Review: from short-term stabilisation
to long-term peacebuilding

Public

IECEU
CSA project: 653371
Start date: 01/05/2015
Duration: 33 months

PROJECT TITLE:

Improving the Effectiveness of Capabilities (IEC) in EU conflict prevention

1.1 Review: from short-term stabilisation to long-term peacebuilding

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EXECUTIVE SUMMARY

Since 2003, when the European Union launched its first peace missions or operations, over thirty have been initiated. Beyond these missions, the European Union is active in all countries that are fragile or conflict-affected according to OECD´s definition. The breadth and depth of the EU's global engagement creates rare and valuable possibilities for conflict prevention and crisis management through the use of a wide-range of means from diplomatic dialogue to the missions deployed by the EU.

The European Union is an on-going project of institutional development and adjustment acceptance of new member states and institutional enlargement. With regard to foreign affairs and security policy, the project of institutional development became especially visible in the implementation of the Treaty of Lisbon of 2007 (ratified in 2009) which created the External Action and extended enhanced cooperation to CSDP. In conflict prevention, mechanisms include the pre-Lisbon treaty Programme for the Prevention of Violent Conflicts, which began a process leading to the EU's Early Warning System, Instrument for Stability (IfS) and EEAS´s "Conflict prevention, Peace building and Mediation Instruments Division."

This deliverable "Review: from short-term stabilisation to long-term peacebuilding" acts as the first step in implementation of the IECEU-project, which aims to enhance European Union´s civilian conflict prevention and peacebuilding capabilities of the European Union, by identifying how to increase interoperability of resources and identify potentials for pooling and sharing. The aim of this deliverable is to form a basis for understanding EUs legal and political frameworks, which guide, shape, establish and limit the ways that crisis management missions and operations function. The boundaries created by the frameworks are significant as they ensure that the EU operates both in accordance to international legal principles and maintains uniformly high standards wherever it operates.

The deliverable has four body chapters (Chapters 2-5). Chapter 2. analyses the concepts of crisis management and conflict prevention as well as establishes links between the two. For conflict prevention, the chapter highlights three inherently linked constitutive elements. Chapter 3 examines the evolution of EU´s approach to conflict prevention and crisis management demonstrating the centrality of conflict prevention to even the early efforts of integration. Chapter 4 discusses the EU´s institutions and instruments that are relevant to conflict prevention. Chapter 5. explores the legal foundations of EU´s conflict prevention and crisis management. Underlying these four body chapters is a question of the future of European Union crisis management and the mechanisms by which the EU can shift focus from short-term stabilisation to long-term peacebuilding, which is further discussed in the conclusion.

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ACRONYMS	
APEC	Asia-Pacific Economic Cooperation
ASEAN	Association of Southeast Asian Nations
CFSP	Common Foreign and Security Policy
CIVCOM	Committee for Civilian Aspects of Crisis Management
CMPD	Crisis Management and Planning Directorate
CPCC	Civilian Planning and Conduct Capability
CSDP	Common Security and Defence Policy
DG IX	Directorate General of Civilian Crisis Management
DG RELEX	Directorate-General for the External Relations
EC	European Commission
EDA	European Defence Agency
EEAS	European External Action Service
ENI	The European Neighbourhood Instrument
ENP	The European Neighbourhood Policy
ENPI	The European Neighbourhood and Partnership Instrument
EP	European Parliament
ESDC	European Security and Defence College
ESDP	European Security and Defence Policy
ESS	European Security Strategy
EU	European Union
EUMC	EU Military Committee
EUMS	EU Military Staff
EU OPCEN	European Union Operations Centre
EWS	EWS

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FAC	Foreign Affairs Council
FPI	Foreign Policy Instrument
HR/VP	High Representative of the Union for Foreign Affairs and Security Policy and Vice-President of the Commission
IcSP	Instrument contributing to Stability and Peace
IfS	Instrument for Stability
INTCEN	Intelligence Analysis Centre
JSSR	Justice and Security Sector Reform
MIP	Mission Implementation Plan
MS	Member States
NATO	North Atlantic Treaty Organization
OPLAN	Operational Plan
OSCE	Organization for Security and Cooperation in Europe
PFCA	Political Framework for Crisis Approach
PMG	Politico-Military Group
PSC	Political and Security Committee
RELEX	Working Party of Foreign Relations Counsellors
RRM	Rapid Reaction Mechanism
SEDE	Sub-committee on Security and Defence
SOMA	Status of Mission Agreement
SOFA	Status of Forces Agreement
SSR	Security Sector Reform
TEC	Treaty Establishing the European Community
TEU	Treaty on European Union
ToEU	Treaty on European Union (Maastricht Treaty)
ToL	Treaty of Lisbon (Reform Treaty)

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1   INTRODUCTION

Two key purposes of the European Union as stated in the Treaty of the European Union are to "promote peace"[1] and to "preserve peace, prevent conflicts and strengthen international security."[2] These overarching principles influence the way the European Union functions in general and are seen more specifically in its wide-ranging instruments for conflict prevention from arms control to development co-operation. More specifically still, these principles are concretised in the Union's civilian and military crisis management activities.

Since 2003 when the European Union launched its first peace missions and operations, over thirty have been initiated.[3] These have been either military operations, and then funded by the member states; civilian missions, where the funding comes from the Common Foreign and Security Policy budget; or both military and civilian, where the funding comes from multiple sources. Missions in general vary greatly in size, duration and purpose (as identified by the mandate) but civilian missions also differ in their scope and the personnel they employ. Civilian missions have typically focused on the stabilising functions of the state including e.g. judicial and security sector reform (SSR) and supporting the police.

Beyond the increasing number of specific crisis management missions and operations, the European Union is active in all countries that are fragile or conflict-affected by OECD's definition[4] although typically as a donor of development aid rather than a direct strategic partner to promote stability. The breadth and depth of the EU's global engagement creates rare and valuable possibilities for conflict prevention and crisis management through the use of a wide-range of means from early warning system to security sector reform.[5]

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[1] Article 3, European Union. Treaty on European Union (Consolidated version 2012), Document Number 2012/C 326/01, 26.10.2012. Accessed July 18th, 2015. http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012M/TXT&from=EN

[2] Article 21, European Union. Treaty on European Union (Consolidated version 2012), Document Number 2012/C 326/01, 26.10.2012. Accessed July 18th, 2015. http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:12012M/TXT&from=EN

[3] There are 18 ongoing and 17 completed operations. See: European External Action Service. Ongoing Missions and Operations. Accessed September 15th, 2015. http://www.eeas.europa.eu/csdp/missions-and-operations/.

[4] Ian Anthony, Camille Grand & Patricia,Lewis. Towards a new European security strategy? Assessing the impact of changes in the global security environment. Brussels: European Union, 2012. Accessed June 30th, 2015, 61. http://www.europarl.europa.eu/RegData/etudes/STUD/2015/534989/EXPO_STU%282015%29534989_EN.pdf

[5] See: Figure 3. Conflict prevention and crisis management within the conflict, 30.

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The EUs role in conflict prevention and crisis management has its challenges, which are well encapsulated by the title of a 2013 report of the European Union Institute of Security Studies: "CSDP: Between Internal Constraints and External Challenges".[6] The European Union itself is a complex institution operating in an increasingly complicated security environment, dealing with some of the most multifaceted global conflicts, many of which are part of regional conflict complexes. The rudimentary elements of conflict analysis including identification of actors and their interests, conflict triggering events and actions, drivers or blockers of conflict, and the geographical area where the conflict takes place may be difficult to identify. Moreover, they are potentially changing or in a state of flux. Each conflict has its own rationale or several different rationales. Causal linkages between especially positive actions and outcomes are difficult to isolate, let alone prove. Can we say that training 50 police officers has a direct impact on the peacefulness of a region? Can we say that it has not? Can we measure what the impact has been? How? What if these police officers would not have been trained?

The European Union mechanisms for CSDP operations balance between the EU-level and the national level of EU member states, who may have strong political interests and who fund military operations directly, as well as the national in terms of the local state and the local national interests of the field operations. This balancing act often complicates the actions of the European Union in the field and is reflected in the lack of a coherent or, to use the EU terminology, "comprehensive" approach. At the very worst, the lack of coherence can lead to not just gaps in practice but ravines, which undermine the very purpose of the EU mission. The purpose of this research project is to find ways to fill these gaps by identifying factors that can improve the effectiveness of the EU's crisis management.

1.1   European Union – Institutional development and adjustment

The European Union is an on-going project of institutional development and adjustment acceptance of new member states and institutional enlargement. It is based on a set of common European values and driven by the actualisation of these values, strengthening of security in Europe and in its neighbouring areas, as well as economic gains. As an emergent system where complexity grows with integration, the structures of the European Union have needed adjustment with the growth of the Union and added tasks given to the Union. With regard to foreign affairs and security policy, the project of institutional development became especially visible in the implementation of the Treaty of Lisbon of 2007 (ratified in 2009) which created the External Action and extended enhanced cooperation to CSDP. In conflict prevention, mechanisms include the pre-

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[6] Eva Gross and Anand Menon (eds.). *CSDP- Between Internal Constraints and External Challenges.* European Union Institute for Security Studies: Report 17 (October 2013)

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Lisbon treaty Programme for the Prevention of Violent Conflicts, which began a process leading to the EU's Early Warning System, Instrument for Stability (IfS) and EEAS's "Conflict prevention, Peace building and Mediation Instruments Division."

However, the strengthening role of the EU itself as an institution, especially in civilian crisis management, is also giving rise to possibilities for new types of operations and more consolidation of the civilian capabilities and competences of individual member states. On the military side, potential for pooling and sharing is somewhat thwarted by often overlapping needs of national security institutions to ensure the security of their own state. As there are gaps in the EU capabilities, European Defence Agency now has the authority to develop shared capabilities that are paid by and used by the EU member states together.

The complexity and the fragmentation of the European Union can, in some circumstances, be a strength through the existence of multi-track approaches. If one potential avenue forward becomes blocked, the EU may be able to use other avenues if coordination and collaboration is sufficient and EU institutions are working towards a shared goal. Similarly, the instruments at the EU's disposal, which are explored in more detail in Chapters 4 and 5, offer possibilities of creating complementing and cohesive tool-sets for conflict prevention. In addition, decentralisation and incoherence, while creating economic and other numeric inefficiencies may also lead into coincidental successes in conflict prevention and crisis management. However, these kinds of successes are extremely difficult to identify and a policy relying on coincidental successes is hardly the best possible one.

1.2   Criticism and potential of CSDP missions and operations

CSDP operations and missions have a mixed record both between different operations, where some operations have been more effective and successful than others, and different parts and functions of the operations, where some have worked well and others not so.[7] In 2014, serious claims of failures were made over EULEX's ability to tackle corruption in Kosovo. Some local commentators claimed that corruption in Kosovo was worse than it was at the arrival of EULEX to Kosovo[8]. A few even questioned the mission's usefulness and the return for the €1 billion spent.

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[7] See: Eva Gross and Ana E. Juncos, "Conclusions and Outlook." in Eva Gross and Ana E. Juncos, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies.* (London and New York: Routledge), 2011.

[8] See: Capussela, Andrea Lorenzo. *EULEX's Performance of its Executive Judicial Functions.* 2015; Capussela, Andrea Lorenzo. *State-building in Kosovo: Democracy, Corruption and the EU in the Balkans.* London: I.B. Tauris, 2015; Jacqué, Jean-Paul. Review of the EULEX Kosovo Mission's Implementation of the Mandate with a Particular Focus on the Handling of the Recent Allegations. 31 March, 2015. Accessed 4 August. http://eeas.europa.eu/statements-eeas/docs/150331_jacque-report_en.pdf; Borger, Julian. "EU

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These concerns are not new and were raised by the European Court of Auditors already in 2012[9] However, the specificity of the newer complaints have certainly given the credibility of the mission a serious blow. Rebuilding credibility is no easy task even though many of the worst accusations of cover ups are now known to be unfounded, and even the most vocal critics are focusing on mechanisms in use in European operations, rather than questioning the existence of European Union missions and operations. Still, some of the criticism is clearly valid. In his report commissioned by the European Commission, Prof. Jean-Paul Jacqué notes e.g. that "Communication between Priština and Brussels and within the CPCC was particularly poor."[10] In addition, "The continued presence of EULEX is only feasible if comprehensive reforms are made to improve its effectiveness and thus credibility. There is no point in staying just to keep doing the same thing."[11]

Similarly, the audit of the EUPOL police mission carried out by the European Court of Auditors is entitled "The EU Police Mission in Afghanistan: Mixed Results."[12] According to the report "The implementation of projects has suffered owing to internal factors, in particular, fragmentation, cumbersome procurement procedures, a lack of project management expertise, inaccurate technical specifications and the rapid rotation of EUPOL personnel."[13] These are all factors that European Union can improve on. Moreover, the same report points to the EEAS's own review where the police and justice sectors continue to suffer from systematic weakness as a potential indication of the ineffectiveness of the EUPOL mission.[14] This the report despite a near complete mismatch between the enormity of the task of creating a functioning police and justice sector on one hand and the limited time, mandate and capacity of the EUPOL mission on the other. In other

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Accused Over Its Kosovo Mission: 'Corruption Has Grown Exponentially.'" *The Guardian*, 6 November, 2014. See also: Kosovo Foundation for Open Society, Group for Legal and Political Studies. *Rock and Rule: Dancing with EULEX.* http://kfos.org/wp-content/uploads/2013/06/ROCK-AND-RULE-Dancing-with-EULEX-ENG.pdf, 2015. Accessed July 18th, 2015.

[9] European Court of Auditors. European Union Assistance to Kosovo Related to the Rule of Law. Special Report 18, 2012. Accessed June 17th, 2015. http://www.eca.europa.eu/Lists/ECADocuments/SR12_18/SR12_18_EN.PDF

[10] Jean-Paul Jacqué. Review of the EULEX Kosovo Mission´s Implementation of the Mandate with a Particular Focus on the Handling of the Recent Allegations. 31 March, 2015. Accessed 4 August. http://eeas.europa.eu/statements-eeas/docs/150331_jacque-report_en.pdf, 8.

[11] Ibid., 12.

[12] European Court of Auditors. The EU Police Mission in Afghanistan: Mixed Results. Special Report 07, 2015. Accessed June 17th, 2015. http://www.eca.europa.eu/Lists/ECADocuments/SR15_07/SR_EUPOL_AFGHANISTAN_EN.pdf

[13] Ibid., 28.

[14] Ibid.

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words: the mandate of the EUPOL is not to reform the entire police and justice sectors in Afghanistan, nor does EUPOL have the capabilities or the time to do so. There are also fundamental questions of whether establishing a strong police and justice sector in Afghanistan is possible in the foreseeable future and whether and what role external actors should have in this process. In sum: if goals set (rather than aspirations) for EU missions and operations are inherently unachievable, then failure is unavoidable.

The challenges in communication and coordination of EU peace missions and crisis management operations are acknowledged. They can be seen on the policy level between member states, member states and EU officials and between EU officials. The field operations may be far removed from either Brussels or the member states, with the lack of communication and coordination both to and from Brussels. In the field, communication between the civilians in EU missions, the military in EU operations and other EU personnel may be lacking. Unclear division of responsibilities has led to what has been called call "turf wars" [15] between different European agents although the clarification of external policies and responsibilities in the Lisbon treaty has helped curtail institutional overlap.

The institutional complexity is also seen in the fragmented budgeting and the allocation of resources for CSDP operations. Several different mechanisms are in use depending on the kind of operation funded and its mandate. These complex arrangements typically result from operational needs and are influenced by the member states and by supranational institutions. [16] Beyond funding, all operations need European personnel, whose recruiting may be difficult and time-consuming and is dependent on the activity of member states. The end result of this complexity may be a mismatch between operational needs and resources available.

Themes raised in criticism of EUs crisis management include inability to meet its goals; lack of cost-effectiveness (wasting resources); lack of communication, coherence and cooperation between actors within crisis management and outside; inconsistency and disjointedness in the planning; lack of training, experience or high turn/over of personnel; insufficient resources and mandate; and *ad hocism* where long term planning of EUs general goals and resources has been insufficient. Some of these factors are internal to the EU, but many are external and context-dependant. In other words, some limitations are potentially only limitations in certain contexts.

While not dismissing that there are many lessons for the EU to learn, the virulence of some of the criticism also points to an underlying need and want for the EU itself to perform better than other

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[15] See e.g.: Tom Delreux. "Bureaucratic Politics, New Institutionalism and Principal-Agent Models." In: Jørgensen, Knud Erik, Åsne Kalland Aarstad, Edith Dieskens, Katie Laatikainen and Ben Tonra (eds.). *The Sage Handbook of European Foreign Policy, Vol 1.* (Los Angeles: Sage Reference), 2015.

[16] See: Fabien Terpan. "Financing Common Security and Defence Policy operations: explaining change and inertia in a fragmented and flexible structure." *European Security* 24, no.2 (11/2014):1-43.

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international actors. The expectations for EU missions and operations are high or very high. Peace operations conducted by intergovernmental organisations are complicated by their very nature and often their success is mediocre at best.[17] Many of the challenges to the EU, such as lack of coordination and communication, are also faced by e.g. UN peacekeeping missions.

Moreover, often criticism points to a lack of institutional ability and cooperation between EU institutions, the field organisation and member states. Acting on this criticism is not quick and easy, nor can the responsibility to do so be placed on any single actor. Legal and institutional development, when the need has been identified, is time-consuming, and requires both political will and leadership within EU.

The focus on the negative aspects of the missions and their weaknesses precludes the positive development and the achievements that have been made. A study by SaferGlobe on the strengths of EUs civilian missions found that EU experts are often able to cooperate extremely well with the local population and contribute significantly to local peace processes. Furthermore, EU personnel typically have a high level of expertise, are able to work in difficult situations and have a higher level of coordination in the field than expected. From one expert in the study: "Each one of us understood that in an EU operation, we have to have a common voice, a common message and common ways of operating, even though we come from different countries."[18]

1.3   IECEU and "Review from short-term stabilisation to long-term peace"

The positive lessons that would serve as potential examples to other EU missions are often lost even though we know that some missions and operations do better than others. Sometimes, parts of operations also do better than other parts. Why? Successful operations and their successful parts struggle with the same limitations as the rest, but somehow they are still able to do better. Are there lessons here that could be shared and potentially implemented in training programs?

In the current situation, where the EU faces financial difficulties internally, while at the same time externally there are growing expectations of EUs ability to constructively manage crises, these positive potentials are becoming all the more valuable. There is general acknowledgement that the only way to balance these two, largely contradicting realities, is to improve the effectiveness of EUs own capabilities in crisis management or to do more with less. There is no such agreement, however, on mechanisms, methods, pooling and sharing potentials that would allow the EU to improve the effectiveness of its operations and missions.

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[17]   UN   Peacekeeping   operations.   Success   in   peacekeeping.   Available   at: http://www.un.org/en/peacekeeping/operations/success.shtml

[18] Trümpler, Timmy. *Näkemyksia EU:n Siviilikriisinhallinnan Vahvuuksista.* (Helsinki: SaferGlobe), 2013, 9.

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The purpose of the "Improving the Effectiveness of Capabilities in EU conflict prevention" (IECEU)-project is to identify and collect positive examples of successful EU operations and mission in order to identify ways and methods that can be used to support and strengthen EU missions and operations in the future.

The first step in the large process is to understand EUs legal and political frameworks, which exist outside limitations placed by political will and funding decisions. These frameworks established by the EU guide, shape and limit the environment that the missions and operations function in. They create both the toolbox used by EU missions as well as establish the boundaries within which the European Union operates, and thus shape the missions themselves. These boundaries are significant as they ensure that the EU operates both in accordance to international legal principles and maintains uniformly high standards wherever it operates.

1.4   Purpose of the deliverable

This task 1.1 establishes a foundation for other WPs in IECEU by conducting a review of EU crisis management policies, legal frameworks, statements and headline goals with specific focus on pooling and sharing needs and practices. Moreover, it creates joint terminology and understandings, which will be used in the rest of the project. The task: 1) reviews and analyses current EU policy priorities, instruments and capabilities in conflict prevention and preventive activities (Chapters 4 and 5) 2) defines the scope of the IECEU in greater detail to also create limitations for the study (All Chapters) 3) describes EU policy priorities in crisis management and their development (Chapter 3) 4) focuses on the potentials for supporting long-term conflict prevention instead of short-term stabilisation by greater emphasis on comprehensive security measures (Chapter 3), 5) creates a joint terminology and bibliography that can be used by other WPs. (Appendixes)

Specific focus is given to possibilities of supporting long-term peace-building in addition to and sometimes instead of short-term stabilisation. Here, the central themes are increasing synergies between civil and military components in EU crisis management and an understanding of EUs policy priorities vis-à-vis the changing security landscape, more specifically in response to individual-based security threats including terrorism and radicalization. SSR-processes, which are the core element of most EU missions are described in detail in Chapter 4. This purpose is achieved through a review of up-to-date information and by a series of desk studies based on analysis of policy papers.

