated EU access to NATO planning, NATO European command options and the use of NATO assets and capabilities. It is useful to distinguish between the cooperation of civilian crisis management operations and its military counterparts in the EU, i.e. non-Berlin Plus, and the cooperation between the EU – both civilian and military crisis management – and NATO, i.e. Berlin Plus. At the strategic level, the PSC meets regularly with the North Atlantic Council (NAC) and the two cooperate considerably.¹²⁴ In 2003, the first joint exercise with NATO was held and since planning for EUPM began in 2002 there has been regular contact and cooperation on the ground in Bosnia-Herzegovina. As Cornish and Edwards point out, “the sudden expansion of activity under ESDP (both civil and military) could not have occurred [...] without there having been a radical improvement in EU-NATO relations.”¹²⁵

As membership in the EU and in NATO largely coincides, the relationship reflects the political priorities of the major European member states at any given time. The relationship was long marked by tension between those countries wishing to put the EU in the driving seat and those that wish to retain NATO in the primary role. This tension played out over the discussion of an autonomous EU planning capacity. Catriona Mace suggests that the “disagreement over the need for an independent EU headquarters reflected a deeper debate about how closely the EU

¹²² Interviews, European Commission, Brussels, October 2005.

¹²³ See for example, Cornish and Edwards, p. 814-818.

¹²⁴ ICG, 2005, p. 29. Information is also exchanged in the EU-NATO Capability Group, but this is not a decision making body.

¹²⁵ Cornish and Edwards, p. 817f.

should associate its approach to crisis management with NATO.¹²⁶ The compromise then was the Civil-Military Cell in the EUMS for non-Berlin Plus operations and a permanent EU cell within the Supreme Headquarters of Allied Powers in Europe (SHAPE), which would contain staff seconded from capitals and be responsible for operational planning of EU-led operations using NATO assets under Berlin Plus.¹²⁷

The first effort to deploy an EU military operation using NATO assets was Concordia in FYROM. Berlin Plus was concluded days before the launch of the mission and has been described as a political, if not a practical necessity.¹²⁸ In the Council Joint Action establishing Concordia, NATO is asked to appoint the Deputy Supreme Allied Commander for Europe (D-SACEUR) as Concordia's Operation Commander and to allow the use of SHAPE to function as the EU Operational Headquarters, in accordance with the Berlin Plus arrangements.¹²⁹ In practice, the command arrangements featured several double-hatted posts and led to complex and dual reporting lines and chains-of-command.

The next major step occurred at the 2004 Istanbul Summit, where it was decided to conclude SFOR and to hand over its tasks to an EU force. This had been discussed informally for over a year, but decision-making was delayed due to the transatlantic rift over the Iraq war.¹³⁰ EUFOR Althea was deployed on 2 December 2004. There was never any doubt that the deployment of EUFOR would take place under the Berlin Plus arrangements, since NATO wished to retain a foot in the door and the EU wanted to have the backing of NATO in their largest ever deployment. Although ICG points out that "NATO and the EU can be complementary rather than competing,"¹³¹ tensions arose among member states on the lead role for the remaining NATO presence in Bosnia-Herzegovina. Whereas the United Kingdom and the United States wished to allow NATO flexibility by deliberately keeping its mandate vague, France called for a clear division of responsibilities.

Discussions on the EU and NATO operations in Darfur are another case in point with regard to latent competition between the two bodies in that the discussions were again marked by positioning and what observers at NATO called a "destructive approach" by some European member states. In particular, as France wished to secure a lead role for the EU, a decision on NATO's role was held hostage in the NAC until the European Council had defined its own role on 24 May

¹²⁶ Mace, p. 485.

¹²⁷ ICG, 2005, pp. 10f., 29f.

¹²⁸ Mace, p. 474.

¹²⁹ Council Joint Action 2003/92/CFSP, 27 January 2003, Article 2, para. 2 and 3.

¹³⁰ Mace, p. 484f.

¹³¹ ICG, 2005, p. 29.

2005.¹³² There was also some frustration at NATO over the fact that the EU documents make no reference to NATO's involvement, while NATO documents explicitly refer to the EU's role. As no agreement could be reached on a joint chain-of-command, the end result is the existence of two separate operations with similar mandates, with separate chains-of-command, without using Berlin Plus and where some member states are providing separate contributions to each of the operations.¹³³ The only concession made to the need to cooperate is a joint cell in the secretariat of the AU in Addis Abeba.

The political tensions in the EU-NATO relationship are not only down to the bodies' European member states. In 2004, Catriona Mace argued that the success of Berlin Plus depended on the relationship between the EU and the United States. By late 2005, the political wrangling between Turkey and Cyprus had again become far more prominent in determining the scope and area of application of Berlin Plus. At present, only EUFOR Althea in Bosnia-Herzegovina can be discussed at the monthly meetings between the North Atlantic Council (NAC) and the PSC. In an effort to overcome the formal obstacles, other informal ways of discussing pressing issues, such as the cooperation and coordination of the EU and the NATO support to AMIS in Darfur, emerged.