1.5   Structure of the deliverable

In Chapter 2. Rok Zupančič (University of Ljubljana) analyses key contested concepts for the IECEU project, including conflict prevention and crisis management, and what are the relations between the two and some other terms used in 'conflict prevention and crisis management

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discourse (conflict regulation, peacebuilding, reconciliation etc.). In Chapter 3, the evolution of the EU's approach to conflict prevention and crisis management since the 1950s until a recent developments in this regard is analysed by Rok Zupančič.

In Chapter 4, Annemarie Peen Rodt from University of Roskilde, discusses the EU´s institutions and instruments that are relevant to conflict prevention. In Chapter 5, by Kieran Doyle of National University of Ireland, Maynooth, explores the legal foundations of EU´s conflict prevention and crisis management. Underlying these four body chapters is a question of the future of European Union crisis management and the mechanisms by which the EU can shift focus from short-term stabilisation to long-term peacebuilding, which is further discussed in the conclusion.

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2 CONFLICT PREVENTION AND CRISIS MANAGEMENT: CONCEPTUAL CHALLENGES

This chapter introduces the key concepts of the IECEU project – conflict prevention and crisis management –, as understood in the academic and expert literature, explains the inter-linkage between the two concepts, and also discusses the relation between each of the two concepts and some other terms often used in the discourse of international relations, security studies and the integration processes within the EU (conflict management, peace-building, post-conflict reconstruction/stabilization, reconciliation etc.). This brief elaboration serves as a necessary means to create mutual understanding on the key concepts of this study among the consortium partners and the audience interested in this research, and consequently clarifies the conceptual scope and limitations of the IECEU project.

Conflict prevention is a broad term that includes a wide-ranging set of instruments that contribute to the prevention of a conflict. Crisis-management, on the other hand, refers more to short-term measures aimed at immediate settlement and containment the conflict.

The widest context of the project IECEU, and D1.1 as one of the main cornerstones, is conflict prevention. Generally speaking, the EU adheres to the understanding that **conflict prevention** as a concept underpinning CFSP/CSDP is a broad term that includes a wide-ranging set of instruments that contribute to the prevention of a conflict (from economic assistance, development aid to very concrete and operational means, e. g. deploying armed forces, sending in peace-brokers, mediators, diplomatic envoys etc.). On the other hand, **crisis-management** refers more to short-term measures aimed at settling and containing the conflict (peace-enforcement, post-conflict reconstruction/stabilization, which are, at least theoretically, leading to reconciliation and peace as a desired aim of conflict prevention and crisis management activities). Both of the concepts will be discussed in subsequent subchapters.

As this brief explanation illustrates, both terms are, with regard to their contents, close together and intertwined. This, rather broad perspective of conflict prevention and crisis management is favoured by many authors and has several advantages.[19] First and foremost, it embodies the

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[19] Eva Gross and Ana E. Juncos, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies* (London and New York: Routledge, 2011), 1–3.

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understanding of both concepts in a comprehensive way. Such an approach is, as various studies and analyses have shown, the best possible way to address both the proximate causes and permissive conditions of the conflict (*greed, grievance and opportunity*, using the words of Collier and Hoeffler), and not only 'extinguishing the fire'.[20] (management in this case) are not of a particular importance, one may argue that the studies of EU conflict prevention and crisis management have been suffering from under-theorizing at the expense of an overly excessive focus on empirical analysis (practice). Hence, this chapter will merge both academic- and expert-based understanding of both concepts, and so offer a comprehensive theoretical view of the two key concepts underpinning the actual policy of the EU's approach to conflict prevention and crisis management, or CSDP in particular.

2.1   Conflict prevention

Different conflicts have different underlying dynamics that fuel and shape the conflict. The so-called "new wars" as coined by Mary Kaldor in her seminal work "New and Old Wars: Organized Violence in a Global Era" in 1999 identified four main defining characteristics of post-cold war conflicts. These defining characteristics are that new conflicts are defined by actor networks of state and non-state actors, which may and often do change; use identity politics instead of ideology (e.g. ethnic conflict); gain political control of population through fear and terror rather than physical control (e.g. frontlines of conflict may be difficult to identify, large numbers of internally displaced), and are no longer financed by the state, but rather through predatory or even criminal means (e.g. exploitation of conflict diamonds, conflict oil).[21] These "new" wars, are not really "new" at all, rather their prevalence on the global stage has become more pronounced after the Cold War. In general, new conflicts are more splintered in terms of actors as well as geographically and temporarily. The conflict cycle typically presents conflict as having stages from pre-conflict, to post-conflict. However, in a "new" conflict both pre-conflict, open conflict, and post-conflict phases can exist in

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[20] Among most notable studies we are mentioning only a few: Michael Lund, Preventing violent conflicts: a strategy for preventive diplomacy (Washington: United States Institute of Peace, 1996); M. E. Brown, *The International Dimensions of Internal Conflict* (London: MIT Press, 1996); Michael Lund, "Conflict Prevention Is Happening: Learning from 'Successes' as Well as 'Failures'," in Conflict Prevention from Rhetoric to Reality. Volume 1. Organizations and Institutions, ed. David Carment and Albrecht Schnabel (Lanham: Lexington Books, 2004), 289–304; Paul Collier and Anke Hoeffler, "Greed and grievance in civil war", *Oxford Economic Papers* 56, 2004, 563-595; Jacob Bercovitch, Jacob, Victor Kremenyuk and William Zartman, The SAGE Handbook of Conflict Resolution (Los Angeles: Sage Publications, 2008); Annika Björkdahl, "Conflict Prevention from a Nordic Perspective: Putting Prevention into Practice," International Peacekeeping 1999, 6 (3): 54–72; David Carment and Albert Schnabel, "Introduction – Conflict prevention: A concept in search of a policy," In Conflict Prevention: Path to Peace or Grand Illusion?, eds. David Carment and Albert Schnabel (Tokyo: The United Nations University Press, 2003), 1–25.

[21] See: Mary Kaldor: *New and Old Wars. Organized Violence in a Global Era*. Stanford 1999, ISBN 978-0-8047-5646-4

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the same conflict depending on the development of the conflict.

Often emphasised key themes in the study of new conflicts are the importance of the individual in human security, responsibility to protect and protection of civilians; the central role of conflict analysis and conflict-preventative measures. International cooperation and coordination between multiple stake holders is vital to gain momentum in the conflict area.

Violent conflicts are as old as humankind itself. The process by which a conflict turns violent can be divided into two stages: the first is made up of *permissive conditions* and the second of *proximate causes*. "*Permissive conditions are underlying factors that make a conflict prone to violence. Proximate causes are catalytic factors that cause a violence-prone conflict to actually turn violent. In other words, permissive conditions make violence possible and proximate causes make violence happen.*"[22] Permissive conditions and proximate causes are preconditions, but neither is sufficient to turn a conflict violent.[23]

A variety of different permissive conditions and proximate causes in combination can make conflicts violent. Brown has synthesized the literature on causes of conflict and categorized permissive conditions and proximate causes into structural, political, socio-economic and cultural factors.[24] Conditions within each of these categories, either individually or in combination, can cause the outbreak of a violent conflict. Following Brown's understanding, it may be argued that if the proximate causes are known, then the proper answers how to prevent and manage conflicts could be found.

The notion that violent conflicts should be prevented by all means has not been "an eternal maxim" in international relations. In the distant past, an armed conflict (war) has been a legitimate and legal means of a state to achieve its goals (in the modern international community, a state can resort to violence in the case of self-defence or if a collective action, which includes the use of armed force, has been endorsed by the United Nations Security Council.).[25] The first traces of conflict prevention as a concept can be traced back at least to the Congress of Vienna (1814-1815), which aimed at preventing wars by a range of measures and principles, such as the

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[22] Brown in Annemarie Peen Rodt, *The European Union and Military Conflict Management: Defining, Evaluating and Achieving Success* (London: Routledge, 2014), 7.

[23] Karl Cordell and Stephan Wolff, *Ethnic Conflict: Causes, Consequences and Responses* (Cambridge: Polity Press, 2009); A. P. Rodt, 2012, »Successful Conflict Management by Military Means«, *Ethnopolitics* 11 (4): 376-377.

[24] Michael E. Brown, *The International Dimensions of Internal Conflict* (London: MIT Press, 1996), pp. 1–31, pp. 571–601; Annemarie Peen Rodt, 2012, »Successful Conflict Management by Military Means«, *Ethnopolitics* 11 (4): 376-377.

[25] Certain authors, e. g. Italian political philosopher Niccolo Machiavelli (1469-1527), have claimed that a statesman must wage a war if it is in the interest of his state.

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creation of neutral states and demilitarised areas.[26] Understanding conflict prevention even broader, one may rightly argue that the Treaty of Westphalia (1648), which concluded the Thirty Years' War in Europe and marks the beginning of modern international relations, was also an attempt not only to finish the war, but also to set the wider framework for conflict prevention and conflict resolution for the eventual disputes between the European sovereigns.

The end of the First World War, with the establishment of the League of Nations, and even more the end of the Second World War and the foundation of the United Nations in 1945, brought not only a paradigmatic shift in thinking on conflict prevention, but also certain legal means (possibilities) to prevent armed conflicts. However, the thinking of that time on conflict prevention was not progressive, if we judge it by a modern understanding of the concept. Namely, the ambitious plan of the third Secretary of the United Nation Dag Hammarskjöld (1953-1961) was to persuade the states of international community that the United Nations shall be mandated to prevent those armed conflicts, which have a potential to spill over the borders of the volatile country. Internal armed conflicts, for example, – regardless of their extent and length – were not on the priority list for the Secretary General.

The end of the Cold War brought another paradigm shift in the discourse on international security. With the dissolution of the Soviet Union and other changes at the beginning of the 1990s (dissolution of Yugoslavia, Czechoslovakia) and emergence of a new global order the prevention of armed conflicts gained prominence. The prevention of armed conflicts became an important activity of various actors in international relations, including international organizations and states as the most influential players. Even more, after the end of the Cold War some international organizations listed conflict prevention as their most important *raison d'être* (or at least as one of the priority tasks of their activities); such examples are the European Union, the Organization for Security and Cooperation in Europe, World Bank, the Asia-Pacific Economic Cooperation (APEC), the Association of Southeast Asian Nations (ASEAN) to name but a few.

After the Cold War, conflict prevention became an important activity of various actors in international relations, with international organizations and certain states taking the lead.

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[26] Alice Ackermann, »The Idea and Practice of Conflict Prevention«, *Journal of Peace Research* 2003, 40 (3), 340.

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Certain countries are also trying to achieve its foreign policy goals or, at least, to become seen as credible actors in international community, by playing on a trump card of 'conflict prevention as a foreign policy goal' (Canada, Sweden, Finland etc.). The new way of thinking and approaching conflict prevention was result not only the consequence of the end of the Cold War, which supposedly allowed more cooperation between world superpowers, but a consequence of cruel atrocities that were, by a greater reach of mass media, brought to our daily lives: the genocide in Rwanda, inter-ethnic wars in former Yugoslavia (Slovenia, Croatia, Bosnia and Herzegovina, Kosovo), state failure in Somalia etc. The logic that the international community could and should do something do deal with such situation and avert bloodshed prevailed and consequently provided fertile grounds for the development of a comprehensive approach to conflict prevention.

2.1.1 DEFINING CONFLICT PREVENTION

The question that emerged at the beginning of the 1990s was not only what shall be done that the armed conflicts are prevented at early stages, but also what falls in the category of conflict prevention and how the concept shall be defined. So far, there is no agreed-upon definition.

According to some definitions, conflict prevention is a *policy* – "*designed to avert, or to mitigate, the destruction caused by violent conflict.*" [27] Other authors, who also favour a broader conceptualization of the term, perceive conflict prevention as "*the application of non-constraining measures (those which are not coercive and depend on the goodwill of the parties involved)*, primarily of a diplomatic nature.*"[28] Such a take on the definition is not much different from the definition proposed by the then-UN Secretary-General Boutros Boutros Ghali, who argued in his *Agenda for Peace* the following instruments fall in this category: fact-finding missions, observer missions, early mediation, diplomatic and economic pressure, or even the preventive deployment of troops. Hence, conflict prevention aims at preventing disputes from arising and preventing existing disputes from deteriorating into armed conflict.[29]

From a more scholarly-oriented viewpoint, the definitions slightly vary, but generally follow the logic of conflict prevention. Wallensteen, for example, argues that conflict prevention are "*constructive*

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[27] Emma Stewart, »European Union conflict prevention and the European security architecture,«, in Eva Gross and Ana E. Juncos, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies* (London and New York: Routledge, 2011), 32.

[28] Gabriel Munuera, "Preventing Armed Conflict in Europe: Lessons learned from recent experience", *Chaillot Paper 15/16*, 1994. Accessed 2 July 2015. http://ftp.infoeuropa.eurocid.pt/files/database/000000001-000005000/000002108.pdf

[29] Boutros Boutros Ghali, *An Agenda for Peace: Preventive diplomacy, peacemaking and peace-keeping*. Accessed 5 July 2015. http://www.unrol.org/files/a_47_277.pdf

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actions undertaken to avoid the likely threat, use or diffusion of armed force by parties in a political dispute."[30] Miall, Ramsbotham and Woodhouse also bring the notion of armed conflicts by saying conflict prevention are activities which prevent armed conflicts or mass violence from breaking out.[31]

Carment and Schnabel offer a longer and more structured definition, arguing that conflict prevention is "*a medium and long-term proactive operational or structural strategy undertaken by a variety of actors, intended to identify and create the enabling conditions for a stable and more predictable international security environment.*"[32]

One of the definitions that is widely accepted in both academic and expert debates is the one proposed by Michael Lund, who argues that conflict prevention is "*any structural or intercessory means to keep intrastate or interstate tension and disputes from escalating into significant violence and use of armed forces, to strengthen the capabilities of potential parties to violent conflict for resolving such disputes peacefully, and to progressively reduce the underlying problems that produce these issues and disputes.*"[33]

As illustrated above, there is no single definition that would be widely accepted. The aim of the IECEU project is not to add another definition in the conundrum of the conceptual debates on conflict prevention. However, for the sake of conceptual clarity and mutual understanding of both consortium members and the end-users of the IECEU project, we refer to the following understanding of conflict prevention:

> *Conflict prevention is a set of short-, mid- and long-term processes and measures (instruments) of a political, economic, diplomatic, security (military), good governance, or developmental character, undertaken to prevent a violent conflict in a direct or indirect way.*

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[30] Peter Wallensteen and Frida Möller, "Conflict Prevention: Methodology for Knowing the Unknown", *Uppsala Peace Research Papers* 7, (Uppsala: Department for Peace and Conflict Research, Uppsala University: Uppsala, 2003). Accessed 10 July 2015. http://www.pcr.uu.se/digitalAssets/61/61533_1prevention___knowing_the_unknown.pdf

[31] Hugh Miall, Oliver Ramsbotham and Tom Woodhouse, *Contemporary Conflict Resolution. The prevention, management and transformation of deadly conflicts (*Oxford: Polity, 1999), 9.

[32] David Carment and Albert Schnabel, "Introduction – Conflict prevention: A concept in search of a policy," In Conflict Prevention: Path to Peace or Grand Illusion?, eds. David Carment and Albert Schnabel (Tokyo: The United Nations University Press, 2003).

[33] Michael Lund, 'Preventing violent interstate conflicts: Learning lessons from experience', in Searching for Peace in Europe and Eurasia: An Overview of Conflict Prevention and Peacebuilding Activities, eds. Paul van Tongeren, Hans von de Veen and Juliette Verhoeven (Boulder, CO: Lynne Rienner, 2002).

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2.1.2 OPERATIONALIZING CONFLICT PREVENTION: STRATEGY, MEANS, IMPLEMENTATION

International organizations have a common goal, as far as conflict prevention is concerned: they strive for the end result, which is that the conflict is prevented. One may rightly argue that they mostly focus on actions (serving a policy purpose), rather than delimiting a field of inquiry into conflict prevention. [34] As already explained by various authors, it is not surprising that operationalization (conceptualization) of conflict prevention is relatively weak and that a more precise definition is thus needed, if the experts, including researchers and practitioners, are to implement the prevention agenda in practice.[35] Thus, one of the preliminary tasks of the IECEU project is to operationalize conflict prevention.

Content-wise, there are numerous understandings of conflict prevention (see above), but these definitions generally lack the epistemological component, which would clarify the internal structure of conflict prevention. Deducing from the definitions mentioned above and the work already conducted within some other research projects,[36] the IECEU suggests to understand conflict prevention through the prism of three inherently linked constitutive elements: *strategy, instruments (means)* and *implementation*.

- **Strategy** of conflict prevention: a systematic plan, which identifies the *ends (goals), the means (instruments)* and *ways* for the effective prevention of violent conflicts. A strategy is neither necessarily embodied (written) in a single document, nor it is necessarily written or publicly available. The essence of a conflict prevention "strategy" could be, for example, deduced from combination of various documents (e. g. resolutions, declarations or other normative documents), speeches/statements or even concrete actions undertaken to prevent a conflict.

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[34] Peter Wallensteen and Frida Möller, "Conflict Prevention: Methodology for Knowing the Unknown", *Uppsala Peace Research Papers* 7, (Uppsala: Department for Peace and Conflict Research, Uppsala University: Uppsala, 2003), 6.

[35] Michael Lund, Preventing violent conflicts: a strategy for preventive diplomacy (Washington: United States Institute of Peace, 1996).

[36] See, for example: Rok Zupančič, »Modern "don-Quixotism" or an emerging norm of international relations? Prevention of armed conflicts in the European Union and the Organization for Security and Cooperation in Europe,« *Romanian Journal of Political Science*, Spring 2010, vol. 10, iss. 1, pp. 71-94. Accessed 11 July. http://www.sar.org.ro/polsci/?p=514

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Figure 1: Conceptualising strategy (of EU conflict prevention)

Ends:goals from conflict prevention strategy **+** **Means**: conflict prevention instruments available **+** **Ways**: conflict prevention methods chosen **=** **EU Conflict Prevention Strategy**

The EU, which is the main focus of this project, does not have an overarching strategy on conflict prevention. Conflict prevention strategy can be understood as a combination of separate strategies or approaches when it comes to e.g. mediation, regional strategies etc., with an aim of achieving sustainable peace and stability through conflict avoidance with the tools of mediation, capacity building, peace-keeping and peace building.

- **Instruments (means)** of conflict prevention: concrete tools available to use for implementing conflict prevention in practice, - preferably, but not necessarily - specified in the strategy of conflict prevention.

- **Implementation**: preparedness, willingness and concrete use (application) of the available conflict prevention means (instruments), when necessary, for the prevention of armed conflict.

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Figure 2: Conceptualising conflict prevention
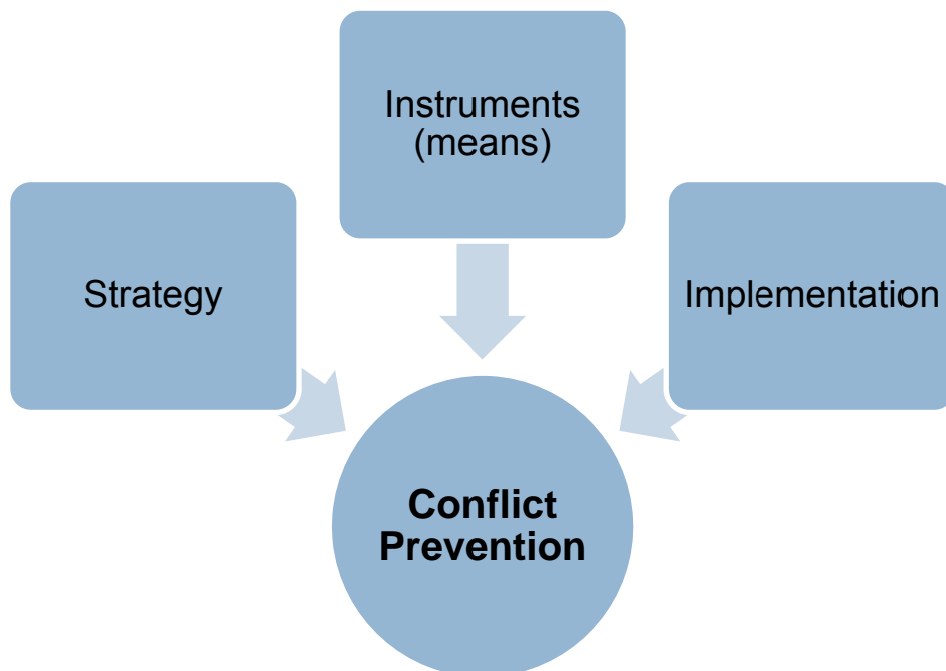
At this point, it is necessary to mention also the agents of conflict prevention, which implement conflict prevention in practice (apply the instruments by relying on the strategy of conflict prevention, and so *implement* conflict prevention). Within international organizations, specific **institutions** are tasked with conflict prevention (e. g. agencies, sub-organs …). The institutions tasked with conflict prevention within the European Union are explained in details in chapter 4 of this deliverable.

2.1.3 TYPES OF CONFLICT PREVENTION

Aiming at further understanding of conflict prevention, scholars and practitioners came up with an idea to categorize various instruments (means) of conflict prevention. There is a general agreement that conflict prevention consists of two categories:

2   **Operational** (direct, short-term, imminent, reactive) conflict prevention: measures aimed at short-term prevention, often imminent escalation of a potential conflict

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3 **Structural** (indirect, long-term prevention, stabilizing, also peacebuilding) conflict prevention: long-term measures addressing the underlying causes (root-causes) of a potential conflict along with potentially escalating factors.

The majority of scholars researching on conflict prevention, crisis management and peacebuilding use the categorization introduced by the Carnegie Commission on Preventing Violent Conflict, to which the leading scholars from the field and practitioners contributed.[37] As also the EU's understanding – distinguishing between "*projecting stability (long-term prevention) and reacting quickly to nascent conflicts (short-term prevention)*" –[38] goes along these lines, the terminology of the IECEU project follows this logic.

Operational conflict prevention can lead to the de-escalation of the conflict on a short-term, while only rarely works in a long-term perspective, as it does not aim at addressing the root causes of the conflict.

Operational conflict prevention

The first way of understanding conflict prevention concerns the direct preventive actions. This type of conflict prevention, also dubbed as *direct, short-term, imminent* or *reactive* conflict prevention (sometimes, but rarely also *traditional*), targets the crisis, when it is in a dangerous phase of military escalation, intensification or diffusion - in other words, when there is a need to act immediately to prevent imminent danger. The actor is usually a third actor, whose interests are less immediate and not directly linked to the conflict between both (or more) parties.[39]

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[37] Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict: Final Report* (Washington, D. C: Carnegie Corporation of New York, 1997). Accessed 1 July 2015. http://www.dtic.mil/dtic/tr/fulltext/u2/a372860.pdf

[38] Commission of the European Communities, *Communication from the Commission on Conflict Prevention* (Brussels: The Commission of the European Communities, 2001). Accessed 1st July 2015. http://eeas.europa.eu/cfsp/crisis_management/docs/com2001_211_en.pdf
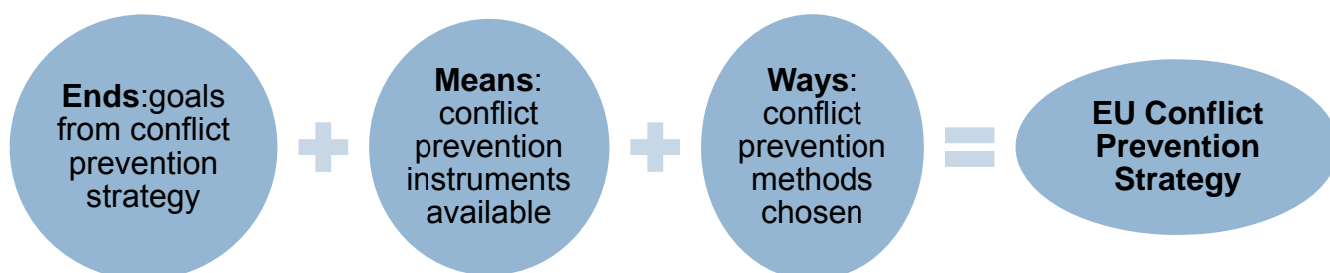
[39] Peter Wallensteen and Frida Möller, "Conflict Prevention: Methodology for Knowing the Unknown", *Uppsala Peace Research Papers* 7, (Uppsala: Department for Peace and Conflict Research, Uppsala University: Uppsala, 2003), 6. Accessed 10 July 2015. http://www.pcr.uu.se/digitalAssets/61/61533_1prevention___knowing_the_unknown.pdf

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Thus, conflict prevention can be perceived as any action of a political, military, economic or other nature, which aims at the prevention of conflict. In accordance with this, conflict prevention are only the activities before the conflict reaches violent phase. As for the time component, operational conflict prevention focuses on that part of the conflict cycle, when the conflict is 'only' about to escalate or when first elements of violence emerge. Operational conflict prevention can lead to the de-escalation of the conflict on a short-term, while only rarely works in a long-term perspective, as it does not aim at addressing the root causes of the conflict.[40] One of the most pressing questions within operational conflict prevention is time, in particular to find out *at which phase/point* of the conflict certain instruments of conflict prevention shall be applied, so that the conflict does not turn violent.[41]

Structural conflict prevention

Structural conflict prevention is, on the other hand, consists of the strategies addressing the root cause of conflict, so as to ensure that crises do not arise in the first place, or that, if they do, they do not recur. In a comprehensive report published by the Carnegie Commission, structural conflict prevention is used as a synonym for peace-building.[42] As peacebuilding undoubtedly falls in a broad conceptualization of conflict prevention also according to the definitions of various other scholars engaged in conflict prevention, conflict/crisis management, reconciliation and peace studies research, the terminology of the IECEU project sticks to the terminological consensus on that.[43]

The strategies for structural conflict prevention comprises of not only putting international legal systems, dispute resolution mechanisms, and cooperative arrangements in place, but also meeting people's basic economic, political, social, cultural, and humanitarian needs. In other words, structural conflict prevention focuses on long-term measures that address the underlying causes of a potential conflict along with potentially escalating and triggering actors.

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According to the Carnegie Commission, by relying on the instruments of conflict prevention the following areas should be addressed within structural conflict prevention strategies:

4 *Security*: addressing the issues of nuclear weapons, regional contingencies, biological and chemical weapons, conventional weapons, peace cooperation initiatives, security within states;

5 W*ell-being*: revisiting the development concepts; [44] making development sustainable; development assistance

6 *Justice*: in the international community (human rights, humanitarian law, and nonviolent dispute resolution) and within states (transition to democracy, social justice).[45]

The distinction between structural and operational conflict prevention is important to understand especially in the field of policy-making, although many instruments (means) can fall in both categories, as the two domains are often overlapping to a great extent. Evident example of the latter phenomenon are military disarmament instruments, which can have both operational and structural effects.[46]

2.2   Crisis management (conflict management)

The concept of crisis (and conflict management) shall be first defined in relation to conflict prevention. Gross and Juncos note that even the EU practitioners do not have a clear picture on that and do not necessarily share an agreed-upon understanding of the terms. [47] In a comprehensive study of crisis management published recently, Post agrees that crisis management is often used very loosely and interchangeably with other phrases such as peacebuilding, peace-making and peacekeeping as well as crisis response, conflict resolution,

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[44] Finding the ways how developing nations and undeveloped states that are usually hit by violent conflicts can adapt useful tools from the world's experience for their own development. Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict: Final Report* (Washington, D. C: Carnegie Corporation of New York, 1997), 84.

[45] Carnegie Commission on Preventing Deadly Conflict, *Preventing Deadly Conflict: Final Report* (Washington, D. C: Carnegie Corporation of New York, 1997), 69-104.

[46] Niklas L. P. Swanström and Mikael S. Weissmann, *Conflict, Conflict Prevention, Conflict Management and Beyond: a conceptual exploration* (Washington: John Hopkins University and Uppsala: Uppsala University, 2006), 20.

[47] Eva Gross and Ana E. Juncos, »Introduction«, in Eva Gross and Ana E. Juncos, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies* (London and New York: Routledge, 2011), 4.

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conflict management and – conflict prevention.[48] Gross and Juncos note that the term crisis management, comparing to conflict management, has been less frequently used in the literature.[49]

The terminological confusion is not only a linguistic challenge, but presents a significant problem for policy-makers and experts attempting to find the coherence between strategies, instruments and policies taken. As the two concepts are interchangeably used by academics, practitioners and politicians, which often results in confusion, a short semantic clarification might explain the differences and similarities and contribute to the mutual understanding of consortium partners and the audience interested in this research.

To begin with, it is necessary to sort out what is 'a crisis'. The word is, as rightly argued by Larsson *et al*, used in many contexts and, thus, sometimes even overused.[50] Crises are the large-scale incidents that come unexpectedly, call for immediate action and threaten the fundamental values of the society. Examples of typical crises are, following this definition, not only earthquakes, floods, forest fires, but also terrorist attacks, ethnic conflicts and armed violence. In the context of international relations, crises are, according to Johannsen, 'first and foremost regarded as destabilizing characteristics of the international system on global and regional level'.[51] The term thus describes a state of tension, which demonstrates a dynamic that indicates the increasing potential of escalation and the beginning or the extension of an armed conflict and war. Lund defines crisis as a 'tense confrontation between armed forces that are mobilized and ready to fight and may engage in threats and occasional low-level skirmishes, but have not exerted any significant amount of force.'[52] Stemming from this argumentation, crisis is the situation of very high tension, but not war yet.

Conflict, on the other hand, refers more to in a wider manner to describe situations where priority values, interests and goals are threatened on the national and international level. The word crisis is used for more acute situations.[53] As such, conflicts and crisis are dynamic in their escalation and

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[48] Svenja Post, *Toward a Whole-of-Europe Approach: Organizing the European Union's and Member States' Comprehensive Crisis Management* (Wiesbaden: Springer, 2014), 64.

[49] Eva Gross and Ana E. Juncos, »Introduction«, in Eva Gross and Ana E. Juncos, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies* (London and New York: Routledge, 2011), 6.

[50] Per Larsson, Eva Hagström Frisell and Stefan Olsson, »Understanding the Crisis Management System of the European Union«, in: *Crisis Management in the European Union,* ed. Stefan Olsson (Springer: Berlin, London, 2009), pp. 2.

[51] Johannsen in Svenja Post, *Toward a Whole-of-Europe Approach: Organizing the European Union's and Member States' Comprehensive Crisis Management* (Wiesbaden: Springer, 2014), 65.

[52] Michael Lund, Preventing violent conflicts: a strategy for preventive diplomacy (Washington: United States Institute of Peace, 1996), 39.

[53] Blockmans and Wessel in Svenja Post, *Toward a Whole-of-Europe Approach: Organizing the European Union's and Member States' Comprehensive Crisis Management* (Wiesbaden: Springer, 2014), 65.

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complex in the interplay of different conflict parties, levels at which the dispute takes place as well as the matter fought over which additionally vary over time.[54]

What is then a relation between crisis management and conflict prevention, if the two concepts are placed within a context of conflict cycle? Narrowly defined approaches view crisis management as one of many other approaches to realizing and maintaining security. In contrast to conflict prevention, crisis management is perceived more short-term and contingency-oriented. Crisis management instruments may entail a more direct use of military and negatively perceived means such as sanctions, embargoes o the freezing of relations. It contains crisis assessment, crisis response and post-conflict peacebuilding. [55] In accordance with this understanding, crisis management is conceptually very different from any preventive action and involves immediate efforts to manage tensions that have reached a high level of confrontation and violence. In other words, crisis management can only exist if a conflict has reached a violent stage. More broadly defined, crisis management in the international arena is taken to refer to any attempt by third parties to resolve crisis and prevent further escalation of conflict. It is seen as a multi-layered process which ranges from long-term and structural policy to project stability to short-term operational civilian or military crisis management policy. In this approach, crisis management activities cover a broad range of methods which can be separated into categories with varying degrees of third-party commitment attached to managing conflict: verbal expression, diplomatic approaches, judicial processes, administrative assistance and military involvement.[56]

Based on the argumentation above, the IECEU offers the following conceptualization of conflict prevention and crisis management within the conflict cycle.

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[54] Ramsbotham, Woodhouse and Miall in Svenja Post, *Toward a Whole-of-Europe Approach: Organizing the European Union's and Member States' Comprehensive Crisis Management* (Wiesbaden: Springer, 2014), 65.

[55] Missiroli in Svenja Post, *Toward a Whole-of-Europe Approach: Organizing the European Union's and Member States' Comprehensive Crisis Management* (Wiesbaden: Springer, 2014), 66.

[56] Frazer and Dixon in Svenja Post, *Toward a Whole-of-Europe Approach: Organizing the European Union's and Member States' Comprehensive Crisis Management* (Wiesbaden: Springer, 2014), 66.

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Figure 3: Conflict prevention and crisis management tools within the conflict[57]

As illustrated above, various instruments (or a combination of them) can be applied by an "intervening actor" (international organizations, states, human right movements, individuals and other actors) within each of the phases in order to prevent the occurrence of armed conflict. Some of the instruments are more relevant to use within the 'conflict prevention phase' of the conflict cycle, while the other can be more adequate within the 'crisis management' phase. However, the distinctions between the phases are usually blurred, hence, it is understandable that it would be difficult to make clear distinction between conflict prevention instruments at the one, and crisis management instruments on the other side. Conflicts usually do not follow linear patterns, hence, different phases of conflict require different approaches which cannot be kept isolated and may be needed at the same time. In support of this conceptualization, the IECEU project is, among others, following the argumentation given by Houben, who maintains that crisis management deals with situations, when preventive measures have already proven insufficient.[58]

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[57] Authors of figure: Jonas Loholm Hamann, Johannes Tvilling, Annemarie Peen Rodt (Roskilde University).
[58] Houben in Svenja Post, *Toward a Whole-of-Europe Approach: Organizing the European Union's and Member States' Comprehensive Crisis Management* (Wiesbaden: Springer, 2014), 66.

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2.2.1 DELIMITING CONFLICT PREVENTION AND CRISIS (CONFLICT) MANAGEMENT FROM OTHER TERMS

The life cycles of are different and they do not necessarily develop in a linear fashion; they may move back and forth between various states of violence and non-violence. Therefore, it does not come as a surprise that the interventions of a third party in a conflict can come at different phases – for this reason, not only the names, but also the contents of interventions, differ. On the other hand, the contents of interventions often overlap and intertwine.

Firstly, how does **conflict management** differ from conflict prevention? Conflict management has been used as a generic term to cover the 'whole gamut of positive conflict handling'.[59] Rodt argues that conflict management differs from conflict prevention in four key areas, that is, in terms of its target, time frame, focus and main objective.[60] The main objective of conflict management is, according to Rodt, to manage the violent aspect of a conflict. That is, to prevent "*continuation, diffusion, escalation and intensification of violence*." Thus, conflict management is therefore limited to the time frame in which a conflict is violent or at significant risk of turning violent in the relative short-term. The appropriate use of the term thus refers to actions seeking to address the proximate causes that turn(ed) a conflict violent in the first place. Conflict management links to aspects of conflict prevention in that it seeks to prevent more violence. This explains why it is sometimes referred to as a type of conflict prevention.

What about conflict resolution? This concept refers to efforts to address underlying causes and consequence of a conflict, which might otherwise reoccur. This usually takes place in the post-violent phase of a conflict cycle, although it should ideally start before. The objective of conflict resolution is to prevent another violent conflict (reoccurrence).[61] Conflict resolution is related to conflict management, as the management of violence may facilitate the resolution of an underlying conflict. Vice versa, a temporary aspect of light or acute resolution of certain aspects of a conflict is often necessary to help manage the violence. Finally, conflict resolution is linked to conflict prevention because it aims at preventing further conflict. In the longer term, conflict resolution can become conflict prevention. As these three elements of conflict regulation, as argued by Rodt,

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[59] Ramsbotham, Oliver, Hugh Miall and Tom Woodhouse, *Contemporary Conflict Resolution. 3rd. edition* (Cambridge, UK: Polity Press), pp. 31.

[60] A. P. Rodt, 2012, »Successful Conflict Management by Military Means«, *Ethnopolitics* 11 (4), 377.

[61] M. Lund, »From lessons to action«, in: F.O. Hampson & D.M. Malone (Eds), *From Reaction to Conflict Prevention: Opportunities for the UN System* (Boulder: Lynne Rienner, 2002).; A. Ackermann, »The Idea and Practice of Conflict Prevention«, *Journal of Peace Research*, 2003, 40 (3), 340; O. Ramsbotham, T. Woodhouse, and H. Miall, H., Contemporary Conflict Resolution (Cambridge: Polity, 2005); K. Cordell, K. & S. Wolff, *Ethnic Conflict: Causes, Consequences and Responses* (Cambridge: Polity Press, 2009); A. P. Rodt, 2012, »Successful Conflict Management by Military Means«, *Ethnopolitics* 11 (4), 377.

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"*often feed into each other, the relationship between them is better understood as a cyclical process than a stage-by-stage development.*"[62]

Figure 4: The conflict regulation cycle
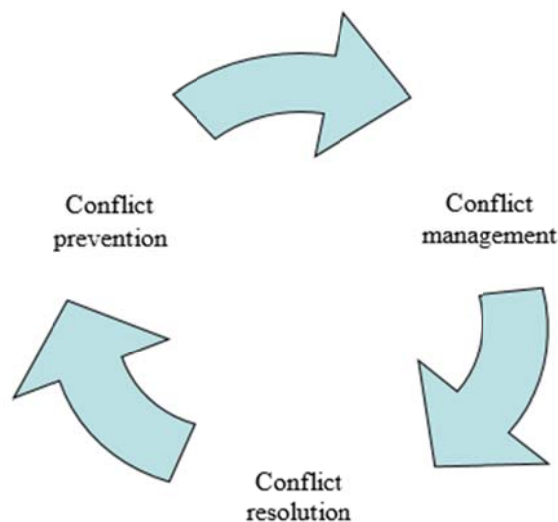
Source: Rodt (2014, 10)[63]

2.3   The EU's approaches in conflict prevention and crisis management

Within the IECEU, conflict prevention and crisis management are used complementary as an overarching expression for all types of activities and engagement carried out to respond to a crisis and conflict. Although the distinction can be made for analytical purposes, we are not suggesting clear-cut separation of both concepts, as they are intertwined. However, based on the definition of crisis, it is necessary to mention that the IECEU project will not be dealing with those crises that fall under the umbrella of disaster management or emergency management, i.e. the handling of large-

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[62] A. P. Rodt, 2012, »Successful Conflict Management by Military Means«, *Ethnopolitics* 11 (4), 378.

[63] Annemarie Peen Rodt, *The European Union and Military Conflict Management: Defining, Evaluating and Achieving Success* (London: Routledge, 2014), 10.

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scale incidents (in this case crisis management refers to the response system (of international organization or any other subject) for handling large-scale emergencies or disasters). In the EU context, the concept of crisis management has been primarily – but not exclusively – used in reference to military and civilian interventions within the framework of the CSDP, and so will the IECEU project follow this understanding.

Gross and Juncos explain how does the EU – if one may to speak about it as a single coherent entity – perceive conflict prevention.[64] In the Commission's vocabulary, conflict prevention refers to both long-term and short-term measures (structural and operational conflict prevention). It covers the stages before and after the breakout of a conflict. In this view, conflict prevention refers to promoting stability and peace-building measures, as well as quickly preventing conflicts that are on the verge of outbreak or to prevent the escalation of current conflicts, including post-conflict stabilization.

As rightly pointed out by Gross and Juncos, 'only one phase of the conflict cycle escapes the Commission's definition of conflict prevention: the management of an open crisis (war)'.[65] From the Council's perspective, crisis management not only includes peace-making and peace-keeping, but also other state-building, confidence-building and monitoring activities taking place in the post-conflict stabilization phase, such as police missions, monitoring missions and border assistance missions. Hence, the possibility of overlaps between Commission and Council's instruments is imminent in the post-conflict stabilization phase. Howsoever, the argumentation proposed by Gross and Juncos is a step forward in the understanding of different concepts, but lacks the discussion on the most violent phase of the conflict, which is a systematic and pro-longed use of armed force – war.

Although the distinction between conflict prevention and crisis management illustrated in the picture above and within the different documents adopted by EU institutions between 1999 and 2011 might seem analytically useful, developments in practice gradually blurred such a distinction. First, traditional crisis management instruments such as the use of armed force play an important role in the prevention of violent conflicts. As the EU develops its military and civilian crisis management capabilities, the credibility of the EU increases, and thus, its ability to mediate in and prevent conflicts, particularly in its neighbourhood. Second, traditional Community instruments such as humanitarian aid are often required during the short-term phase of crisis management. Thirdly, institutional turfs have also played a role in this conceptual confusion, with the Council Secretariat trying to increase the scope of 'crisis management' including some activities that had traditionally been carried out by the Commission (e.g. institution-building, assistance to border activities, etc.). The Commission has also attempted to expand its areas of competencies in crisis

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[64] Eva Gross and Ana E. Juncos, »Introduction«, in Eva Gross and Ana E. Juncos, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies* (London and New York: Routledge, 2011), 4.
[65] Eva Gross and Ana E. Juncos, »Introduction«, in Eva Gross and Ana E. Juncos, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies* (London and New York: Routledge, 2011), 5.