On a more positive note, EU and NATO share common areas of interest and have identified some of the same tasks for their operations, including Security Sector Reform (SSR), border management and the fight against organised crime. More cooperation is necessary in "less traditional areas, such as human trafficking, organised crime, witness protection and security sector reform."¹³⁴ This is reflected in the EU-NATO Concerted Approach for the Western Balkans, published on 27 July 2003. The approach identifies a number of core areas of cooperation between EU and NATO: conflict prevention and crisis management, defence and security sector reform, strengthening the rule of law, countering the threat of terrorism, border security and management, arms control and removal of small arms.¹³⁵ In the field, the EUPM enjoyed good relations with NATO-led SFOR – which continued after Althea had been deployed – and closely cooperated on emergency and medical backup and on technical assistance, and regularly exchanged information. The coordination between the two was considered one of the most successful aspects of the EUPM Planning Team experience. However, the overlapping mandates have also caused friction at times. With the arrival of EUFOR Althea in Bosnia-Herzegovina, there was a debate surrounding the role and placement of the Multinational Specialised Units (MSUs) – formerly a part of SFOR – and to what extent they should engage in fighting organised crime

¹³² Interviews, NATO, Brussels, October 2005; Monaco, Annalisa and Catriona Gourlay, 2005: "Supporting the African Union in Darfur: A Test for the EU-NATO Partnership." *European Security Review* No. 26 (June 2005), p. 4.

¹³³ Monaco and Gourlay, p. 4f.

¹³⁴ Dwan, p. 16.

¹³⁵ Listed in Mace, pp. 484, 490.

and to whom they should report.¹³⁶ Similarly, there were elements of competition in FYROM between NATO's desire to get involved in border security issues and the EU's view that these were civilian tasks.¹³⁷

5.3. Cooperation with the UN

The Brahimi Report on UN peacekeeping published in December 2000 had called on regional organisations to take on a share of the responsibility for international peace operations. This coincided with the EU's own ambition and subsequent development of a military and a civilian crisis management capability. While this appeared to be according to plan, there was also a lingering concern that the EU would prioritise their resources and assign them to ESDP operations at the expense of UN peace operations which already suffered from waning European contributions.¹³⁸ The EU foresaw three main scenarios for their support to UN operations: rapid response, such as was provided with Artemis; temporary reinforcement, such as is being discussed in relation to the upcoming elections in the DRC; and follow-on, such as the transition from IPTF to EUPM.

While the overall assessment was positive, the IPTF-EUPM transition could have been managed better and EUPM initially struggled with the fact that other international organisations were insufficiently aware of the incoming mission's mandate and structure. The first true test of UN-EU cooperation was Artemis in the summer of 2003. Due to a dramatic worsening of the security situation in Bunia in Eastern DRC, observers feared an imminent slaughter of civilians. The EU reacted rapidly to deploy a French-led force into Bunia and stabilise the security situation until the UN's own reinforcements could take over. Artemis was an autonomous EU force and included no UN staff in its operational headquarters.¹³⁹

In September 2003, EU-UN cooperation was formalised in a Joint Declaration in which the EU commits itself to contributing to UN objectives. It emphasises transitions from the EU to the UN and – in addition to Artemis – was informed by the experience of EUPM and the transition from IPTF. The Joint Declaration also calls for the establishment of a Steering Committee, which meets semi-annually and is at present the most important cooperation mechanism together with liaison officers placed in Brussels and New York. The declaration pinpoints four areas of

¹³⁶ Dwan, p. 17. EUFOR Althea's interpretation of their own mandate to include operations against organised crime also led to tensions with EUPM who considered the military approach as undermining local ownership and inconsistent with its own non-executive mandate. The Althea's CJA also opens for a later reorganisation, where the Integrated Police Unit (IPU) could be more closely associated with EUPM and the EUSR's office. Council Joint Action 2004/570/CFSP, 12 July 2004, Art. 16.1.

¹³⁷ Mace, p. 483.

¹³⁸ Tardy, Thierry, 2003: *Limits and Opportunities of UN-EU Relations in Peace Operations: Implications for DPKO*. External Study, UN Best Practices Unit: New York, NY, p. 7f.

¹³⁹ Ulriksen, Gourlay and Mace, p. 511f.; *Seminar on Civil-military Co-ordination*, p. 19.

cooperation: (1) planning, including assessment assistance, cooperation between planning units, logistics and interoperability; (2) training, especially standards and specific courses; (3) communication and exchange of information; and (4) best practices.¹⁴⁰

Following on the heels of the Joint Declaration, the European Security Strategy (ESS) of December 2003 reiterates the primary responsibility of the UN Security Council but also points to the EU's willingness to work in support of the UN, especially when it comes to "short-term crisis management situations,"¹⁴¹ such as were addressed through Artemis. The EU has developed principles for cooperation with other international organisations, which apply equally to the UN and highlight the need to add value and ensure interoperability, but also underline the EU's desire to be visible and to retain decision-making authority.¹⁴²

Given that the UN has been engaged in planning peace operations for so many years, there are bound to be lessons that the EU can learn from the UN's experience. Larger missions may be a strategic ambition of the ESDP, but are not likely in the near future. Even the probable EU take-over in Kosovo is a far cry from a substantial UN mission, such as in the DRC, Sierra Leone or Haiti. But while EU operations are likely to be different from larger-scale UN undertakings, ESDP operations can still benefit from a closer look at these complex and comprehensive operations and the way in which they attempt to merge civil and military approaches as well as short- and long-term approaches. So far, the EU has not subordinated their military contribution to a UN chain-of-command. This is unlikely to change even if the EU Battle Groups are deployed in a UN context, for example in the Democratic Republic of Congo. Thierry Tardy argues that cooperation is unlikely to generate additional troops for UN operations,¹⁴³ but greater coordination on the European end may lead to better coordinated and therefore more effective contributions than the small contingents currently provided by individual EU member states. After all, both the UN and the EU are grappling with the issues of rapid deployment, finding and training staff, and having to cooperate in peacebuilding on the ground. They would therefore greatly benefit from greater synergy.¹⁴⁴

Although there has been some progress on the exchange of information and documents, as well as on training and exercises, cooperation has proven more problematic in the field. The ESDP missions Artemis in Bunia and the Support to AMIS II in Darfur have been catalysts for cooperation, but the December 2005 report of the UK Presidency reiterates the need for "concrete mo-

¹⁴⁰ *Joint Declaration on UN-EU Co-operation in Crisis Management*. Council of the European Union, Doc. 12730/03, Brussels, 19 September 2003.

¹⁴¹ *A Secure Europe*, pp. 9, 11.

¹⁴² Tardy, p. 8f. The EU has also begun closer cooperation with regional organisations, such as ASEAN and the AU. This is likely to increase in the future.

¹⁴³ Tardy, pp. 9f., 11; *Seminar on Civil-military Co-ordination*, p. 19.

¹⁴⁴ Tardy, p. 13.

dalities” for cooperation.¹⁴⁵ There are informal regular consultations in New York, Brussels, Addis Abeba and Khartoum, but these are based more on personal relations than on systematic arrangements for cooperation. There is good and close cooperation between EUPOL Kinshasa and MONUC, where the EU operation is an integrated part of the wider police reform effort of the UN.¹⁴⁶

6. Conclusions

Overall, the evolution of ESDP operations has been nothing less than impressive. From being added as an afterthought to Council Conclusions in Helsinki in December 1999, the civilian crisis management capacity has developed into one of the EU’s most important foreign policy tools. The starting point for planning and deploying ESDP operations appeared rather bleak, given the unwieldy Brussels bureaucracy, inter-pillar rivalry, constraints inherent in intergovernmental mechanisms and the fact that civilian planning capacity was newly established and inexperienced. The dramatic development from planning EUPM to twelve concurrent operations three short years later and the current range, frequency and scope of missions affirms how decisive sheer political will is as a catalyst for success.¹⁴⁷

Where the will has been less apparent is in ensuring the expansion of capacity to plan and run operations in Brussels in line with the expansion of ESDP operations. The International Crisis Group points to the urgency of change, suggesting that “[t]here are glaring weaknesses in EU ability both to prevent violent conflict and to manage conflicts as they arise. Some of these are structural, many more result from a lack of capabilities, both military and civilian, and all could be vastly improved by a greater dose of political will.”¹⁴⁸ Planning and mission support capacity in the Council Secretariat has been increased but insufficiently so. Through heightened daily contact at working level and in the field, cooperation between the European Commission and the Council Secretariat has also improved. First steps toward institutionalising cooperation have also taken place in the creation of task forces and the inclusion of Commission representatives in the PSC and the Civil-Military Cell. As of early 2006, it appears that a realisation is dawning at the political strategic level in the Council and the Commission that drastic changes, such as an

¹⁴⁵ *Presidency Report on ESDP*, December 2005, paras. 60, XIX.

¹⁴⁶ Pauwels, p. 1f.

¹⁴⁷ As of late 2005, the EU had deployed nine ESDP operations with approximately 7,000 military staff, 500 police officers and 420 international civilian staff. Note that these numbers include the ‘old’ EUPM and Proxima. Both follow-on missions have fewer staff members. Source: *Worldmap of Peace, Peacebuilding and Crisis Prevention Missions 2006*, Center for International Peace Operations (ZIF): Berlin.

¹⁴⁸ ICG, 2005, p. 2.

increase in or a reallocation of authority over the CFSP budget, are needed in order to fully realise the potential that lies in the EU's foreign policy toolbox.

Clearly, important shortfalls remain to be addressed despite the progress. First and foremost, the number of planning staff needs to be increased and staff recruitment needs to be more targeted and more varied to include civilian experts from the private sphere. While the planning capacity has grown and has developed a certain routine, the growth in planning capacity has not matched that of the rapidly evolving nature, scope and structure of ESDP operations, creating an increasing gap.¹⁴⁹ As a result, planning staff is overburdened and overworked and has no excess capacity for three central activities:

First, the need for conceptual planning far outweighs the existing capacity to do so. The Civil-Military Cell has begun to fill that gap and develop strategic conceptual documents, but it remains to be seen whether these documents take their place among the long list of previously developed concepts or are actually useful and used in planning and mission design.

Second, little attention is paid to support of ongoing missions. Once an operation has been launched it is largely left to its own devices. This is perceived as a lack of political headquarters support by mission staff in-theatre. There have been few regular assessments and adjustments of mandates and resources. While benchmarking mechanisms are often discussed, they are not developed and implemented systematically. A concept of Mission Support is being developed in Brussels that outlines how the Council Secretariat might better support civilian crisis management missions from planning, through implementation to termination, but has not been put into practice yet.¹⁵⁰

Third, inadequate mission support, follow-up and benchmarking is related to the need to review lessons learned more thoroughly and systematically. ESDP operations are generally declared to be a success even *prior* to their launch. This pre-determined successful outcome relieves the pressure of mission support and prevents rigorous self-scrutiny. An unfortunate consequence of the EU's lack of transparency and honest review is that critics overplay the difficulties and undervalue the real achievements of ESDP operations. This study has looked at procedures and processes of planning. Much remains to be analysed with regard to the content and functioning of missions, mandate fulfilment etc.