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management, if not as a conscious strategy, then as a reaction to the Council's threatening moves.[66]

2.3.1 CIVILIAN CRISIS MANAGEMENT IN THE EU

The EU has been developing civilian crisis management, as one of the key parts within CSDP/CFSP introduced by the European Council held in Santa Maria da Feira (Portugal) in 2010, in four priority areas: police, strengthening of the rule of law, strengthening civilian administration and civil protection.[67] As noted within the subchapter on the conceptualization of the IECEU project, the last aspect of civilian crisis management that fall under the umbrella of disaster management or emergency management will not be analysed within this project (the EU's response to floods, wild fires, oil-spills and other similar large-scale incidents).

The intention of the EU to work in these areas is a result of post-Cold War era, in which interventions of international actors have gained new faces and dimensions due to the increased complexity of security environment. The changes of security paradigm and the EU's response to them are well reflected in important strategic documents adopted by the EU (European Security Strategy, 2003). A short overview of the civilian crisis management operations, which are "the front face" of the EU's crisis management concept, show that the operations within this category have been greatly diversified in the terms of the operations' substance (contents). In particular, a demand for Security Sector Reform in fragile countries and regions, especially in Africa, the Balkans, and Asia, is at rise. The emphasis on Security Sector Reform is also clearly specified in the last Civilian Headline Goal 2010, in which civil-military cooperation is placed at the forefront of the EU's efforts.[68] The overview of the contents of operations show that the use of crisis management instruments by the EU is nowadays based on a comprehensive approach to security, which refers to the entire conflict cycle (the EU is not an exception in this regard; also other

An overview of the civilian crisis management operations launched by the EU show that the operations have been greatly diversified in the terms of the operations' substance (contents). In particular, a demand for Security Sector Reform in fragile countries is at rise.

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[66] Eva Gross and Ana E. Juncos, »Introduction«, in Eva Gross and Ana E. Juncos, *EU Conflict Prevention and Crisis Management: Roles, institutions and policies* (London and New York: Routledge, 2011), 5.
[67] European Union External Action Service. 2015. *Civilian Crisis Management.* Accessed 11 July 2015. http://eeas.europa.eu/csdp/civilian-crisis-management/index_en.htm
[68] *Civilian Headline Goal 2010. Approved by the ministerial Civilian Capabilities Improvement Conference and noted by the General Affairs and External Relations Council on 19 November 2007.* Accessed 11th July 2015. http://www.consilium.europa.eu/uedocs/cmsUpload/Civilian_Headline_Goal_2010.pdf

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influential actors, including the United Nations, the OSCE and NATO, favour approaching conflicts in a comprehensive manner).

Although the European Security Strategy adopted in 2003 represented a key step towards the identification of the main challenges and threats the EU must be able to face in order to become a credible actor in international relations, the process did not result in the elaboration of a coherent strategy for action within the CFSP/CSDP framework. On the contrary, as noted by Pirozzi, there is still an urgent need to find a balance between the need to accommodate national interests and the urge to prioritise allocation of resources to selected areas of intervention. [69] Against this background, supported by the difficulties within the EU to endorse a military action, which is a consequence of various reasons, crisis management gained importance in the context of EU, as it, comparing to military crisis management, politically less sensitive and, consequently, relatively easier thing to win support of all relevant stakeholders within EU.

From 2003 to 2015, the EU has deployed 33 CSDP missions and operations. 21 of them were civilian crisis management missions, and one civilian-military:

> 11 completed civilian crisis management missions: EUPM Bosnia and Herzegovina (2003-2012), EUPAT Former Yugoslav Republic of Macedonia (2006), EUPOL PROXIMA Former Yugoslav Republic of Macedonia (2004-2005), EUJUST THEMIS (2004-2005), EUJUST LEX in Iraq (2005-2013); EU SSR in Guinea Bissau (2008-2010), EUPOL DR Congo (2007-2014), EUAVSEC South Sudan (2012-2014), EUPOL Kinshasa DR Congo (2005-2007), AMM Monitoring Mission in Aceh/Indonesia (2005-2006), Support to AMIS II Sudan/Darfur (2005-2006).[70]
>
> 11 ongoing civilian crisis management missions: EUAM Ukraine (since 2014), EUMM Georgia (since 2008), EUPOL Afghanistan (since 2007), EUBAM Rafah (Palestinian Territories, since 2006), EUPOL COPPS Palestinian Territories (since 2006), EULEX Kosovo (since 2008), EUBAM Libya (since 2013), EUCAP Sahel Mali (since 2014), EUCAP SAHEL Niger (since 2012), EUSEC DR Congo (since 2005), EUCAP NESTOR (Djibouti, Somalia, Seychelles, Tanzania, since 2012).[71]

Looking at the nature of crises that have erupted and the types of EU interventions, Pirozzi sketches out some trends.[72] The crisis management missions launched by the EU tend to be complex, approaching volatile regions in a comprehensive manner. A vast and differentiated array of instruments has been used by the EU, involving a variety of actors and expertise. The EU has

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[69] Nicoletta Pirozzi, »EU performance in civilian crisis management«, in *The European Union as a global conflict manager*, eds. Richard G. Whitman and Stefan Wolff (London and New York: Routledge), 189.

[70] Support to AMIS II Sudan/Darfur was a civilian-military mission.

[71] European Union – EEAS. Ongoing missions and operations. Accessed 15 July 2015. http://www.eeas.europa.eu/csdp/missions-and-operations/

[72] Nicoletta Pirozzi, »EU performance in civilian crisis management«, in *The European Union as a global conflict manager*, eds. Richard G. Whitman and Stefan Wolff (London and New York: Routledge).

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established new structures and instruments to implement integrated action, with civilian and military components working in the same crisis scenario. In the civilian sector, the need to intervene in situations of failing state institutions has determined a trend towards multifunctional missions, including different dimensions such as rule of law, policer and justice sectors. CSDP civilian crisis management missions often entail a combination of substitution (or executive) tasks such as mentoring, monitoring and advising. Last, but not least, as the EU is not only actor present in the same crisis area, the EU has been – the same as other international organizations, non-governmental actors and other subjects involved in a conflict or post-conflict zone – forced to coordinate its actions with other actors.[73]

Various evaluations done by the EU and other researchers have suggested possible ways how the missions' performance could be improved. The list of lessons.-learned and identified best practices have shown that civilian crisis management requires structures that are able to give missions the necessary support for their deployment, particularly as regards administrative and financial matters, logistics and human resources management. The EU's architecture should be, as also argued by Pirozzi, equipped adequately with a capacity for planning and deploying several missions at the same time, as well as envisage a rapid-reacting system. Civilian capabilities need to be constantly developed through improved training and recruitment mechanisms both at national and EU levels. Effective EU actions also calls for an acceptable degree of coherence between CSDP missions and other EU instruments, as well as good cooperation with other actors – in particular other international organizations, partner states and civil society organizations. Finally, needs assessment shall be realistic, as well as regular revisions are required to ensure that the capabilities in the field correspond to both the mandate of missions and the changing security context in the field.[74]

2.3.2 MILITARY CRISIS MANAGEMENT IN THE EU

From 2003 to 2015 the EU engaged in 11 military crisis management operations, which is significantly smaller number comparing to 22 civilian missions launched by the EU. Military deployment under the EU flag, conducted in the framework of the CSDP undertaken by EU troops in troubled zones to facilitate the management of violent aspect of a conflict, took place in the following countries and regions:

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[73] Nicoletta Pirozzi, »EU performance in civilian crisis management«, in *The European Union as a global conflict manager*, eds. Richard G. Whitman and Stefan Wolff (London and New York: Routledge), 190.
[74] Nicoletta Pirozzi, »EU performance in civilian crisis management«, in *The European Union as a global conflict manager*, eds. Richard G. Whitman and Stefan Wolff (London and New York: Routledge), 190.

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- 5 completed military operations: Former Yugoslav Republic of Macedonia (CONCORDIA), DR Congo (ARTEMIS, 2003; EUFOR DR Congo 2006), Chad/Central African Republic (EUFOR Tchad/RCA 2008-2009), and Central African Republic (EUFOR RCA 2014).[75]
- 6 ongoing military operations: Bosnia and Herzegovina (EUFOR ALTHEA, since 2004), the Mediterranean Sea (EUNAVFOR MED, since 2015), Central African Republic (EUMAM RCA, since 2015), Somalia (EUTM Somalia, since 2010; EU NAVFOR, since 2008), Mali (EUTM Mali, since 2013).

It is an ambitious attempt to say whether these military operations were successful or not. The questions pertaining to success or effectiveness of such operations are a constant challenge for member states and their armed forces, EU policy makers and experts, and general audience: was the purpose of the operation achieved; could have the operation performed better, if the institutional organization and mandate were different; was the use of force appropriate (is it possible that the same goals were reached with less violence) etc.? To answer some of these questions, certain evaluation criteria were developed by various experts.[76]

The questions pertaining to success or effectiveness of military operations are a constant challenge for Members States and their armed forces, EU policy makers and experts, and Europeans in general.

Evaluating the EU crisis management military missions from 2013-2010, Rodt found out that the EU's performance has been a relative success from the point of view of the EU, but more humble with regard to the management of the conflict situations on the ground.[77] This indicates that the success of EU military operations is dependent on the context in which they engage. This context encompasses the EU context in which the operations take place and the conflict context in which they operate. In the EU context, the EU's will and ability to act, to fund and to cooperate and coordinate its efforts to accommodate the operation in question influences its chances of success.

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[75] Support to AMIS II, which was as a civilian-military mission, was listed under 'civilian crisis management missions' in the previous chapter.

[76] See, for example: Darya Pushkina, »A recipe for success? Ingredienst of a successful peacekeeping mission«, *International Peacekeeping* 13 (2), 2006, 133–149; Annemarie Peen Rodt, »EU performance in military conflict management«, in: *The European Union as a global conflict manager*, eds. Richard G. Whitman and Stefan Wolff (London and New York: Routledge, 2012), 169-188; Maja Garb, »Evaluating the success of peace operations«, *Scientia Militaria - South African Journal of Military Studies* 42 (1), 2014: 44-63.

[77] Annemarie Peen Rodt, »EU performance in military conflict management«, in: *The European Union as a global conflict manager*, eds. Richard G. Whitman and Stefan Wolff (London and New York: Routledge, 2012), 186.

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This, in turn, depends on the level of active support that the operations enjoy form EU members states and institutions. These findings are one of the key questions the IECEU project will be dealing with.

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3 EVOLUTION OF THE EU'S APPROACH TO CONFLICT PREVENTION AND CRISIS MANAGEMENT

The EU, by many still seen primarily as an economic actor, is nowadays very much also involved "in the security and defence business". This necessitates an outward orientation of its security compass. Namely, looking at the security challenges solely from an inward perspective does not guarantee security in the 21st century, as most of the security threats nowadays are of a transnational character, looming regionally or even globally, irrespectively of state borders.[78] As an actor of international relations aspiring for greater say in the world, the EU does not hide the ambitions to become a global security actor, which can have a decisive role in global conflict prevention and crisis management.

For the EU to become a global actor, the development of adequate capabilities for acting in security and defence realms is a precondition for two reasons: firstly, it is needed for guaranteeing its own (internal) security and repulsing eventual threats, and secondly, adequate capabilities are required to prevent violent conflicts and assist in the stabilization processes in volatile regions throughout the world. However, the emphasis on conflict prevention is a relatively recent phenomena for the EU as an integral part of its external policies: it was at the June 2001 Gothenburg European Council in Sweden, when the Heads of State and Government of the EU member states indicated explicitly that '*conflict prevention is one of the main objectives of the Union's external relations and should be integrated in all its relevant aspects.*"[79]

This chapter explores the evolution of the European Communities/EU's approach (concept) of conflict prevention and crisis management from its rather wary beginnings in the 1950s to a more comprehensive and elaborated approach, which is a characteristic of modern conflict prevention and crisis management policies of the EU. The understanding of these developments is needed for the IECEU project, as the proposals for improving the EU capabilities in conflict prevention and crisis management – the CSDP missions and operations in particular – shall take into consideration the current and past deliberations and challenges the EU was facing.

3.1 Early EU attempts in conflict prevention

The integration processes in Europe, which started after the World War II and culminated in the foundation of the EU, are first and foremost a peace project, aimed at preventing another

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[78] John Peterson and Andrew Geddes, »The EU as a Security Actor«, in *The European Union: How does it work*, eds. Daniel Kenealy, John Peterson and Richard Corbett (Oxford: Oxford University Press, 2015), 188.
[79] *EU Programme for the Prevention of Armed Conflicts*, 2001, adopted by the European Council in Göteborg Sweden. Accessed 29th July 2015.
http://www.eplo.org/assets/files/3.%20Resources/EU%20Documents/EU_EU_Programme_for_the_Prevention_of_Violent_Conflicts.pdf

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devastating war on the European continent. In 1951, the six High Contracting Parties to the Treaty establishing the European Coal and Steel Community – Belgium, France, Germany, Italy, Luxembourg and the Netherlands – stated that '*world peace can be safe-guarded only by creative efforts commensurate with the dangers that threaten it*'.[80] At the beginning of European integration, the spirit of conflict prevention rested predominantly on economic dimension, which was, of course, underpinned by political reasoning.

Nevertheless, the thinking of the European politicians of that time was not limited to economic and political dimensions only. There were ambitions and initiatives to establish the European Defence Community and a European Political Community already back in the 1950s, but they were foundered quickly: firstly, because the French Assembly failed to ratify them, and secondly, because the president of France Charles de Gaulle opposed any further supranational integration. Security and defence issues back then were therefore to remain predominantly in the domain of NATO and the Western European Union, an organisation of states – Belgium, France, Luxembourg, the Netherlands and the United Kingdom – that signed the Brussels Pact in 1948, forged as an alliance against Germany.[81]

> *Security and defence issues back in the 1950s were considered as a 'business' of NATO and the Western European Union. The European Communities was mostly focused on the economic cooperation between European states: the idea was that economic cooperation would prevent another devastating war.*

With the resignation of de Gaulle in 1969, and a new president Pompidou taking over, the political environment in Europe changed. The ambitions of the "European integrationists", who have been favouring the supranational political ideas that would further integrate the Member States of the European Communities, again came to prominence. The Davignon Report (also known as the Luxembourg Report) established the European Political Cooperation in 1970, which aimed at entailing regular intergovernmental contact and dialogue between foreign ministers of the member

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[80] *Treaty establishing the European Coal and Steel Community*, 1951, adopted in Paris, France. Accessed 22th July 2015. http://eur-lex.europa.eu/legal-content/GA/TXT/?uri=CELEX:11951K000

[81] Emma J. Stewart, *The European Union and Conflict Prevention: Policy Evolution and Outcome* (Berlin: LIT Verlag, 2006), 44.

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states.[82] The officials from the member states' foreign ministries that drafted the report became the Political Committee – the main European Political Cooperation body.[83]

From the early 1970s on, the European Communities was gaining an international voice through Member State foreign policy cooperation and began practising quiet, long-term preventive diplomacy. With the adoption of the Single European Act in 1986, this was later given also a treaty basis. However, the competence of the European Political Cooperation regarding (European) security questions was restricted to 'political and economic aspects of security', so conflict prevention and crisis management other than by military means clearly fell within its scope.[84] Looking back from today's perspective, this was a small, but necessary step in consolidating the common approach of the Member States to external relations, of which conflict prevention became one of the most vital in aspects.

Before endorsing an explicit strategy for the prevention of violent conflicts – and turning conflict prevention into practice – the EC/EU's attempts to prevent conflicts rested on the export of the virtuous circle of political and economic stability to its closest neighbours. Although the European Communities (or later the EU) never included the prior solving of conflicts in the accession criteria for the countries aspiring to join, the European Communities (the EU) has, nevertheless, used its 'power of attraction' at several occasions, aiming at anchoring peace and freedom in the candidate states. This has happened with the cases of Greece (1982), Spain and Portugal (1986).

During the accession process of Central and Eastern European countries, the European

> *Although the European Communities, or later the EU, never included the prior solving of conflicts in the accession criteria for the countries aspiring to join, the European Communities (the EU) has used its 'power of attraction' at several occasions, aiming at anchoring peace and freedom (conflict prevention) in the candidate states.*

Commission relied on the 'carrot and stick approach' as a powerful instrument to decrease tensions in some inter-state disputes. One of the most known examples of the first attempts of the European Communities to mitigate conflicts was the dispute between Hungary and Czecho-

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[82] *Report by the Foreign Ministers of the Member States on the problems of political unification*, adopted in Luxembourg, 27th October 1970. Accessed 9 August 2015.
http://www.cvce.eu/content/publication/1999/4/22/4176efc3-c734-41e5-bb90-d34c4d17bbb5/publishable_en.pdf
[83] Emma J. Stewart, *The European Union and Conflict Prevention: Policy Evolution and Outcome* (Berlin: LIT Verlag, 2006), 44–45.
[84] Jan Wouters and Frederik Naert, "The EU and conflict prevention: a brief historic overview", in: *The European Union and Conflict Prevention: policy and legal aspects,* eds. Vincent Kronenberger and Jan Wouters (Haag: TMS Asser Press, 2004), 34.

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Slovakia (later Slovakia) over the construction of the Gabcikovo-Nagymaros hydroelectric project on the Danube, which began back in the 1980s, when both countries were still members of the Warsaw Pact.

The European Communities had been observing the conflict for quite some time, and the significant attempts to find a suitable solution for both sides began in 1990 through the PHARE programme. In this dispute, the European Communities as a mediator learned one of its first 'conflict prevention lessons': the situation necessitated for the EU to change its initial perception of the inter-state problem from an inappropriately narrow (technical) view to the recognition that this dispute was a sensitive problem of political nature. The success of the European Communities, including the strong diplomatic role of the European Parliament, to prevent further escalation of conflict was mixed: the conflict did not reach a violent phase, though, which could have happened had the countries not felt the decisive diplomatic pressure "from Europe". However, the long-term solution was not reached despite the fact that the parties had in 1993 signed a compromise agreement, which was in the end not observed by Slovakia. Hence, the case was submitted to the International Court of Justice.[85] This example clearly shows that the first conflict prevention and crisis management attempts of the European Communities were of an explicitly structural conflict prevention character.

Similar approach, mostly relying on structural conflict prevention dimensions, was used by the European Communities in Estonia, where the international organization pressured the Estonian government to resolve the status of the Russian minority.[86] These conflict prevention actions were efficient as they were mostly of a non-asymmetric character, in which a powerful actor (the European Communities) decides on the fate of a feeble (Estonia). With regard to the conflict prevention theory and its implementation in practice, the EU has learned that an actor willing to prevent conflicts, or play a decisive role as a mediator, has to have credible sources of power (political, economic, military, normative etc.), which can be used to mitigate between the conflicting parties.

When it comes to third states that have not aspired for membership due to geographical or political reasons, as it was the case in the Eastern and Central European countries mentioned above, the European Communities did not contribute significantly to the prevention of conflicts. The available conflict prevention instruments were mostly of a structural character, such as developmental policies. However, one should not underestimate these early attempts of the EC. For example, several African, Caribbean and Pacific states benefited from the EC's policies in this regard, and so were some crises and inter- and intra-state wars averted, as the people in need had benefited

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[85] Heiko Fürst, The Hungarian-Slovakian Conflict over the Gabcikovo-Nagymaros Dams: An Analysis', *Intermarium*, 6 (2003): 1–15. Accessed 10 August 2015.
http://www.columbia.edu/cu/ece/research/intermarium/vol6no2/furst3.pdf
[86] Vincent Kronenberger and Jan Wouters, »Introduction«, in *The European Union and Conflict Prevention: Policy and Legal Aspects*, eds. Vincent Kronenberger and Jan Wouters (The Hague: Asser Press), pp. XVIII-XX.

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from the better economic opportunities.[87] Nevertheless, these policies of the EU focused mostly on trade and developmental aid until the first years of the 1990s, with no systematic emphasis on conflict prevention. Thus, the EU's conflict prevention of that time was mostly a result of fortunate events, and not a multi-faceted conflict prevention policy.

From the theoretical point of conflict prevention discussed in the previous chapter, one may rightly argue the first attempts of the European Communities/the EU were mostly of a structural conflict prevention nature, while operational conflict prevention was not the norm. There are many reasons for that, among them the following seem to be the most important:

1) *the characteristics of the Cold War environment*, in which the international actors (states and international organizations in particular) were rather reluctant to intervene directly in the 'sphere of influence' of the other superpower (the USA or the Soviet Union);

2) the European Communities at that time was mostly *occupied with its own integration and consolidation*, and thus far from having neither capabilities nor ambitions to become a global security actor.