¹⁴⁹ The December 2005 Presidency Report on ESDP outlines the need for further enhancements and calls for a strengthening of mission support capacity. *Presidency Report on ESDP*, December 2005, paras. 60, XIX.

¹⁵⁰ Calls that the need for mission support capacity should be linked to the ambitions laid out in the *Civilian Headline Goals 2008*, indicate that the need to adjust this capacity to the EU's enthusiasm for deploying ESDP missions is finally being taken seriously.

While cooperation between the Council Secretariat and the Commission has improved, much more can be done to truly coordinate the activities of each. Had the proposed EU constitution been ratified, it would have led to a greater integration of foreign policy tools. In lieu of full integration, the Commission and the Council can still facilitate coordination and create synergy throughout the process from planning – including training, recruitment, financing, logistics and procurement – to mandate implementation – i.e. coordination of ESDP mandates with Commission programmes – and to mission closure.

Although the European Security Strategy (ESS) is a first step towards agreeing on a common strategic framework for ESDP Operations, it offers little in the way of prioritisation. Instead, it sketches a wide area of operation and leaves all doors open for potential future missions. There is very limited strategic thinking on when and where ESDP operations should be deployed and how each fits into an overall set of aims. This is less true of missions deployed in the EU's immediate neighbourhood than, for instance, of EUSEC DR Congo or the AMM. On the military side, Giegerich and Wallace claim that the development was driven by “external events and pressures” rather than an “ideological predisposition.”¹⁵¹ Decisions on the deployment of civilian crisis management missions have been guided less by an objective needs assessment and strategic prioritisation than by a desire to enhance credibility by putting boots on the ground. Having said that, while more guidance is desirable especially for mission planners, in reality no international organisation has developed a set of criteria for when, where and how to intervene. Instead, decisions are always politically motivated and depend on a number of circumstantial factors that defy pre-planning. As ESDP operations are an intergovernmental instrument, they will always struggle with reaching consensus which in turn threatens the EU's ability to respond rapidly to a crisis.

Another aspect that has not been explored in great detail in this study is the relationship between the field and headquarters in Brussels. The study focused on Brussels and the planning in the Council Secretariat, but clearly all shortfalls have significant consequences in the field and impede the achievement of an ESDP mission's objectives. In addition, there appears to be a significant disconnect between the field and headquarters that manifests itself in planning processes, such as for the follow-on operations to EUPM and Proxima, and is exacerbated by the limited emphasis placed on support to ongoing missions. This is not unusual for international operations in which field staff tends to feel neglected and misunderstood by their political masters. But it is not inevitable that the EU makes the same mistakes and it could be more proactive in alleviating grievances

Finally, a central question concerns the future challenges for ESDP operations. As indicated above, the ESS foresees the launch of ESDP operations on a global scale and with a wide variety

¹⁵¹ Giegerich and Wallace, p. 178.

of tasks. The current missions in Africa and Southeast Asia are indicators that the EU is likely to engage in more partnerships with NATO, but probably even more so with regional organisations and with the UN. It will also be interesting to see when and whether the EU will be able to deploy a fully integrated civil-military operation. While the Civil-Military Cell is a promising new body, there is still a wide gap between civil and military planners that requires far more communication and cooperation to be bridged.

As of mid 2006, it is almost certain that the EU will take over part of UNMIK's role in Kosovo once negotiations on the province's future status have progressed far enough. The political willingness had already been indicated on several different occasions, such as in the December 2005 Presidency Report on ESDP, where Kosovo has been identified as part of the mandate for the incoming Austrian Presidency or in statements by EU Secretary General Javier Solana and Commissioner for Enlargement Olli Rehn.¹⁵² In January 2006, Martti Ahtisaari concluded that the "Europeans seem to have the political will to take on this challenge, along with the will to allocate sufficient resources for the endeavour."¹⁵³ On 10 April 2006, the EU Planning Team Kosovo was established to conduct thorough planning while the status talks proceed, but does not commit the EU to actually launch a mission.¹⁵⁴ ESDP missions have found a *modus operandi* in their co-location approach and their focus on mid- to senior level management. Given the extent to which authority has been transferred to Kosovar government bodies, it is likely that an ESDP operation in Kosovo would choose a similar reform-oriented, mentoring approach. An ESDP operation would most likely take the shape of a police mission, probably in the context of an integrated rule of law effort. In terms of planning, this means that the operation would have to be larger than the largest civilian mission to date – EUPM – and involve several programmatic components and a wide variety of staff.

The prospect of designing, planning and deploying an ESDP mission for Kosovo underlines the need to reinforce planning capacity, especially in the area of programme development, to streamline planning and decision-making procedures and to remove structural obstacles among EU pillars, so as to be able to adequately support the mission and respond rapidly in potentially volatile circumstances. Ultimately, however, the actual capacity to conduct the mission may have practical implications for the mission's effectiveness, but will be less decisive than the political determination to meet this challenge. In that Kosovo is no different than any of the other operations the EU has launched.

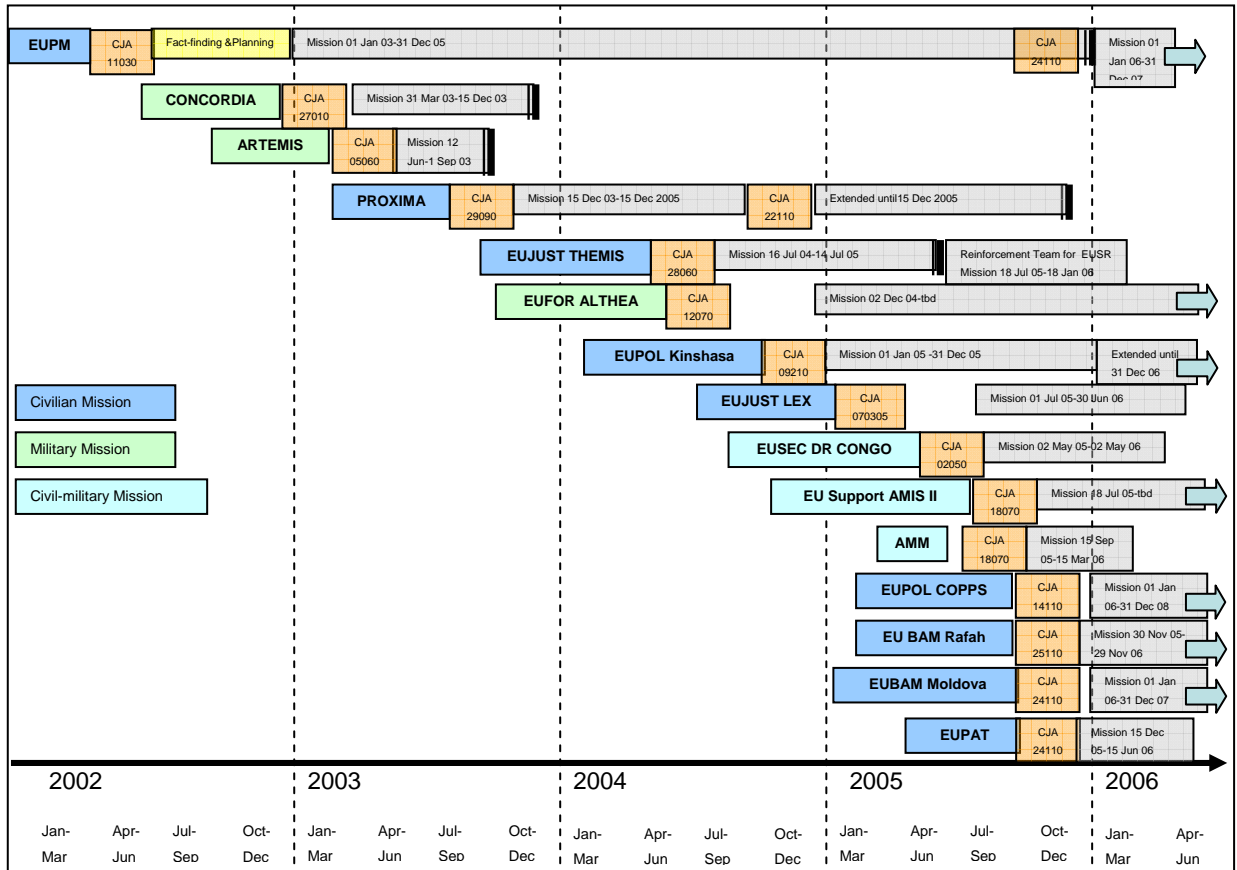
¹⁵² "EU Considers Key Role in Kosovo," BBC News, 12 December 2005, <http://news.bbc.co.uk/go/pr/fr/-/1/hi/world/europe/4521038.stm>. See also *Brussels European Council 16 and 17 June 2005. Presidency Conclusions*. Council of the European Union, Doc no. 10255/1/05, Brussels, 15 July 2005, Annex.

¹⁵³ Ahtisaari. See also International Crisis Group, 2006b: *Kosovo: The Challenge of Transition*. Europe Report No. 170, ICG: Brussels/Belgrade/Pristina, 17 February 2006.

¹⁵⁴ Council Joint Action 23006/304/CFSP (10 April 2006).

7. Annexes

7.1. Timeline of ESDP Missions



As of 01 April 2006 (does not include EUFOR RD Congo and EUPT Kosovo).

7.2. The Missions

European Union Police Mission (EUPM), Bosnia-Herzegovina

The European Union Police Mission in Bosnia-Herzegovina (EUPM) was the first ESDP mission and took over from the United Nation's International Police Task Force (IPTF) mission in Bosnia-Herzegovina. The mission's objective is to establish sustainable policing arrangements in accordance with best European and international practice. Its mandate was to monitor, mentor and inspect the Bosnia police forces with a special emphasis on developing management capabilities at the mid to senior level. The mission comprises 500 international police and civilian staff and is headed by a Police Commissioner who reports to the European Union Special Representative (EUSR) for Bosnia-Herzegovina. The EUSR in turn reports to the EU High Representative for the CFSP, Javier Solana.

Duration:	01 January 2003 - 31 December 2005
Mandate:	Council Joint Action 2002/211/CFSP, 11 March 2002
Police Commissioner:	Sven Frederiksen, Denmark (Jan 2003-Jan 2004), Kevin Carty, Ireland (Jan 2004-31 Dec 2005)
EUSR:	Lord Paddy Ashdown, United Kingdom (11 Mar 2002-30 Jan 2006)

With the Council Joint Action of 24 November 2005, the Council decided to continue the EUPM for a further two years. The fundamental principle of organisation, i.e. co-location at senior management level remains the same, but the mission will be reduced significantly in size. In addition to its mandate to mentor, monitor and inspect in pursuit of sustainable BiH policing arrangements, the mission has an explicit remit to focus on police reform and the fight against organised crime.