3.2   The 1990s and the growing ambitions of the EU in conflict prevention and crisis management

The EU, like other actors in international relations, has had to adapt to a new security environment in the post-Cold War world. Not being internally endangered, the ambitions of the EU, aspiring to become a credible player in international relations, rose significantly. A goal of conflict prevention and crisis management throughout the world has become *lingua franca* in the European institutions, which was a consequence of the combination of inter-linked events. The following in particular led the EU to embark on the path of conflict prevention:

- powerful destabilisation effect of the dissolution of the Soviet Union
- outbreak of deadly conflicts which devastated once stable Yugoslavia and some African states
- on-going conflicts in the Middle East and Asia
- lack of appropriate mechanisms for conflict prevention and conflict resolution at regional and international level.

The changed security paradigm, in which military security lost its dominance in the security/defence discourse at the expense of other emerging aspects of security (economic,

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[87] Emma J. Stewart.*The European Union and Conflict Prevention: Policy Evolution and Outcome* (Berlin: LIT Verlag, 2006), 43.

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political, societal, ecological etc.), and the above mentioned events convinced the international community and the then-UN Secretary General Boutros Boutros Ghali that more needs to be done for the conflict prevention to become a norm of international relations. [88] Boutros Ghali introduced the concept of preventive diplomacy, with the final aim of promoting the so called 'culture of prevention'. This term has soon become a buzzword.

In the period when strategies for conflict prevention rose to prominence, the leaders of the EC Member States swiftly embraced the idea that conflict prevention is not merely about the prevention of 'imminent crisis', and have so embarked upon a deeper coordination of their foreign, security and defence policies, which should ideally lead to the prevention of armed conflicts in throughout the world.

The ambitions of the European integration process, which began spreading also in the realm of security and defence, and the optimism of the European leaders that the European Communities could do more in the contribution to the world peace was clearly reflected in the Treaty on European Union, signed in Maastricht in February 1992. In the new political agreement, which is still nowadays seen by many as a milestone in European integration, the new "European Union" proclaimed the establishment of the Common Foreign and Security Policy, including the possibility of common defence, as one of its three main pillars.[89]

Comparing to the European Political Cooperation on the 1970s and the 1980s, which hardly dealt with conflict prevention in any significant manner, the Maastricht Treaty brought the European Political Cooperation – and conflict prevention indirectly – into the institutional framework of the EU.[90] Within this, the scope of CFSP was comprehensive and was 'covering all areas of foreign and security policy'.[91] As rightly noted by Wouters and Naert, the potential of conflict prevention under the CFSP was exposed quite soon at the highest levels.[92] The Report to the European Council (1992) on the possible ways of the development of CFSP stated in Annex 1 that:

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[88] During the Cold War, the term 'security' was used in Western Europe predominantly to denote military defence against the Soviet Union. Stemming from this understanding, it does not come as a surprise that the state (and national security) was the central level of analysis. For more on this, see Stewart, Emma J., *The European Union and Conflict Prevention: Policy Evolution and Outcome* (Berlin: LIT Verlag).

[89] *Treaty of Maastricht on European Union*, signed in Maastricht on 7th February 1992. Accessed 11 August 2015. http://europa.eu/eu-law/decision-making/treaties/pdf/treaty_on_european_union/treaty_on_european_union_en.pdf

[90] Jan Wouters and Frederik Naert, "The EU and conflict prevention: a brief historic overview", in: *The European Union and Conflict Prevention: policy and legal aspects,* eds. Vincent Kronenberger and Jan Wouters (Haag: TMS Asser Press, 2004), 34-35.

[91] *Treaty of Maastricht on European Union*, signed in Maastricht on 7th February 1992, Article J1.1. Accessed 11th August 2015. http://europa.eu/eu-law/decision-making/treaties/pdf/treaty_on_european_union/treaty_on_european_union_en.pdf

[92] Jan Wouters and Frederik Naert, "The EU and conflict prevention: a brief historic overview", in: *The European Union and Conflict Prevention: policy and legal aspects,* eds. Vincent Kronenberger and Jan Wouters (Haag: TMS Asser Press, 2004), 35.

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"/…/ the CFSP should contribute to ensuring that the Union's external actions is less reactive to events in the outside world, and more active in the pursuit of the interests of the Union and in the creation of a more favourable international environment. This will enable the European Union to have and improved capacity to tackle problems at their roots in order to anticipate the outbreak of crises."[93]

Possible objectives for joint action of the EU, including the contribution to the prevention of conflicts or their settlement, were also specified in this document. Stemming from this report, the priority of the EU was to be attached to a number of regions, namely 'Central and Eastern Europe', in particular the Commonwealth of the Independent States and the Balkans, the Mediterranean, in particular the Maghreb and the Middle East'. Furthermore, a number of priority 'horizontal issues', in particular 'domains within the security dimension', were identified. It must be said that these included no direct or specific reference to conflict prevention, although conflict prevention was clearly an inherent 'ingredient' of the CFSP.[94]

The institutionalization of conflict prevention and putting it at the forefront of the EU's external activities has not stopped, in particular because it was becoming evident that the EU of that time was not capable to deal with the crises in its immediate neighbourhood (the war in Yugoslavia, for example). Aiming at preventing conflicts before they happen and giving the EU necessary means, the European Parliament called in 1995 for the establishment of European Union Analyses Centre for Active Crisis Prevention. The unit as such was not formed, but in 2000 an important milestone in this regard was reached, when the European Commission Conflict Prevention and Crisis Management Unit was established inside DG RELEX. The unit became the lead institution on conflict prevention within the European Commission, aiming at coordinating activities among various DGs involved with the Council and CSDP structures. As noted by Lavallée[95] and Nowak,[96] the definition of conflict prevention and crisis management at that time remained quite disputed because of the institutional split between the civilian instruments created under the first and second pillars and the more complicated issue of competence-sharing in the civilian areas of crisis management between the Council and Commission.

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[93] *Report to the European Council on the Likely Development of the Common Foreign and Security Policy (CFSP) with a View to Identifying Areas Open to Joint Action vis-a-vis Particular Countries or Groups of Countries*, adopted in Lisbon, Portugal, on 26-27th June 1992, Annex 1, pp. 29. Accessed 20 August 2015. http://www.ab.gov.tr/files/ardb/evt/1_avrupa_birligi/1_4_zirveler_1985_sonrasi/1992_6_lizbon_zirvesi_baskanlik_sonuc_bildirgesi_ekler_en.pdf

[94] Jan Wouters and Frederik Naert, "The EU and conflict prevention: a brief historic overview", in: *The European Union and Conflict Prevention: policy and legal aspects,* eds. Vincent Kronenberger and Jan Wouters (Haag: TMS Asser Press, 2004), 35-38.

[95] Lavallée, Chantal, »From the Rapid Reaction Mechanism to the Instrument for Stability: The Empowerment of the European Commission in Crisis Response and Conflict Prevention, *Journal of Contemporary European Research* 2013 (3), 376.

[96] Nowak, Agnieszka, »Civilian Crisis management within ESDP«, in *Civilian Crisis Management: the EU way*, *Chaillot Paper* 2006 (90): 15-37.

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At the end of the 1990s, with another deadly conflict looming in the EU's immediate neighbourhood (Kosovo) and the clear evidence of the EU's impotence to intervene, the conflict prevention discourse gained another momentum in the EU with the birth of the European Security and Defence Policy, which was coined as a policy of a strictly intergovernmental character. In the annex of the conclusions of the Cologne European Council, which went even a step further than the Saint Malo Declaration,[97] it was explicitly noted that the EU:

> "*/s/hould have the ability to take decisions on the full range of conflict prevention and crisis management tasks defined in the Treaty on European Union.*"[98]

As rightly put affront by Wouters and Naert, the efforts of the EU largely run in parallel with the conflict prevention activities of other organizations.[99] Within CFSP, conflict prevention as a policy was not an autonomous priority, but rather *one* of the aspects of the EU's policy towards certain regions, or a consequence of specific but limited horizontal measures, which did not primarily envisage conflict prevention.[100]

3.3   Stepping on the stage of conflict prevention and crisis management decisively: from the Gothenburg Programme 2001 to the Instrument contributing to Stability and Peace

A major political milestone for the EU came in 2001, when *The European Union programme for the prevention of violent conflicts* was adopted in Gothenburg by the European Council. The highest political body of the EU decided that '*conflict prevention is one of the main objectives of the Union's external relations and should be integrated in all its relevant aspects, including the European Security and Defence Policy, development policy and trade.*"[101] In the same year, the European commission has, in its Communication on Conflict Prevention, reaffirmed that development cooperation provides one of the most powerful instruments available to the EU for treating root causes of conflict over the longer term.

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[97] *Joint declaration issued at the British-French Summit*, Saint Malo, France, 3-4th December 1998. Accessed 15th August 2015. http://www.consilium.europa.eu/uedocs/cmsUpload/French-British%20Summit%20Declaration,%201998%20-%20EN.pdf

[98] *Cologne European Council, Conclusions of the Presidency*, 1999. Accessed 11 August 2015. http://www.europarl.europa.eu/summits/kol2_en.htm#an3

[99] Jan Wouters and Frederik Naert, "The EU and conflict prevention: a brief historic overview", in: *The European Union and Conflict Prevention: policy and legal aspects,* eds. Vincent Kronenberger and Jan Wouters (Haag: TMS Asser Press, 2004).

[100] Jan Wouters and Frederik Naert, "The EU and conflict prevention: a brief historic overview", in: *The European Union and Conflict Prevention: policy and legal aspects,* eds. Vincent Kronenberger and Jan Wouters (Haag: TMS Asser Press, 2004), 35-38.

[101] *EU Programme for the Prevention of Violent Conflicts*, adopted by the European Council in Gothenburg, 2001. Accessed 20 August 2015. http://eplo.org/assets/files/3.%20Resources/EU%20Documents/EU_EU_Programme_for_the_Prevention_of_Violent_Conflicts.pdf

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The EU programme for the prevention of violent conflicts (Gothenburg programme), adopted in 2001, set conflict prevention as one of the main objectives of the Union's external relations.

In this document, the Commission divided the EU instruments between a long-term perspective for 'projecting stability' and a short-term one for 'reacting quickly to nascent conflicts'. This was also a first attempt to clarify this concept from a holistic approach, considering that the EU should 'address cross-cutting issues, which may contribute to tensions and conflict'. This Communication, as argued by Keukeleire and MacNaughtan, contributed in terms of agenda setting, and putting "external policy" actions in a clear strategic foreign policy perspective.[102]

Some concrete actions of capability building aimed at providing the EU with the instruments for effective conflict prevention and crisis management followed the political and normative commitments. In 2001, the **Rapid Reaction Mechanism** (RRM) was established. This was also an attempt of the EU to address various criticisms of being too reactive, and less proactive as a conflict prevention actor in global affairs. The RRM was '*designed to allow the Community to respond in a rapid, efficient and flexible manner, to situations of urgency or crisis or to the emergence of crisis.*'[103] The RRM offered relative autonomy to the Commission even if its room for manoeuvre was clearly delimited by the member states. The external assistance instrument had a limited annual budget of only 30 million EUR, which could be used only for operation of up to six months. Furthermore, the mechanism did not include EU humanitarian aid which has been traditionally conceived as a neutral assistance tool rather than a crisis management instrument. Despite certain constraints, the mechanism gave an important degree of flexibility to the Commission, as it made it equipped with a real conflict prevention and crisis management instrument without any sectorial or geographical limitation.[104]

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[102] Keukeleire, Stephan and MacNaughtan, Jennifer, *The Foreign Policy of the European Union* (New York: Palgrave Macmillan, 2008), 90.

[103] Council Regulation (EC) No 381/2001 of 26 February 2001 creating a rapid-reaction mechanism, *Official Journal L 057.* Accessed 19 August 2015. http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32001R0381

[104] Lavallée, Chantal, »From the Rapid Reaction Mechanism to the Instrument for Stability: The Empowerment of the European Commission in Crisis Response and Conflict Prevention, *Journal of Contemporary European Research* 2013 (3), 376. Council Regulation (EC) No 381/2001 of 26 February 2001 creating a rapid-reaction mechanism, *Official Journal L 057.* Accessed on 19th August 2015, http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex:32001R0381.

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Around 50 projects in 25 countries and regions amounting roughly 120 million EUR were streamlined through the RRM.[105] The RRM was undoubtedly a step forward in EU's conflict prevention and crisis management activities, but it suffered from many constraints. As argued by Lavalée, it was unable to ensure the long between short-term crisis response and long-term development assistance. This was a serious deficiency, as the theory of conflict prevention vocally maintains that long-term assistance is needed in volatile regions or countries, if the root causes of conflicts were to be addressed.[106]

With the RRM in place, and more than a decade long debate what are the most imminent threats the EU is facing, the EU adopted *The European Security Strategy* (ESS) in 2003.[107] With this document, the EU has committed itself to using a wide range of instruments to prevent violent conflicts – conflict prevention remained at the heart of the strategy. After its adoption the sceptics were afraid that the Member States 'will pay increasing attention to developing military aspects of the Common Foreign and Security Policy, rather than civilian, and preventive responses, without which, military engagement is counter-productive', were not right.

The ESS made the causal and direct link between 'new threats' (terrorism, weapons of mass destruction, state failure, organized crime) and the 'older' problems of regional conflicts. Furthermore, a human security approach was prioritized; national security problems were not the only problems of 'security' anymore, as the ESS paid much greater attention to the security of individual. In this regard, the strategy linked security closely with the development, noting that 'security is a precondition for development'.[108] Early action was again emphasised, as well as the need to address the challenges arising from conventional weapons. Working together with other actors engaged in conflict prevention (multilateral diplomacy) was strongly advocated. The need for assisting the weak and failing states was clearly emphasised in the strategy, as well as were the regional approaches to building peace.[109]

[105] Keukeleire, Stephan and MacNaughtan, Jennifer, *The Foreign Policy of the European Union* (New York: Palgrave Macmillan, 2008), 221.

[106] Lavallée, Chantal, »From the Rapid Reaction Mechanism to the Instrument for Stability: The Empowerment of the European Commission in Crisis Response and Conflict Prevention, *Journal of Contemporary European Research* 2013 (3).

[107] *A secure Europe in a better world: European Security Strategy*, adopted on 12th September 2013, Brussels. Accessed 13 August 2015. http://www.consilium.europa.eu/uedocs/cmsupload/78367.pdf

[108] *Ibid.*

[109] International Alert and Saferworld, *The EU Security Strategy: implications for EU conflict prevention.* Accessed 11 August 2015. http://www.international-alert.org/sites/default/files/publications/EU_Security_Strategy.pdf

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Figure 5: Conflict prevention in the European Security Strategy

Due to the imperfections of the then-conflict prevention performance of the EU, which were exposed also by certain lessons-learned within the first ESDP missions, the Commission took the opportunity to reorganise the assistance and cooperation programmes, and for that reason proposed a new instrument, the **Instrument for Stability** (IfS), which entered into force in 2007.[110] The IfS was a substantial improvement to the Rapid Reaction Mechanism. The EC was given more resources, better control over the budget, the linkage between short- and long-term conflict prevention was better elaborated, and the duration of the projects became more flexible.[111] Overall, the room for manoeuvre was greater due to the flexibility and faster reaction times. Although some deficiencies were ingrained in the IfS since its birth, many scholars argue that the IfS measures adopted since 2007 reinforced the EU's comprehensive approach towards conflict prevention and peace-building, and have positioned the Commission more strategically in EU security governance.[112]

3.4 Conflict prevention after the Lisbon Treaty

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[110] Lavallée, Chantal, »From the Rapid Reaction Mechanism to the Instrument for Stability: The Empowerment of the European Commission in Crisis Response and Conflict Prevention, *Journal of Contemporary European Research* 2013 (3), 377.

[111] Regulation (EC) No 1717/2006 of the European Parliament and of the Council of 15 November 2006 establishing an Instrument for Stability. Accessed 19 August 2015. http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2006.327.01.0001.01.ENG

[112] Lavallée, Chantal, »From the Rapid Reaction Mechanism to the Instrument for Stability: The Empowerment of the European Commission in Crisis Response and Conflict Prevention, *Journal of Contemporary European Research* 2013 (3), 377.

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The Lisbon Treaty placed conflict prevention formally to the EU institutions as part of the Petersberg Tasks, referring to the earlier tasks inherited from the Western European Union in the Amsterdam Treaty. Policy of conflict prevention is further integrated into the CSDP and is also referred to in the context of permanent structural cooperation. With an ambitious goal of 'eradication of poverty and the protection of human rights,' the profile of conflict prevention in the EU's external action was further strengthened.

From institutional viewpoint, it became clearer with the Lisbon Treaty who the 'people' responsible for the implementation of conflict prevention are: the president of the European Council and the High Representative for Foreign Affairs and Security Policy got the primary responsibility in this regard. The establishment of the European External Action Service (EEAS), which assists the High Representative, is of particular significance, particularly because – according to the treaty – it aims at bringing together different bodies/agencies dealing with conflict prevention issues in the Commission and the Council Secretariat.

As rightly emphasised by Duke, the greater involvement of national diplomats on temporary assignment with the EEAS could provide a better linkage between the nation capitals and the Brussels.[113] The EEAS, consisting of the experts of all member states, has increased the synergies among the EU's external instruments, moving further towards a strongly integrated approach in crisis response and conflict prevention. As pointed out by Lavalée, it was necessary for DG RELEX to get integrated into the structure of the EEAS (in the geographical departments).[114] Another issue pointed out by Boin and colleagues has to do with the rivalry between the Commission and the Council; both the Commission's Crisis room and the Council's Situation Centre been included in EEAS to increase coherence and complementarity of information.[115]

The capabilities (instruments) of the EU's conflict prevention, particularly what were the improvements of deploying conflict prevention instruments in place, should also be explored, particularly from the aspect of often troubled financing and speediness of the decision-making process. The EU has recently made another step forward in this regard. In 2014, with the regulation of the European Parliament and the Council of the European Union a remodelled instrument was established, named ***Instrument contributing to Stability and Peace*** (IcSP),

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[113] Simon Duke, The EU and Conflict Prevention: a ten year assessment, *Essay Series 2* (Maastricht: FriEnt, 2001), 3-4. Accessed 22 August 2015.
https://www.frient.de/index.php?id=82&type=0&juSecure=1&locationData=82%3Atx_dam%3A3945&juHash=9bf48e3165e049fda322cd22f24f81b62ddd16b3
[114] Lavallée, Chantal, »From the Rapid Reaction Mechanism to the Instrument for Stability: The Empowerment of the European Commission in Crisis Response and Conflict Prevention, *Journal of Contemporary European Research* 2013 (3), 382.
[115] Boin, Arjen, Magnus Ekengren and Mark Rhinard, »The Commission and Crisis Management«, in David Spence and Geoffrey Edwards (eds.): *The European Commission* (London: John Harper Publishing, 2006), 490.

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which succeeded the Instrument for Stability (IfS).[116] The crisis response component of the Instrument has broadened, with an increased focus on conflict prevention. The management of the IcSP is now shared between the EEAS and the Commission under the authority of the High Representative.[117]

The IcSP has by far the highest budget so far, €2.3 billion for 2014–2020. In 2015, 292 projects in 80 countries throughout the world were funded by this instrument.[118] The priority areas, defined in the Strategy Paper 2014-2020 and Multi-Annual Indicative Programme 2014–2017, were clearly showing that the EU by no means relinquishes from its more than a decade long policy of addressing conflicts in a comprehensive and long-term (structural) manner:

- "Promoting early warning and conflict-sensitive risk analysis in policy making and implementation;
- Facilitating and building capacity in confidence-building, mediation, dialogue and reconciliation, with particular regard to emerging inter-community tensions;
- Strengthening capacities for participation and deployment in civilian stabilization missions;
- Improving post-conflict recovery, as well as post-disaster recovery with imminent threats to the political and security situation;
- Assistance to curb use of natural resources to finance conflicts and to support compliance by stakeholders with initiative."[119]

What does it mean in practice? Before the EEAS was created, the elaboration of the IfS process involved mainly CSDP actors (the Council and its structures). With the EEAS, daily contacts between the relevant stakeholders became more frequent and better coordinated, as they are physically located in the same building. From human resource perspective, the coordination and the coherence of work is better, as many experts who have been working on conflict prevention and crisis management moved from DG RELEX to EEAS.[120]

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[116] *Regulation (EU) No 230/2014 of the European Parliament and of the Council of 11 March 2014 establishing an instrument contributing to stability and peace.* Accessed 20 August, http://ec.europa.eu/dgs/fpi/documents/140311_icsp_reg_230_2014_en.pdf

[117] Council Decision of 26 July 2010 Establishing the Organisation and Functioning of the European External Action Service. *Official Journal of European Union*, 2010/427/U, 3 August 2010. Accessed 30 July 2015. http://www.eeas.europa.eu/background/docs/eeas_decision_en.pdf

[118] European Commission, *IcSP Map*. Accessed 21 August 2015. http://www.insightonconflict.org/icsp/

[119] Commission implementing decision of 27.5.2015 on the Annual Action Programme 2015 for the Instrument contributing to Stability and Peace. Accessed 18 August 2015. http://ec.europa.eu/dgs/fpi/documents/20150601_2015_aap_icsp_article_4_en.pdf

[120] Lavallée, Chantal, »From the Rapid Reaction Mechanism to the Instrument for Stability: The Empowerment of the European Commission in Crisis Response and Conflict Prevention, *Journal of Contemporary European Research* 2013 (3).