Duration:	01 January 2006 - 31 December 2007
Mandate:	Council Joint Action 2005/824/CFSP, 24 November 2005
Police Commissioner:	Brigadier-General Vincenzo Coppola, Italy (01 Jan 2006)
EUSR:	Lord Paddy Ashdown, United Kingdom (11 Mar 2002-30 Jan 2006)

Concordia, Former Yugoslav Republic of Macedonia

Concordia was a military operation and deployed upon request by President Trajkovski of the Former Yugoslav Republic of Macedonia (FYROM). Concordia succeeded the NATO operation in FYROM and made use of NATO assets in accordance with Berlin Plus arrangements. The operation's mandate was to contribute to maintaining a stable environment for the implementation of the 2001 Ohrid Framework Agreement. The mission consisted of 400 military personnel and was headed by a Force Commander and an Operation Commander who was also the Deputy Supreme Allied Commander Allied Forces Europe (D-SACEUR). The Operation Commander reported to the EU Military Committee (EUMC), whose chairman reported to the Political and Security

Committee (PSC) who kept the North Atlantic Council (NAC) abreast of the use of NATO assets. The PSC exercised political control and provided strategic direction to the operation.

Duration: 31 March 2003 - 15 December 2003
Mandate: Council Joint Action 2003/92/CFSP, 27 January 2003
Operation Commander: Adm Rainer Feist, Germany (D-SACEUR)
Force Commander: Maj Gen Pierre Maral, France (Mar-Sep 2003), Maj Gen Luis Nelson
Ferreira dos Santos, Portugal (Sep-Dec 2003)
EUSR: Alexis Brouhns, (Sep 2002-Dec 2003)

Artemis, Democratic Republic of Congo (DRC)

Artemis was an emergency military operation that deployed upon the UN's request to Bunia in the eastern DR Congo and worked in close cooperation with the United Nations Mission in the Democratic Republic of Congo (MONUC). It was the first autonomous military operation under the ESDP. Artemis' mandate was to contribute to stabilising the security situation and alleviating the humanitarian situation in Bunia. Artemis consisted of approximately 1,500 military staff, of which 900 were French, but the operation also included Swedish Special Forces and force contributions from Germany, Britain, Belgium, Greece, Brazil, Canada and South Africa. Military direction was provided through the EUMC and political strategic direction through the PSC.

Duration: 12 June 2003 - 01 September 2003
Mandate: Council Joint Action 2003/423/CFSP, 5 June 2003
Operation Commander: Maj Gen Neveux, France
Force Commander: Brig Gen Thonier, France
EUSR (Great Lakes): Aldo Ajello, Italy (25 Mar 1996 -to date)

EUPOL Proxima, Former Yugoslav Republic of Macedonia

EUPOL Proxima, the EU's second police mission under the ESDP, was deployed as a follow-on mission to Concordia and was to continue the military operation's efforts towards consolidating stable conditions through an emphasis on public security and the rule of law. Proxima's mandate was to advise local police on fighting organised crime and to promote European policing standards. It also involved supporting various elements of the police reform process, including the creation of a border police, assistance to the Ministry of the Interior, building popular confidence in the rule of law and promoting regional cooperation. Proxima consisted of 200 police officers and is headed by a Police Commissioner who reports to the EUSR.

Duration:	15 December 2003 - 15 December 2005
Mandate:	Council Joint Action 2003/681/CFSP, 29 September 2003; Council Joint Action 2004/789/CFSP, 22 November 2004 (extension)
Police Commissioner:	Bart D'Hooge, Belgium (15 Dec 2003-14 Dec 2004), Brig Gen Jürgen Paul Scholz, Germany (14 Dec 2004-to 0date)
EUSR:	Sören Jessen-Petersen, Denmark (Jan-Jul 2004), Michael Sahlin, Sweden (Jul 2004-Oct 2004), Erwan Fouéré, Ireland (Oct 2005-to date)

EUJUST Themis, Georgia

EUJUST Themis was the first rule of law mission under the ESDP. Its mandate was to support, mentor and advise the senior management level in Ministries and government bodies on the reform of the criminal justice system in Georgia. Support included advice on judicial reform and anti-corruption measures, strengthening the rule of law chain, legal reform of criminal law and regional cooperation. Specifically, the mission was tasked with assisting in the design of a strategy for criminal justice reform, which was presented to the Georgian President in July 2005. EUJUST Themis consisted of approximately 10 international civilian rule of law experts, collocated in Ministries and criminal justice institutions. It was led by a Head of Mission who reported to the High Representative Javier Solana through the EUSR for the Southern Caucasus. EUJUST Themis was terminated on schedule on 14 July 2005.

Duration:	16 July 2004 - 14 Jul 2005
Mandate:	Council Joint Action 2004/523/CFSP, 28 June 2004
Head of Mission:	Sylvie Pantz, French (30 Jun 2004-14 Jul 2005)
EUSR:	Heikki Talvitie, Finland (07 Jul 2003-14 Jul 2005)

EUFOR Althea, Bosnia-Herzegovina

EUFOR Althea is a military operation that has taken over a number of the security functions previously filled by the NATO-led Stabilisation Force (SFOR) in Bosnia-Herzegovina. In that way, Althea's mandate is to contribute to a safe and secure environment for the continued implementation of the Dayton Agreement. The operation also makes use of NATO assets under the Berlin Plus arrangements. It also emphasises the European context in that it is to assist the Bosnian authorities in fulfilling their obligations under the SAP Feasibility Study in order to move towards a Stabilisation and Association Agreement (SAA). Althea works closely with the Office of the High Representative (OHR) – whose head the High Representative is double-hatted and also functions as the EUSR – and with the EUPM, as well as with EC efforts. Althea consists of 7,000 soldiers and is led by a Force Commander who reports to the PSC through the EU Military Committee (EUMC) and the Operation Commander. While the PSC provides political control and stra-

tegic direction, the Operation Commander under the direction of the EUMC is responsible for military direction.

Duration: 02 December 2004 - to date (open ended)
Mandate: Council Joint Action 2004/570/CFSP, 12 July 2004
Operation Commander: Adm Rainer Feist, Germany (D-SACEUR)
Force Commander: Maj Gen David Leakey, United Kingdom (Dec 2004-to date)
EUSR: Lord Paddy Ashdown, United Kingdom (11 Mar 2002-30 Jan 2006)

EUPOL Kinshasa, Democratic Republic of Congo (DRC)

EUPOL Kinshasa is a police mission deployed to the DRC upon the request of the government. Its mandate is to assist in the establishment of an Integrated Police Unit (IPU) to reinforce the DRC police law enforcement capacity. Assistance will range from the initial training and equipping through to subsequent mentoring and monitoring of trained forces in accordance with international standards. The DRC IPU is to be operational by March 2005. EUPOL Kinshasa comprises approximately 30 staff members and is headed by a Head of Mission, who reports to the EUSR for the Great Lakes Region.

Duration: 01 January 2005 - 31 December 2005
Mandate: Council Joint Action 2004/847/CFSP, 9 December 2004
Head of Mission: Superintendent Adilio Custodio, Portugal
EUSR (Great Lakes): Aldo Ajello, Italy (25 March 1996-to date)

EUJUST Lex, Iraq

EUJUST Lex is an EU Integrated Rule of Law Mission for Iraq that forms a part of the wider EU programme of action for Iraq (November 2004). Its mandate is to strengthen the senior management of the rule of law in the law enforcement, judiciary and the penitentiary sectors, especially with a view to establishing a functioning criminal justice system. To this end, EUJUST Lex plans to train senior staff in both management and criminal investigation. The exact size of EUJUST Lex is unclear in that it will consist of a series of training courses held by and in EU member states. Whether or not training will also take place in Iraq remains to be decided by the Council. EUJUST Lex is led by a police Head of Mission.

Duration: 01 July 2005 - 30 June 2006
Mandate: Council Joint Action 2005/190/CFSP, 7 March 2005
Head of Mission: Stephen White, United Kingdom (8 Mar 2005-to date)

EUSEC DR Congo, Democratic Republic of Congo (DRC)

EUSEC DR Congo is predominantly a military mission intended to support the Security Sector Reform (SSR) process in the DRC. This is the first mission that will place its main emphasis on the reform of armed forces, including the integration of the Congolese armed forces, restructuring and Disarmament, Demobilisation and Reintegration (DDR).

Duration: 02 May 2005 - 02 May 2006
Mandate: Council Joint Action 2005/355/CFSP, 2 May 2005
Force Commander: France (-to date)
EUSR (Great Lakes): Aldo Ajello, Italy (25 March 1996-to date)

EU Support AMIS II, Darfur, Sudan

EU Support to the African Union Mission in Sudan (AMIS) II is the consolidation of various aid measures provided in connection with the crisis in Darfur since 2004, including support for the Abuja process and the African Union (AU) missions, AMIS I and II. EU support consists of both military elements – equipment, training, strategic/tactical transportation, provision of military observers, support for planning and technical assistance – and police elements – management support and training, as well as institution building for police missions at the AU. EU Support to AMIS II comprises a political adviser and 23 senior police advisers and trainers, deployed at AMIS HQ, in the field (Darfur) and at AU HQ in Addis Ababa, Ethiopia. The EUSR for Sudan is responsible for the mission and is assisted by military, police and political advisers.

Duration: 16 July 2005 - to date (open ended)
Mandate: Council Joint Action 2005/557/CFSP, 18 July 2005
EUSR: Pekka Haavisto, Finland (18 Jul 2005-to date)

Aceh Monitoring Mission (AMM), Aceh, Indonesia

The Aceh Monitoring Mission (AMM) mandate is to assist the Government of Indonesia (GoI) and the Free Aceh Movement (GAM) in implementing the Peace Agreement. This involves monitoring the decommissioning and demobilisation of GAM and other non-organic forces and the reintegration of former combatants into civil life. The AMM can also investigate violations of obligations under the Peace Agreement, but it is important to note that the AMM has no political facilitation role. Should negotiations become necessary, these will be conducted by the Crisis Management Initiative (CMI) chaired by former Finnish President Martti Ahtisaari. In addition, the AMM is part of wider EU efforts at democratisation, repatriation and institution building led by the Commission. The AMM consists of approximately 230 international experts in a variety of fields, many with a military background to adequately oversee the DDR process. The AMM is deployed in cooperation with ASEAN and includes circa 100 staff members from five ASEAN mem-

ber states. As the EU has not appointed an EUSR for this area, the Head of Mission reports directly to the SG/HR.