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3.5 Conclusion

In the last six decades, and especially after the end of the Cold War, the European "peace process" gained other dimensions and ambitions. Today, there are very few regions of the world, in which the EU does not play a role, often working alongside other international organizations, non-governmental organizations and other actors of international relations. Looking back over a good decade of the EU's Gothenburg Programme and conflict prevention, the EU has had both evident successes and complete failures. The Gothenburg programme adopted in 2001 has raised awareness on the importance of conflict prevention not only in the Brussels-based institutions, but also in the member states, and has also triggered necessary actions for conflict prevention to be efficient.

The conclusions from Gothenburg have also been bolstered by other policy documents, most importantly within the European Security Strategy (2003), the European Neighbourhood Policy (2003), the European Consensus on Development, the EC communication on security and development and some other documents.[121] A clear line connecting all the documents undoubtedly shows the EU's commitment to conflict prevention and crisis management, and *an ambition to develop capabilities for operational and structural conflict prevention* (humanitarian assistance, development aid, economic incentives, trade relations …). A decade and a half after Gothenburg, the structural conflict prevention is still perceived by far less problematic for member states (as actors with a final say, although it does not mean they are eager to provide financial support for it), as it encompasses the actions, which, comparing to more decisive and often disputed military operations, enjoy significantly higher approval of the European audience. This does not come as a surprise, and the EU and its citizens are not a special case: sending humanitarian and development aid has always been less politically sensitive compared to "putting boots on the ground".

Stemming from the theory of conflict prevention elaborated in the 2nd chapter of this report, it is more likely that conflict prevention is successful – meaning that the conflict is averted –, when the action is decisive and multifaceted. Using the terminology of Michael Lund, one of the leading scholars in the field, conflict prevention shall include active/passive, long/short-term, economic/legal/political/military, and internal/external aspects. It cannot be disputed that the EU has adopted such a notion of conflict prevention in its documents.

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[121] Simon Duke, The EU and Conflict Prevention: a ten year assessment, *Essay Series 2* (Maastricht: FriEnt, 2011). Accessed 30 July 2015.
https://www.frient.de/index.php?id=82&type=0&juSecure=1&locationData=82%3Atx_dam%3A3945&juHash=9bf48e3165e049fda322cd22f24f81b62ddd16b3

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Lavallée, referring to the analyses of some other scholars, has pointed out the challenges of inter-institutional coordination concerning EU conflict prevention and civilian crisis management still exist. Many initiatives were proposed to address them, such as common structures, action plans and the civilian headline goals. However, the comprehensive approach is not easy to implement in practice, as there are different visions and understandings of the notion of security, different backgrounds, cultures, and consequently, different priorities and strategies within each institution.[122]

But what has the implementation phase – the last and the only real indicator of conflict prevention of the EU – shown? Duke argues that although driven by the EC, it became evident that conflict prevention then shall also include the instruments that traditionally fall in the 'second pillar' (the CFSP).[123] The expansive nature of conflict prevention has led to concerns on the one hand that it is too all-enveloping, and is thus difficult to implement on a coherent basis, and on the other, it has also met criticism for not being expansive enough, most notably when it comes to gender sensitivity and awareness. For this reason, IcSP as an improved mechanism has been established in 2014 in order to reinforce the link between the short-term and long-term perspectives and to work across all phases of the conflict cycle (conflict prevention, crisis response, conflict resolution, post-conflict stabilization, and even reconciliation).

It is impossible to say one-sidedly, if the EU is a successful conflict prevention actor or not. It does not operate in a vacuum, and there are many causes and permissive conditions triggering violence. Looking at the EU's southern border, which has been under heavy pressure of refugees from Africa and the Middle East, one may rightly say the EU is impotent. There are various conflict prevention and crisis management activities in several regions or countries, from where the refugees come from. Has the EU done enough in this regard? What is (not) enough has always been a political answer. And there are certain areas in the EU's immediate neighbourhood, which are not accessible neither to the EU's experts, development aid and humanitarian workers, nor anyone else with the goals of humanitarianism, despite the fact the structural and operational conflict prevention of not only the EU, but all other actors contributing to conflict prevention – international organizations, non-governmental organizations, educational institutions etc. – should be done *there*, if the EU is serious in contributing to the stability in the world.

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[122] Chantal Lavallée. »From the Rapid Reaction Mechanism to the Instrument for Stability: The Empowerment of the European Commission in Crisis Response and Conflict Prevention, *Journal of Contemporary European Research* 2013 (3), 381.
[123] *Ibid.*

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4   EU INSTITUTIONS AND INSTRUMENTS FOR CONFLICT PREVENTION[124]

The European Union (EU) has repeatedly expressed its concern for long-term conflict prevention as well as short-term stabilisation to ensure comprehensive security measures, more effective Security Sector Reforms (SSR) and increased synergy between civil and military crisis management policies, reflecting what the Union considers important in relation to on-going as well as future security threats and needs. This may be the ambition, but is it reflected in the EU institutions and instruments for conflict prevention? Ever since the Gothenburg programme for conflict prevention was launched in 2001, the EU has sought to develop such structures. The most important structural innovations were institutionalised in the Lisbon Treaty.[125]

'The innovations introduced by the Lisbon Treaty are now being severely tested. The main objective of the changes was to increase the effectiveness and the impact of EU actions. In the field of security, the new framework was intended to make it easier for senior EU management to develop and apply the available instruments to identified common problems in a coherent manner. This would include actions that link resources from different EU institutions and actions taken in cooperation with the national efforts of Member States.'[126]

Considering current challenges Chapter Four of Deliverable 1.1. takes stock of structural capabilities related directly to EU conflict prevention. It identifies the EU institutions and instruments that are most relevant – by mandate and/or activity – to conflict prevention. The focus is on joint EU structures rather than those of individual Member States.

The rationale behind this chapter is to provide IECEU researchers and end-users with a thorough review of up-to-date information regarding the institutions and instruments that make up EU structural capabilities for conflict prevention. As the project aims to improve such structures, it is necessary for its researchers to share as their starting point this stock-take of the Union's current capabilities, when assessing its strengths as well as its weaknesses, exploring potential pitfalls and possible improvements.

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[124] This chapter was written by Annemarie Peen Rodt with research assistance from Jonas Loholm Hamann and Johannes Tvilling.

[125] European Council, 2003. A Secure Europe in a Better World: European Security Strategy. 12 December, Brussels. http://www.consilium.europa.eu/uedocs/cmsUpload/78367.pdf; European Council, 2008. Report of the Implementation of the European Security Strategy: Providing Security in a Changing World. 11 December, Brussels. http://www.consilium.europa.eu/ueDocs/cms_Data/docs/pressdata/EN/reports/104630.pdf; European Parliament, 2015. Towards a New European Strategy? Assessing the Impact of Changes in the Global Security Environment. Directorate-General for External Policies – Policy Department. http://www.europarl.europa.eu/RegData/etudes/STUD/2015/534989/EXPO_STU(2015)534989_EN.pdf.

[126] European Parliament, 2015. Towards a New European Strategy? Assessing the Impact of Changes in the Global Security Environment. Directorate-General for External Policies – Policy Department. http://www.europarl.europa.eu/RegData/etudes/STUD/2015/534989/EXPO_STU(2015)534989_EN.pdf, p.5.

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The chapter provides a platform for subsequent enquiries – within and beyond this project – which seek to improve institutional and instrumental effectiveness in EU conflict prevention.[127] It sorts and synthesises up-to-date information and develops a go-to-guide, where EU institutions and instruments, including corresponding abbreviations and terminology, are not simply listed as in various handbooks on the subject but considered in relation to each other. This allows for informed enquires into what such structures can (be expected to) achieve and where they can be improved.[128]

The chapter reflects the Union's structural logic. The initial section, which asks which EU institutions handle conflict prevention directly, first explores intergovernmental bodies and then Community structures. In the second section, key instruments available to the Union in seeking to prevent (potential) conflict situations are identified. In the third and final section, both reviews of EU institutions and instruments are brought together in an indicative gap analysis of the Union's current capabilities for conflict prevention. This provides readers with a map of how EU frameworks, policy priorities, statements, goals and terminology have developed and shaped the institutions and instruments – including civilian and military components – by which the EU and its advocates hope to pool and share resources, enhance structural synergies and develop new as well as better approaches for future needs. In this way, the chapter helps define in greater detail the empirical scope of this research project, which seeks to 'Improve the Effectiveness of Capabilities in EU Conflict Prevention'.

4.1   EU institutions directly relevant for conflict prevention

The first section of Chapter Four maps out the EU institutions that (are intended to) handle conflict prevention issues directly. Reflecting the principles of inter-governmentality and unanimity, which still govern most of the Union's activities in the realm of security and defence, EU intergovernmental bodies are explored first, after which the Community structures are reviewed.

4.1.1   EUROPEAN COUNCIL

The European Council, i.e. the Heads of State and Government of the EU Member States, decides the direction of the Union and therefore the framework for its Common Foreign and Security Policy

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[127] Deliverable 1.4 discusses 'effectiveness', how to identify and achieve it in EU conflict prevention.

[128] This relates directly to the internal success factors for effectiveness in EU conflict prevention, discussed in Deliverable 1.4.

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(CFSP) and Common Security and Defence Policy (CSDP). Decisions are taken by unanimity, so that all Member States have to agree – or at least not formally disagree – on any one decision.[129]

4.1.2 COUNCIL OF THE EUROPEAN UNION AND THE FOREIGN AFFAIRS COUNCIL

The Council of the European Union – often simply referred to as 'the Council' – acts on the overall guidelines given by the European Council. It is composed of Member State ministers; which ministers are present depends on the matters at hand. Most directly relevant to conflict prevention in third countries is the Council composition known as the Foreign Affairs Council (FAC). It consists of Member State ministers of foreign affairs, development and defence. The Council decides the overall goals and direction for the CFSP and CSDP.[130]

The Council is supported by a series of specialised working parties and committees known as preparatory/advisory bodies. In aspects concerning operational conflict prevention and the CSDP, the Council is supported by: the Political and Security Committee (PSC), the European Union Military Committee (EUMC), the Politico-Military Group (PMG), the Committee for Civilian Aspects of Crisis Management (CIVCOM), the Working Party of Foreign Relations Counsellors (RELEX) and the thematic and regional working groups. These structures are discussed in further detail and relation to each other below.

4.1.3 POLITICAL AND SECURITY COMMITTEE

Under the authority of the Council, the PSC is the key preparatory body in defining and evaluating the EU's response to crises[131]. The European Council in Nice (2000) established the PSC, which is composed of one ambassador from each Member State, a representative from the European Union Military Committee, a permanent representative from the Commission and a representative from the Secretariat of the Council. Overall, the PSC's mandate, which is set out in article 38 of the TEU, is to monitor the general international situation and to provide recommendations and opinions

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[129] Because of a national opt-out, stemming back from the Maastricht Treaty, Denmark does not partake in decision-making, funding, instruments or activities related directly to defence cooperation. Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In Handbook on CSDP Missions and Operations, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[130] Council of the European Union. 2015d. "The Council of the European Union." http://www.consilium.europa.eu/en/council-eu/.

[131] Council of the European Union. 2001b. EU Council Decision of 22 January 2001 Setting up the Political and Security Committee (2001/78/CFSP). Official Journal of the European Communities. Vol. 1.

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thereof for the Council. Furthermore, it can take 'the relevant decisions concerning the political control and strategic direction' of a CSDP mission/operation', when authorised to do so[132].

The PSC's main functions are to:
- Track the international situation relating to CFSP and help draw up opinions for the Council
- Provide guidelines for other committees falling under the CFSP and the PSC
- Send guidelines to and receive opinions/recommendations from EUMC, CIVCOM and PMG
- Coordinate and supervise discussions within working parties relating to CFSP
- Suggest political objectives and cohesive set of options to the Council in response to crises[133]

The PSC is chaired by a representative of the European External Action Service (EEAS). The PSC has three advisory bodies: the European Union Military Committee, the Politico-Military Group and the Committee for Civilian Aspects of Crisis Management. These bodies are generally responsible for providing advice and recommendations to the PSC in relation to the CSDP, while guidelines and instructions stream downwards to them from the PSC.

4.1.4 EUROPEAN UNION MILITARY COMMITTEE

The European Union Military Committee is the highest-ranking military institution within the Council structures[134]. The European Council in Nice (2000) established the EUMC to strengthen the CFSP and especially the then European Security and Defence Policy (ESDP), which since the Lisbon Treaty has been known as the CSDP. The Committee is composed of the Member States' chiefs of defence, represented by their military representatives (Milreps), who meet when necessary. Their main task is to give military advice and recommendations to the PSC and guide the European Union Military Staff (EUMS)[135].

The main functions of the EUMC are to:
- Provide a forum for military consultation and cooperation between Member States
- Provide military advice and recommendations to the PSC with regard to crisis management, political control and strategic direction, risk assessment and military relationships with non- members of the European Union

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[132] European Union. 2009. *Consolidated Version of the Treaty on European Union. Official Journal of the European Union.*

[133] Council of the European Union. 2001b. *EU Council Decision of 22 January 2001 Setting up the Political and Security Committee (2001/78/CFSP). Official Journal of the European Communities.* Vol. 1.

[134] Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[135] Council of the European Union. 2001a. *EU Council Decision of 22 January 2001 Setting up the Military Committee of the European Union (2001/79/CFSP). Official Journal of the European Communities.*

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- Provide evaluations of strategic military options developed by EUMS
- Monitor military operations under the responsibility of the Operation Commander
- Advise the PSC on termination of a CSDP military operation[136]

The chair of the EUMC is appointed by the Council and serves as the main contact point for the EU operations commanders[137].

4.1.5 POLITICO-MILITARY GROUP

The Politico-Military Group is second of the three preparatory and advisory bodies for the PSC. It too is composed of Member State representatives. Besides preparing Council conclusions, the PMG provides recommendations for the PSC concerning political aspects of EU military and civil-military activities[138]. The body is also responsible for partnerships with non-EU states and international organisations such as the North Atlantic Treaty Organisation (NATO)[139].

The main functions of the PMG are to[140]:
- Prepare Council conclusions and recommendations for the PSC and monitor the effectiveness of their implementation
- Contribute to the development of horizontal policy and facilitate the exchange of information

An EEAS representative chairs the PMG[141].

4.1.6 . COMMITTEE FOR CIVILIAN ASPECTS OF CRISIS MANAGEMENT

CIVCOM too was established in 2000 and is composed of representatives from the Member States. It provides recommendations and advice to the PSC concerning civilian issues of crisis management. Furthermore, it prepares documents for EU missions, ensures the strategic

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[136] Council of the European Union. 2001a. *EU Council Decision of 22 January 2001 Setting up the Military Committee of the European Union (2001/79/CFSP). Official Journal of the European Communities.*

[137] Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[138] Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[139] European External Action Service. 2015a. "Structure, Instruments and Agencies." http://eeas.europa.eu/csdp/structures-instruments-agencies/index_en.htm.

[140] Council of the European Union. 2015b. "Politico-Military Group (PMG)." http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/politico-military-group/.

[141] European External Action Service. 2015a. "Structure, Instruments and Agencies." http://eeas.europa.eu/csdp/structures-instruments-agencies/index_en.htm.

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development of civilian crisis management and promotes recommendations in civilian crisis response capabilities[142].

The main functions of CIVCOM are to:
- Prepare planning documents for new civilian missions
- Provide recommendations for the PSC
- Develop strategies for civilian crisis management and civilian capabilities[143]

An EEAS representative chairs CIVCOM[144].

4.1.7 WORKING PARTY OF FOREIGN RELATIONS COUNSELLORS

The Working Party of Foreign Relations Counsellors is an administrative institution composed of Member State experts, which is responsible for legal, budgetary and financial issues of CFSP/CSDP. Its primary function is to provide the Council with decision proposals. Once the Council has agreed to act, the Working Party prepares its decision including financial and budgetary aspects related to missions and operations[145]. On this matter, it collaborates with the Commission's Foreign Policy Instrument (FPI)[146]. Since 2004 the RELEX Working Party has been active in the use of EU sanctions, where it provides information on best practises and guidelines on how best to implement these[147]. A representative of the rotating presidency chairs the RELEX Working Party.[148]

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[142] Council of the European Union. 2015a. "Committee for Civilian Aspects of Crisis Management (CivCom)." http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/committee-civilian-aspects-crisis-management/.

[143] Council of the European Union. 2015a. "Committee for Civilian Aspects of Crisis Management (CivCom)." http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/committee-civilian-aspects-crisis-management/.

[144] Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[145] Mattelaer, Alexander. 2013. "Decision Making in the Field of CSDP." In *Handbook on CSDP: The Common Security and Defence Policy of the European Union*, edited by Jochen Rehrl and Hans-Bernhard Weisserth. . Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[146] Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[147] Council of the European Union. 2015c. "Working Party of Foreign Relations Counsellors (RELEX)." http://www.consilium.europa.eu/en/council-eu/preparatory-bodies/working-party-foreign-relations-counsellors/.

[148] Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

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4.1.8 THEMATIC AND REGIONAL WORKING PARTIES

The thematic and regional working parties, which also consist of experts from the Member States, assist the Council by examining legislative proposals from the Commission in their respective thematic or geographic fields of expertise. In this regard, the working parties function as preparatory bodies for the Council in decisions concerning conflict prevention. A representative of the High Representative of the Union for Foreign Affairs and Security Policy/Vice-president of the Commission (HR/VP) chairs most of the thematic and regional groups but some are chaired by the rotating presidency[149]. In sum, and as illustrated in Figure 6, the PSC constitutes the main coordinating body of the Council structures relating to the CFSP/CSDP. Three preparatory bodies, EUMC, PMG and CIVCOM, assist the PSC in preparing Council decisions, whilst the RELEX, regional and thematic working groups assists the PSC in administrative aspects. In broad terms, information and recommendations stream upwards from the EUMC, PMG, CIVCOM, and the RELEX, thematic and regional working groups, whilst guidelines and instructions stream downwards from the PSC, which receives overall direction from the European Council and more specific guidelines related to foreign, security and defence policy-related matters from the Council, and in particular the FAC constellation thereof. The arrows between EUMC, PMG and CIVCOM in Figure X indicate cooperation between the three bodies. Especially the PSC but to some extent also the other organs are concerned at the politico-strategic level with CSDP missions/operations.

Figure 6: Council structures related to and relevant for conflict prevention

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[149] Council of the European Union. 2013a. *5581/13 - List of Council Preparatory Bodies*.

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4.1.9   EUROPEAN EXTERNAL ACTION SERVICE

The 2009 Lisbon Treaty established the European External Action Service, which was formally launched in 2010. Its main objective was to create a coherent, consistent and effective European Union, particularly in relation to third parties – and amongst these conflicting parties. The double-hatted High Representative of the Union/Vice-president of the Commission represents the EEAS - and hereby the EU - in Foreign Affairs and Security Policy and is responsible for the CSDP structures within it[150]. Altogether, the EEAS has 3417 staff divided between headquarter and EU-delegations[151].

The EEAS has a number of planning and expert bodies directly relevant for conflict prevention. They include the Crisis Management and Planning Directorate (CMPD), the EU Military Staff (EUMS) and the Civilian Planning and Conduct Capability (CPCC). In addition to these, the EEAS is composed of various other bodies of relevance, herein: the Crisis Response and Operational Coordination Department (CROC), the geographical, multilateral and global EEAS managing directorates, the Security Policy and Conflict Prevention Directorate (DIR K), the EU Intelligence Analysis Centre (INTCEN) and the EU Operation Centre (OPCEN)[152]. These and the relationships between them are discussed in greater detail below.

4.1.10 CRISIS MANAGEMENT AND PLANNING DIRECTORATE

CMPD was created in 2009. As part of the EU's 'Comprehensive Approach' (CA), it seeks to ensure coherence and effectiveness in the EU's missions and operations. CMPD employs 74 people (2015). The Directorate is under the political control and strategic direction of the PSC and is acting under the responsibility of the HR/VP and the Council. [153]
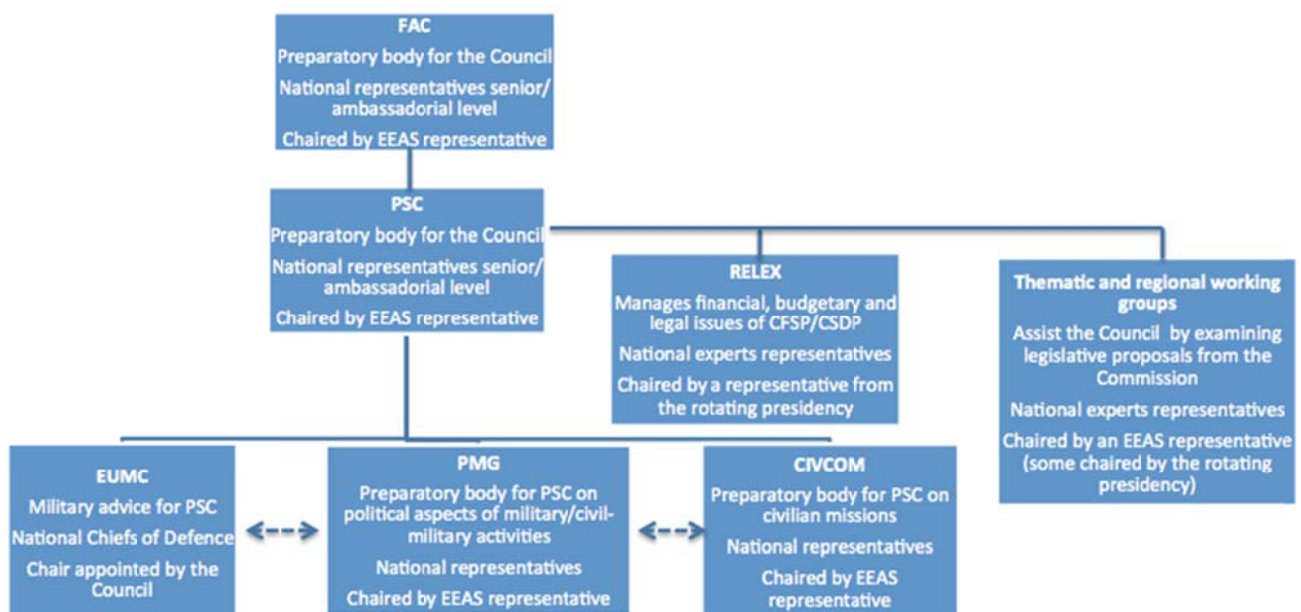
The main functions of the CMPD are:

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[150] Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.
[151] European External Action Service. 2013. "EEAS Review:" 19. http://eeas.europa.eu/library/publications/2013/3/2013_eeas_review_en.pdf.

[152] Rehrl, Jochen, and Galia Glume. 2015. "Cooperation and Coordination." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.
[153] European External Action Service. 2015h. "Crisis Management and Planning Directorate (CMPD)." http://eeas.europa.eu/csdp/structures-instruments-agencies/cmpd/index_en.htm.

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●   Strategic planning of CSDP missions and operations. The planning covers both civilian and military means. In a given crisis situation it proposes a Crisis Management Concept to the Council.

●   Strategic review of existing CSDP missions and operations. CMPD examines the mandate and how a mission/operation has achieved its set goals. Special attention is given to the effectiveness of the mission/operation and its coherence in regards to other EU instruments.[154]

●   Develop CSDP partnerships. CMPD is mandated to develop partnerships with other parties, be they international organisations (e.g. NATO, African Union - AU) or third states.

●   Develop supportive CSDP policies, concepts, capabilities, trainings and exercises. CMPD has the mandate to initiate further development of civilian and military capabilities and coordinate actions to achieve this. In light of the Comprehensive Approach, it aims to find interactions between post-conflict reconstruction and conflict prevention.

●   Conduct exercises and develop CSDP trainings. Through training in CSDP, CMPD aims to create a EU security culture.[155]

4.1.11 EU MILITARY STAFF

The EU Military Staff works under the EU Military Committee and the authority of the HR/VP. EUMS was formally established in 2001, as agreed in the Treaty of Nice (2000), and is composed of military experts from EU Member States[156]. It currently employs 219 people (2015). As part of the Comprehensive Approach, it seeks to provide military expertise where it is needed within the EEAS, coordinate military instruments concerning CSDP operations/missions and create further military capabilities[157].

The main functions of the EUMS are to:
●   Coordinate the military component of the Comprehensive Approach
●   Consult EUMC in conflict/crisis prevention, response and management (e.g. in EU military operations such as peacekeeping)
●   Provide military expertise in situation assessments, strategic planning, training and education
●   Support partnerships through military-military relationships[158]

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[154] This is what Deliverable 1.4. refers to as internal effectiveness (goal attainment and appropriateness).
[155] European External Action Service. 2015h. "Crisis Management and Planning Directorate (CMPD)." http://eeas.europa.eu/csdp/structures-instruments-agencies/cmpd/index_en.htm.
[156] Council of the European Union. 2000. "Presidency Conclusions Nice European Council Meeting 7, 8 and 9 December 2000" (December 2000).
[157] European External Action Service. 2015c. *EU Military Staff (EUMS)*.
[158] European External Action Service. 2015c. *EU Military Staff (EUMS)*.

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EUMS is led by the Director General, assisted by the Deputy Director General and Chief of Staff[159].

4.1.12 CIVILIAN PLANNING AND CONDUCT CAPABILITY

The CPCC was established in 2005 to strengthen the EU's so-called 'crisis management structure'. It has 60 staff in Brussels, who consist of EEAS officials and seconded experts from Member States[160]. It is under the political direction and strategic control of the PSC and the overall authority of the HR/VP. It provides assistance and advice to the HR/VP and relevant EU Council bodies[161]. The CPCC is mandated to plan, deploy, conduct and review civilian missions concerning the CSDP in crisis prevention[162].

The main functions of CPCC are to:
- Provide crisis management input concerning civilian CSDP missions
- Identify human, material and financial resources necessary for CSDP missions
- Collaborate with the Commission on financial issues regarding each mission
- Prepare directives, orders and instructions for the Civilian Operations Commander
- Monitor and evaluate civilian CSDP missions[163]

4.1.13 CRISIS RESPONSE AND OPERATIONAL COORDINATION DEPARTMENT

CROC is mandated to activate and harmonise EU crisis response activities. It is to mobilise actors and instruments across the EU system and ensure coherence in the Union's actions[164].

CROC is composed of three divisions:
- The *Crisis Response Planning and Operations Division* is engaged in the overall planning and organisation of crisis related activities, including preparedness, monitoring and response. It organises meetings within the Crisis Platform, which serves as the central coordination tool for crisis response and gathers all relevant stakeholders from the EEAS and the Commission.

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[159] European External Action Service. 2015b. "Organisations." http://eeas.europa.eu/csdp/structures-instruments-agencies/eu-military-staff/organization/index_en.htm.

[160] Council of the European Union. 2008. "ESDP Newsletter" (July). http://eeas.europa.eu/csdp/documents/pdf/pages24-25-ceu8003esdp6final_vers_en.pdf; European External Action Service. 2011. *The Civilian Planning Conduct Capability. CPCC.* Vol. 04.

[161] European External Action Service. 2015d. "Civilian Planning and Conduct Capability (CPCC)." http://eeas.europa.eu/csdp/structures-instruments-agencies/cpcc/index_en.htm.

[162] European External Action Service. 2011. *The Civilian Planning Conduct Capability. CPCC.* Vol. 04.

[163] European External Action Service. 2011. *The Civilian Planning Conduct Capability. CPCC.* Vol. 04.

[164] European External Action Service. 2014. *Crisis Response and Operational Coordination Department.*

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- The *EU Situation Room* is a worldwide and constant monitoring centre and the first point of contact for information regarding a crisis situation. It acts as an EEAS switchboard coordinating communication between relevant parties.
- The *Consular Crisis Management Division* helps Member States and their citizens, if the state does not have a national representative in a given third state during a crisis herein. Normally, consular work is a Member State responsibility.[165]

4.1.14 CRISIS MANAGEMENT BOARD

CMB is, in cooperation with CROC, mandated to establish Crisis Platforms, which are a mechanism tasked with providing strategic guidance in external crisis situations. The Crisis Platform includes relevant EEAS services, Commission services and the Council Secretariat and is chaired by the HR/VP or Executive Secretary General[166].

Other entities relevant for the CDSP and conflict prevention activities within it are: The Geographical, Multilateral and Global Affairs Departments, the Security and Conflict Prevention Directorate, the EU Intelligence Centre and the EU Operation Centre. Each of these is reviewed below.

4.1.15 GEOGRAPHICAL, MULTILATERAL AND GLOBAL AFFAIRS DEPARTMENTS

The Geographical, Multilateral and Global Affairs Departments are divided into eight sub-departments with specific fields of expertise. Each of them is headed by a Managing Director (MD):

- MDR Administration and Finances (363 personnel)
- MD I Asia and the Pacific (85 personnel)
- MD II Africa (83 personnel)
- MD III Europe and Central Asia (107 personnel)
- MD IV North Africa, Middle East, Arabian Peninsula, Iran and Iraq (88 personnel)
- MD V Americas (69 personnel)
- MD VI Global and Multilateral Issues (103 personnel)
- MD VII Crisis Response and Operational Coordination (44 personnel)[167]

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[165] European External Action Service. 2014. *Crisis Response and Operational Coordination Department*.
[166] Council of the European Union, "Council Decision 2010/427/EU of 26" no. July 2010 (2011), http://www.eeas.europa.eu/images/top_stories/2011_eeas_report_cor_+_formatting.pdf.
[167] European External Action Service. 2015j. "European External Action Service Graphic Presentation." http://eeas.europa.eu/background/docs/organisation_en.pdf.

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The Departments report to the HR/VP on matters concerning their respective fields of expertise. Hence, with regard to conflict prevention, the objective of these departments is to provide information concerning the theme or geographical area to decision-making bodies.

4.1.16 SECURITY POLICY AND CONFLICT PREVENTION DIRECTORATE

The Security and Conflict Prevention Directorate also known as Dir. K has 65 personnel and as part of the Comprehensive Approach it is mandated to help prevent conflicts, preserve peace and strengthen international security.

Dir. K's main functions are within:
- Disarmament
- Conflict prevention, peace-building and mediation
- Security
- Sanctions policy[168].

The body functions on an operational basis when managing the EU's Sanction Policy, but is at the same time working strategically when promoting mediation instruments.

4.1.17 EU INTELLIGENCE ANALYSIS CENTRE

INTCEN was established in 2001 under the name, *the EU Situation Centre (SITCEN).* In 2011 it was transferred to the EEAS, where it was renamed INTCEN the year after[169]. The number of staff is close to 70 (2012/13)[170]. INTCEN provides intelligence, information, assessments and briefings to the HR/VP, EEAS, PSC, Member States, other CFSP bodies and Presidents of the Commission and the European Council[171]. This information is based on national contributions from EU Member States. INTCEN collaborates closely with EUMS INT, which provides situation assessments and input to early warning. This collaboration is known as the Single Intelligence Analysis Framework

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[168] Sami, Ilkka. 2014. "The Security Policy and Conflict Prevention Directorate." In *Handbook for Decision Makers*, edited by Jochen Rehrl. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.
[169] European Union Delegation to the United Nations. 2015. "Factsheet on EU Intelligence Analyses Center (INTCEN)." http://eu-un.europa.eu/articles/en/article_16050_en.htm.
[170] High Representative and Vice-President. 2012. "EU Intelligence Analysis Centre (INTCEN) - E-006017/2012." http://www.europarl.europa.eu/sides/getAllAnswers.do?reference=E-2012-006017&language=EN.
[171] European External Action Service. 2015e. "Crisis Response (with Images) · EUintheWorld · Storify." https://storify.com/EUintheWorld/crisis-response.

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(SIAC)[172]. The objective of INTCEN, with regard to conflict prevention, is to provide intelligence regarding (possible) emerging conflicts.

4.1.18 EU OPERATION CENTRE

The function of EU OPCEN is to ensure information sharing between CSDP missions/operations and to increase efficiency and synergy between them[173]. An operation centre was established for the first time in 2012 in the Horn of Africa to promote greater coherence between the three CSDP missions/operations there: Operation Atlanta, the EU Training Mission (EUTM) Somalia and the EU Capacity Building Effort (EUCAP) Nestor[174]. This operation centre was later extended to cover EUTM Mali, EUCAP Sahel Mali and EUCAP Sahel Niger. The operation centre is staffed with 16 personnel from EUMS, CMPD, CPCC, the geographical desks and Member States[175].

EU OPCEN works on an operational basis with regard to conflict prevention. Its existence depends on the Union's conflict engagements.

4.1.19 EU DELEGATIONS

Subsequent to the 2009 Lisbon Treaty, the EEAS was given authority over the EU delegations. The role of the 139 delegations (2015) is to promote EU policies and interests in their host countries[176]. The delegations are not included directly in the chain of command for CSDP operations/missions. However, they are tasked to supply information and assist other EU parties involved in a given host country. EU delegations can also be involved in mediation processes, if needed.

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[172] Kozłowski, Józef, and Jose-Miguel Palacios-Coronel. 2015. "The Single Intelligence Analysis Capacity within the European Union." In *Handbook on CSDP Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[173] European External Action Service. 2015g. *EU OPERATIONS CENTRE Horn of Africa & Sahel (EU OPCEN).*

[174] Council of the European Union. 2013b. *Council DECISION 2013/725/CFSP.* http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2013:329:0039:0040:EN:PDF.

[175] European External Action Service. 2015g. "EU OPERATIONS CENTRE Horn of Africa & Sahel (EU OPCEN)."

[176] European External Action Service. 2015m. "EU Delegations' Websites." http://eeas.europa.eu/delegations/index_en.htm

The EU delegations are in-country to develop and maintain long-term relationships with third parties and can thus contribute to conflict prevention in a more structural manner as well as through assistance to operational conflict prevention.[177]

4.1.20 CFSP AGENCIES

Three support agencies are responsible for specific technical, scientific and management tasks within the CFSP/CSDP. These are: the EU Satellite Centre, the EU Institute for Security Studies (EUISS) and the European Defence Agency (EDA)[178]:

The EU Satellite Centre supports CSDP missions/operations, Member States and external partners with imagery analyses on an operational basis.

The EU Institute for Security Studies was set up to promote a common European security culture, support the elaboration and projection of the Union's foreign policy and enrich strategic debate inside and outside Europe. With regard to conflict prevention it contributes structurally with analyses of foreign, security and defence policy issues[179].

The European Defence Agency provides support for Member States and the Council to improve defence capabilities (e.g. for CSDP operations) at present and in the future. It has four structural functions: developing defence capabilities, promoting defence Research and Technology, promoting armaments cooperation and providing a competitive European Defence Equipment Market, and enhancing the European Defence Technological and Industrial Base[180].

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[177] See above for further discussion of operational and structural conflict prevention.

[178] Rehrl, Jochen. 2015. "Crisis Response System and Management Procedures." In *Handbook Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

[179] European Union Institute for Security Studies. 2015. "About Us." http://www.iss.europa.eu/about-us/.

[180] European Defence Agency. 2015. "Mission." https://www.eda.europa.eu/Aboutus/Whatwedo.

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In sum, the EEAS structures were created to increase collaboration between various bodies dealing with different aspects of CFSP/CSDP, including conflict prevention. In this regard, as Figure X shows, collaboration is intended both across strategic and operational levels as well as between bodies working with different themes and perspectives, such as civilian and military matters. The dotted squares in the figure indicate sharing of information between the working parties, although they still report separately and not as one entity.

Figure 7: EEAS structures related to and relevant for conflict prevention

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4.1.21 EUROPEAN COMMISSION

With the Lisbon Treaty, the Commission lost its right of initiative within CFSP/CSDP; however, it still remains a relevant actor herein. The Commission's place within the EU Comprehensive Approach is in its ability to activate a broad range of services and policy instruments[181]. These illustrate, among other things, the Union's intention to address conflict prevention structurally as well as operationally.

The following Commission bodies are particularly relevant to conflict prevention:
- DG International Cooperation and Development (DG DEVCO/EuropeAid).
- DG European Neighbourhood Policy and Enlargement Negotiations (DG NEAR).
- DG Humanitarian Aid and Civil Protection (DG ECHO).
- Service for the Foreign Policy Instrument (FPI). [182]

Each of these is reviewed in a separate section below.

4.1.22 DIRECTORATE-GENERAL FOR INTERNATIONAL COOPERATION AND DEVELOPMENT

DG DEVCO was established in 2015; however, EU aid policy has existed since the establishment of the European Development Fund (EDF) of the European Economic Community (EEC) in 1957[183]. Today DG DEVCO is mandated to formulate the EU's development strategy, which implies cooperating with developing countries through aid, promotion of economic growth, democracy, environmental sustainability, human rights, rule of law and good governance[184]. Thus, this body has a profound role to play in structural conflict prevention.

DG DEVCO consists of eight directorates divided by region and theme:

- *Directorate A – EU Development Policy*
- *Directorate B – Human Development and Migration*
- *Directorate C – Sustainable Growth and Development*

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[181] Juha Auvinen. 2013. "Role of the European Commission." In *Handbook on CSDP: The Common Security and Defence Policy of the European Union*, edited by Jochen Rehrl and Hans-Bernhard Weisserth. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.
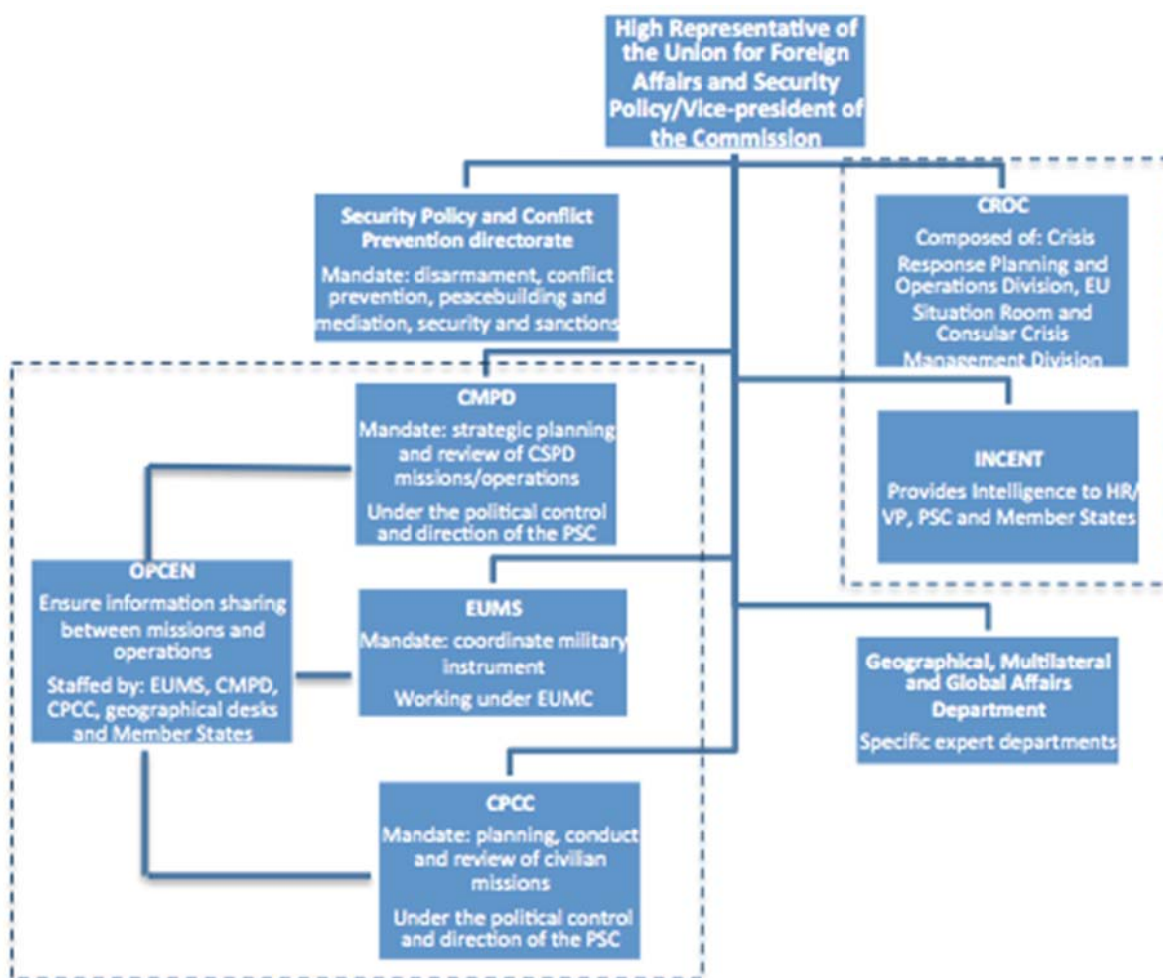[182] European Commission. 2015a. "Structure, Instruments and Agencies." http://eeas.europa.eu/csdp/structures-instruments-agencies/index_en.htm.
[183] European Commission. 2015m. "Historical Overview of EU Cooperation and Aid." https://ec.europa.eu/europeaid/historical-overview-eu-cooperation-and-aid_en.
[184] European Commission. 2015b. "Organisational Structure of DG DEVCO." http://ec.europa.eu/europeaid/node/7316. European Commission. 2015c. "About International Cooperation and Development - DG DEVCO." http://ec.europa.eu/europeaid/node/23.