Duration: 15 September 2005 - 15 March 2006
Mandate: Council Joint Action 2005/643/CFSP, 09 September 2005
Head of Mission: Pieter Feith, Netherlands (15 Sep 2005-to date)
EUSR: None

EUPOL Coordination Office for Palestinian Police Support (COPPS), Palestinian Territories

The EUPOL Coordination Office for Palestinian Police Support (COPPS) mission's mandate is to provide "enhanced support to the Palestinian Authority in establishing sustainable and effective policing arrangements." This entails assistance in the development of a police reform programme and related aspects of the criminal justice system and subsequent monitoring and advising at management levels. The mission also has a coordinating role with respect to EU support for the Palestinian police, especially in relation to the Commission's institution building programmes. It will also work in close cooperation with the US Security Coordinator and other relevant actors. EUPOL COPPS is a non-executive mission which will consist of approximately 33 international staff and has a three-year mandate. The Head of Mission works in close cooperation with the EUSR for the Middle East and reports through him to the PSC which in turn provides political control and strategic guidance to the mission.

Duration: 01 January 2006 - 31 December 2008
Mandate: Council Joint Action 2005/797/CFSP, 14 November 2005
Head of Mission: Jonathan McIvor, United Kingdom
EUSR: Marc Otte, Belgium (14 Jul 2003-to date)

EU Border Assistance Mission Rafah (EU BAM Rafah), Palestinian Territories

The EU Border Assistance Mission Rafah (EU BAM Rafah) has a monitoring and confidence building role in support of the opening of a border crossing between Egypt and Gaza. Monitoring of Palestinian border forces is based on the Framework, Security and Customs Agreements concluded between Israel and the Palestinian Authority. The mission will also contribute to capacity building in the area of border management through mentoring and collaborate with the Commission's institution building efforts. The EU BAM Rafah consists of approximately 70 international personnel. It has the authority to conduct searches as part of its verification mandate but will not substitute for Palestinian border forces. Its initial duration is one year. It reports to the PSC through the EUSR and in turn is subject to political control and strategic direction again through the EUSR.

Duration: 30 November 2005 - 29 November 2006
Mandate: Council Joint Action 2005/889/CFSP, 12 December 2005
Head of Mission: Maj Gen Pietro Pistoiese, Italy (Dec 2005-to date)
EUSR: Marc Otte, Belgium (14 Jul 2003-to date)

EU Border Assistance Mission to Moldova and Ukraine (EU BAM Moldova), Moldova and Ukraine

EUBAM Moldova is an advisory and training mission consisting of 69 international border police and customs officials that work closely with their Moldovan and Ukrainian colleagues. It aims to assist in preventing smuggling, trafficking and customs fraud through local capacity building and to increase confidence and information exchange between the two countries. EUBAM Moldova represents a reinforcement of the EUSR for Moldova and is funded through the European Commission's Rapid Reaction Mechanism (RRM) and TACIS programme.

Duration: 01 December 2005 - 30 November 2007
Mandate: Council Joint Action 2005/766/CFSP, 07 November 2005
Head of Mission: Brig Gen Ferenc Banfi, Hungary (01 Dec 2005-to date)
EUSR: Adriaan Jacobovits de Szeged (23 Mar 2005-to date)

EU Police Advisory Team (EUPAT), Former Yugoslav Republic of Macedonia

EUPAT Macedonia replaced Proxima after its mandate expired on 15 December 2005. With 30 police advisers, it is far smaller than its predecessor but continues to focus on supporting the police reform effort in the areas of border police, public peace and order and accountability, the fight against corruption and organised crime. The PSC provides political strategic direction to the EUPAT Head of Mission through the EUSR, who is to coordinate all EU activity in Macedonia. EUPAT is closely linked to the European Commission programmes in FYROM.

Duration: 15 December 2005 - 15 June 2006
Mandate: Council Joint Action 2005/826/CFSP, 24 November 2005
Head of Mission: Brig Gen Jürgen Paul Scholz, Germany (15 Dec 2005-to date)
EUSR: Erwan Fouéré, Ireland (17 Oct 2005-to date)

EUFOR RD Congo, Democratic Republic of Congo (DRC)

EUFOR RD Congo is a military mission deployed upon UN Request (SCRes 1671/2006) to support the United Nations Organisation Mission in the Democratic Republic of Congo (MONUC) in the run-up to and during the parliamentary and presidential elections in the DRC on 30 July 2006. It is regarded as a natural complement to existing ESDP missions, Commission assistance and the

Election Observer Mission (EOM) in the DRC. The force is split into two main components with a smaller contingent of 400-450 at Force Headquarters in Kinshasa and the bulk of forces (2.000-2.500) on-call in neighbouring Gabon. In addition to supporting MONUC, its tasks include protection of civilians in imminent danger, airport protection and extraction of individuals.

Duration: 12 June/30 July 2006 - 30 November 2006
Mandate: Council Joint Action 2006/319/CFSP, 27 April 2006
Operation Commander: Lt Gen Karlheinz Viereck, Germany (12 June 2006-to date)
Force Commander: Maj Gen Christian Damay, France (12 June 2006-to date)
EUSR (Great Lakes): Aldo Ajello, Italy (25 March 1996-to date)

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