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- *Directorate D – East and Southern Africa and ACP coordination*
- *Directorate E – West and Central Africa*
- *Directorate G – Latin America and Caribbean*
- *Directorate H – Asia, Central Asia, Middle East/Gulf and Pacific*
- *Directorate R – Resources*

These directorates oversee the implementation of Commission activities within the realm of DG DEVCO. They are assisted by the EU delegations in the field, which are managed by the EEAS[185]. This allows – theoretically at least – for synergy across different EU bodies involved in international cooperation and development, including conflict prevention within this realm.

4.1.23 DIRECTORATE-GENERAL FOR NEIGHBOURHOOD AND ENLARGEMENT NEGOTIATIONS

DG NEAR has approximately 1,600 personnel (2015) and is responsible for the EU's neighbourhood and enlargement policies. It coordinates relations with countries within the European Economic Area (EEA) and the European Free Trade Association (EFTA).

DG NEAR is mandated to support reform and democratic consolidation and strengthen prosperity, stability and security in the EU's neighbourhood. It assists and monitors enlargement processes and manages bilateral relations with candidates and potential candidates to the EU, especially regarding their progress towards adopting relevant areas of the *acquis communautaire*, such as the rule of law, economic governance and public administration reform.

It is also within DG NEAR's competences to manage the EU's financial and technical assistance to the countries included in the Union's neighbourhood and enlargement policies[186]. DG NEAR is thus primarily concerned with structural aspects of conflict prevention. It is not engaged on an operational basis per se.

4.1.24 DIRECTORATE-GENERAL FOR HUMANITARIAN AID AND CIVIL PROTECTION

The overall missions of DG ECHO is to save and preserve lives, prevent and alleviate human suffering and safeguard the integrity and dignity of populations affected by natural disasters and

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[185]   European   Commission.   2015b.   "Organisational   Structure   of   DG   DEVCO."
http://ec.europa.eu/europeaid/node/7316.
[186] European Commission. 2015d. "European Neighbourhood Policy and Enlargement Negotiations - The Directorate General." http://ec.europa.eu/enlargement/about/directorate-general/index_en.htm.

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man-made crises[187]. Hence, DG ECHO functions on an operational basis, providing crisis assistance on the ground.

To meet these goals DG ECHO has three Directorates:

- Directorate A - Strategy, Policy and International Co-operation
- Directorate B - Humanitarian and Civil Protection Operations
- Directorate C - Resources, Partnerships and Operational Support.

The EU Civil Protection Mechanism and the Emergency Response Coordination Centre (ERRC) are both located within DG ECHO to coordinate disaster response and monitor crises inside and outside the EU[188]. All of these bodies within DG ECHO are to provide analyses of existing and forecasting of future issues in a given country or region. In this way, DG ECHO contributes to the development of intervention strategies and policies[189].

4.1.25 SERVICE FOR THE FOREIGN POLICY INSTRUMENT

The Service for the Foreign Policy Instrument, established in 2011[190], is responsible for preparing and implementing foreign policy-related actions from a financial and operational perspective. Specifically, it is in charge of the operational expenditure in the following areas:

- Common Foreign and Security Policy (CFSP)
- Instrument contributing to Stability and Peace (IcSP)
- Instrument for Cooperation with Industrialised Countries (ICI)
- Election Observation Missions (EOMs).

Furthermore, the FPI Service is responsible for the following foreign policy instruments:

- CFSP sanctions
- The Kimberley Process certification scheme
- Prevention of trade in goods that could be used for capital punishment or torture[191]

The FPI's main functions are to:

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[187] European Commission. 2015e. "About the EU Humanitarian Aid and Civil Protection Department (ECHO)." http://ec.europa.eu/echo/who/about-echo_en.
[188] European Commission. 2015f. "Message from the Director-General." http://ec.europa.eu/echo/who-we-are/about-echo/director-general_en.
[189] European Commission. 2015g. "Field Network." http://ec.europa.eu/echo/who/about-echo/field-network_en.
[190] European Commission. 2011. *Annual Activity Report Service for Foreign Policy Instruments (FPI)*.
[191] European Commission. 2015h. "What We Do." http://ec.europa.eu/dgs/fpi/what-we-do/index_en.htm.

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- Ensure CFSP missions/operation funds are allocated correctly
- Provide guidance and advice for implementing bodies (EU Special Representatives (EUSRs) and CSDP missions/operations) on how to use funds correctly
- Manage grants in the field of Non-Proliferation and Disarmament (NPD) [192]

The Service reports directly to the HR/VP and represents the Commission in the RELEX Counsellors group in CIVCOM[193].

4.1.26 EUROPEAN PARLIAMENT

The European Parliament (EP) has a limited role in CFSP/CSDP; however, it is not irrelevant. The EP's influence is through its role as the budgetary authority and its right to scrutinise CFSP/CSDP activities. Article 36 of the TEU declares that:
- The EP has to be consulted on the main aspects and basic choices of the CFSP/CSDP and informed on how these policies evolve
- The view of the EP has to be taken into account
- The EP may ask questions to the Council and present recommendations to it and the HR/VP
- Twice a year, the EP shall hold a debate on the implementation of CFSP/CSDP[194]

The EP's budgetary authority rests upon its right to (dis) approve the EU budget. Most of the CSDP activities are of a civilian character. As opposed to EU military operations funded primarily and directly by the Member States, the civilian missions are financed through the EU budget, which the EP approves (or not). Hence, the EP, represented here by Foreign Affairs and Budget Committees, meets five times a year with the Presidency, represented by the Chair of the PSC, in preparation for the adoption of the CFSP budget[195].

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[192] European Commission. 2015i. "Common Foreign and Security Policy, Preserving Peace and Security." http://ec.europa.eu/dgs/fpi/what-we-do/common_foreign_and_security_policy_en.htm.
[193] European Commission. 2015j. "Who's Who." http://ec.europa.eu/dgs/fpi/about/whos-who_en.htm.
[194] European Union. 2009. *Consolidated Version of the Treaty on European Union. Official Journal of the European Union.*
[195] Quille Gerrard. 2013. "Role of the European Parliament." In *Handbook for Decision Makers*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

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4.1.27 IMPORTANT EU POSITIONS RELATED TO AND RELEVANT FOR CONFLICT PREVENTION

A series of positions within the EU structures are particularly important with regard to conflict prevention. These are identified below.

The President of the European Council chairs the European Council and has multiple roles in this regard. The President's role in EU external relations is stated in article 15 of TEU, which declares that the President is responsible for external representation in respect to the CFSP, without prejudice of the powers of the HR/VP[196].

The President of the Commission is responsible for setting the Commission's overall guidelines. Furthermore, as declared in article 17 of the TEU, the President shall appoint the Vice President, who is also the High Representative of the Union for External Affairs and Security Policy. Set in article 22 of the TEU, the HR/VP and the Commission can submit joint proposals concerning CFSP/CSDP to the Council[197].

The President of the European Parliament represents the Parliament in legal matters and external relations. Furthermore, the President participates in International Conferences on new treaties[198].

The High Representative of the Union for Foreign Affairs and Security Policy/Vice-president of the Commission is mandated by the Council to conduct and develop the EU's CFSP/CSDP. Furthermore, the HR/VP is responsible for conducting a consistent and coherent EU foreign policy[199].

The Chairman of the EUMC has the overall responsibility for the work of the EUMC and is the HR/VP's military adviser. Furthermore, the Chairman is the point of contact for Operations Commanders in EU military operations and represents the EUMC in PSC meetings[200].

The Military Operation Commander is selected for each operation depending on its allocated operational headquarters. This process deviates from the one for civilian missions, where the

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[196] European Union. 2009. *Consolidated Version of the Treaty on European Union. Official Journal of the European Union.*

[197] European Union. 2009. *Consolidated Version of the Treaty on European Union. Official Journal of the European Union.*

[198] European Parliament. 2015. "The President of the European Parliament." http://www.europarl.europa.eu/the-president/en/president/html/the-president-of-the-european-parliament.

[199] European Union. 2009. *Consolidated Version of the Treaty on European Union. Official Journal of the European Union.*

[200] European External Action Service. 2015i. "The Chairman of the European Union Military Committee (CEUMC)." http://eeas.europa.eu/csdp/structures-instruments-agencies/eumc/chairman-eumc/index_en.htm.

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Operations Commander is permanent (see below). The Military Operations Commanders are to develop the Concept of Operations (CONOPS) and the Operation Plan (OPLAN)[201].

The Civilian Operations Commander is the director of the CPCC. At the strategic level, the Civilian Operations Commander is tasked to control planning and implementing all civilian operations. S/he is under the political control of the PSC and the HR/VP.

The Heads of Missions assist the Operations Commanders in implementing the missions on the ground and reporting to the PSC[202].

The EU Special Representatives are mandated to assist the HR/VP in promoting peace and stability in the countries/regions to which they are appointed. The EUSRs work with officials deployed in any EU activity of relevance for the given country or region. EU currently has special representatives in the following areas: Central Asia, Middle East Peace Process, Afghanistan, Bosnia and Herzegovina, Kosovo, South Caucasus and Georgia, Horn of Africa, Sahel and Human Rights.[203]

Figure 8 maps the hierarchy of these positions. In sum, the Council President is responsible for the overall guidelines, the implementation of which is then divided between the President of the Commission, the President of the Parliament and the HR/VP, who heads the EEAS. Further positions support the HR/VP in fulfilling his/her mandate. The structure illustrated in Figure X shows that the HR/VP's mandate, within operational conflict prevention, is relatively larger in scope than that of the presidents of the Commission and the Parliament, hence the four subordinated categories below the HR/VP: the Military Operations Commanders, the Chairman of the EUMC, the European Special Representatives and the Civilian Operations Commander. In addition, individual Heads of Missions are appointed.

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[201] Rehrl, Jochen. 2015. "Crisis Response System and Management Procedures." In *Handbook Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.
[202] European External Action Service. 2015d. "Civilian Planning and Conduct Capability (CPCC)." http://eeas.europa.eu/csdp/structures-instruments-agencies/cpcc/index_en.htm.
[203] European External Action Service. 2015n. "EU Special Representatives." http://eeas.europa.eu/background/eu-special-representatives/index_en.htm.

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Figure 8: Important EU positions in conflict prevention

This chapter has so far established which EU institutions (and important individuals) have what roles and responsibilities with regard to conflict prevention. At the end of each section, these were mapped out in relation to each other to provide more detailed pictures of particularly crucial parts of the complex institutional structure within which EU conflict prevention efforts (may) take place. The next section goes on to determine which key instruments of conflict prevention are available to these institutions and in effect to the Union as a whole in seeking to prevent (potential) conflict.

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4.2 EU instruments related to and relevant for conflict prevention

The following maps existing EU instruments directly related to and/or relevant for conflict prevention. This sheds light on the means that are currently available to the EU and its institutions in seeking to prevent (potentially) violent conflicts. The point of departure is the Comprehensive Approach, the EU's strategic framework for conflict prevention at present. The Union itself consideres the following instruments as crucial parts of the Comprehensive Approach: Diplomacy, Humanitarian Assistance, Development Cooperation, Sanctions, the CSDP, (what the Union itself calls) Conflict Prevention Measures, Financial Assistance, Trade and Political Dialogue[204].

The EU response to a (potential) violent conflict is divided into three phases:

- *Phase 1 – conflict prevention:* EU instruments are typically used to help develop and stabilise a country, preferably before a violent conflict breaks out.

- *Phase 2 – crisis management:* EU instruments are typically used to help manage (control) an ongoing conflict.

- *Phase 3 – conflict prevention:* EU instruments are primarily used for stabilising and ensuring that a conflict does not become violent (again).

This is a conceptual characterisation of EU responses to conflicts, which of course do not necessarily develop in a linear, logical, or otherwise predictable fashion. It has to be kept in mind, therefore, that the distinction between instruments relating to crisis management and conflict prevention is (and should be) flexible. Means in one category may also be used in the other, e.g. mediation can be used to prevent conflict but also in the management thereof (e.g. seeking settlement). Therefore, the instruments will not be categorised as being either particularly fit for conflict prevention or crisis management. This depends on the situation at hand.

4.2.1 EARLY WARNING SYSTEM

The EWS was formally established in 2011 in response to the Council conclusions on conflict prevention and has the overall goal of shifting the EU's response to conflict from reactive to more proactive and preventative measures. The system, which is funded by the FPI, is to provide systematic information, analyses thereof and connect relevant actors within the EU in order to develop a strategic response and prevent the (re) emergence of violent conflicts. The system

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[204] Rehrl, Jochen. 2015. "Crisis Response System and Management Procedures." In *Handbook Missions and Operations*, edited by Jochen Rehrl and Galia Glume. Directorate for Security Policy of the Federal Ministry of Defence and Sports of the Republic of Austria.

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analyses underlying structural risks in a given country in order to help prevent potential conflicts at an early stage. This, in other words, is upstream conflict prevention.

The EWS – as it is conceived – is divided into four steps:

- The system scans for risks globally with quantitative and qualitative input from the European Commission's Joint Research Centre as well as from reviews and country analyses made by other EU staff.
- Risks that require further analysis and action are identified. This is done through inter-service meetings between EU decision-makers with input from Member States.
- The analysis is formulated. It sets objectives and prepares for early prevention or peace-building action.
- The results of the action and how the EWS handled the given situation are evaluated. The final step also feeds lessons learned back into the system[205].

The key EU institutions to the EWS instrument are the Commission and EEAS.

4.2.2 Instrument contributing to Stability and Peace

The IcSP, which was established in March 2014 as the successor of the Instrument for Stability (IFS), is the main financial instrument available to the EU in supporting security and peacebuilding activities. The FPI service manages financing of EU's foreign policy activities by distributing funding to projects through the IcSP. The support can be short-term (crisis response) and long-term (stable situations) activities.

- *Short-term activities*: assistance for development of democratic institutions, support for international criminal tribunals, promotion of international and independent media, help for victims of illicit use of firearms and mitigating impact of anti-personnel landmines on civilian populations

- *Long-term activities*: assistance for protection of critical infrastructure, fighting organised crime, countering terrorism, global and transnational threats, security and climate change[206]

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[205] European External Action Service, *Factsheet: Early Warning System*, 2014.
[206] European Parliament, *Regulation (EU) No 230/2014 of the European Parliament and of the Council*, 2014.

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Entities that can receive funding from IcSP are EU bodies, European agencies, Member States, partner countries and international organisations[207]. Hence, the actual implementation of IcSP-funded projects varies, but the FPI manages the finances.

The key EU institution to the IcSP is the Foreign Policy Instrument (Commission).

4.2.3 MILITARY OPERATIONS

The military instruments available for EU responses to (potential) violent conflicts were first listed in the Petersberg tasks (1992) and extended in the Lisbon Treaty. These entail:
- Humanitarian and rescue tasks
- Conflict prevention[208] and peacekeeping
- Tasks of combat forces in crisis management, including peace-making
- Joint disarmament operations
- Military advice and assistance tasks
- Post-conflict stabilisation tasks[209]

So far the EU has undertaken a number of military operations and a single civil-military operation under the framework of the CSDP. Several military operations are still ongoing[210].

The key EU institutions for applying the military instruments are the PSC, EUMC and EUMS. However, the Member States play a particularly important role with regard to the EU's military operations, as the 'costs lay where they fall' principle leave participating Member States paying the bill.

4.2.4 CIVILIAN MISSIONS

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[207] The European Commission, "The Instrument Contributing to Stability and Peace (IcSP)," 2015, https://ec.europa.eu/europeaid/sectors/human-rights-and-governance/peace-and-security/instrument-contributing-stability-and-peace_en.

[208] Note how the EU (again) conceptualises conflict prevention – at least in name – in narrower terms than the IECEU project and the conflict prevention literature more generally. Se earlier chapters of this deliverable for further discussions of this.

[209] European Union, *Consolidated Version of the Treaty on European Union*, *Official Journal of the European Union*, 2009.

[210] European External Action Service. 2015k. "Ongoing Missions and Operations." http://www.eeas.europa.eu/csdp/missions-and-operations/.

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Another instrument available to the EU is civilian missions. The European Council meeting in Santa Maria Da Feira (2000) outlined the overall objectives of the Union's use of civilian missions in crisis response (including conflict prevention) and the means to be covered by this instrument. The main objectives are to:

1) Improve the EU's ability to save human lives in crisis situations
2) Maintain basic public order
3) Prevent further escalations of conflict situations
4) Facilitate the return to a peaceful, stable and self-sustainable situation
5) Manage adverse effects on EU countries
6) Address related problems of coordination[211]

The priorities for the way in which these objectives would be met were set out in the same document. That is, through:

- Police Missions
- Strengthening Rule of Law
- Strengthening Civilian Administration
- Civil Protection

Most of the CSDP activities are civilian. So far the EU has completed a number of civilian missions and many are still ongoing[212].

The key EU institutions to civilian missions are the PSC, CIVCOM and CPCC.

4.2.5 SANCTIONS

The EU can use sanctions in order to bring about or indeed prevent changes in attitude and/or behaviour related to a (potential) conflict. Sanctions are agreed upon by the Council and managed by the Security Policy and Conflict Prevention directorate within the EEAS[213]. Member States play a crucial role in implementing EU sanctions.

Key EU institutions in applying sanctions instruments are the Security Policy and Conflict Prevention directorate (EEAS) and the Foreign Policy Instrument (Commission).

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[211] The European Council, *SANTA MARIA DA FEIRA EUROPEAN COUNCIL CONCLUSIONS OF THE PRESIDENCY I . PREPARING THE FUTURE A . Intergovernmental Conference on Institutional Reform B . Charter of Fundamental Rights C . Common European Security and Defence Policy*, 2000.

[212] European External Action Service. 2015k. "Ongoing Missions and Operations." http://www.eeas.europa.eu/csdp/missions-and-operations/.

[213] European Commission, "Sanctions," accessed July 13, 2015, http://ec.europa.eu/dgs/fpi/what-we-do/sanctions_en.htm.

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4.2.6 MEDIATION

The EU can engage in conflict mediation and/or supports negotiations between belligerent parties. A Support Team in the Conflict Prevention, Peace-building and Mediation Instruments Division (EEAS) provides partners and/or EU institutions with advice and technical expertise before, during and after a conflict[214]. EU Special Representatives and EU delegations can also act as diplomatic mediators. They are tasked with development of a coherent and strong CFSP in relation to other EU activities[215].

Key EU institutions in mediation are the Conflict Prevention, Peace-building and Mediation Instruments Division, the EUSRs and EU delegations.

4.2.7 ELECTION OBSERVATION MISSIONS

The EOM is responsible for delivering recommendations regarding how to organise, improve and administer third country elections. The EOM is important for the EU's promotion of democracy and strengthening of peace[216]. Representatives from the European Parliament generally head these missions, with participation from Member State representatives and EU diplomats. It is the HR/VP, who decides whether or not to launch an EOM[217].

Since the first EOM was in 1993. The EU has launched 160 EOM in various countries and 3 of them are on-going (2015)[218]. An overview of the missions is available in Appendix 1.

Key EU institutions for EOM are the EEAS, European Parliament and the HR/VP.

4.2.8 EUROPEAID

EU development activities have their roots in the European Development Fund (EDF), which dates back to 1957. In 2001 the EuropeAid External Cooperation office was established[219]. EuropeAid,

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[214] European External Action Service, *Factsheet: EU Mediation Support Team*, 2014.
[215] European Union External Action Service, "EU Special Representatives," 2015, http://eeas.europa.eu/background/eu-special-representatives/index_en.htm.
[216] European External Action Service, "What We Do," 2015, http://eeas.europa.eu/eueom/what-we-do/index_en.htm.
[217] European Commission, "Election Observation, a Mission for Democracy," accessed July 13, 2015, http://ec.europa.eu/dgs/fpi/what-we-do/election_observation_missions_en.htm.
[218] European External Action Service. 2015l. "Ongoing Missions." Http://eeas.europa.eu/eueom/missions/index_en.htm.

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which is managed by DG DEVCO, has as its main objective to implement development programmes and projects in third countries. It facilitates task forces, which are to implement legislative and regulatory frameworks (e.g. Overseas Countries and Territories (OCTs)). The task forces plan, coordinate and supervise the DG's activities and report on EU relations with third countries[220]. These development activities are part of the EU's Comprehensive Approach, as they seek to contribute to the stabilisation of weak states and, thus, to the prevention of (violent) conflicts.

The key EU institution for EuropeAid is DG DEVCO (Commission).

4.2.9 SECURITY SECTOR REFORM

The EU's SSR programmes, established in 2005-2006[221&222], seek to transform the security sector and (further) develop democratic norms and principles of good governance in partner countries. Through its SSR programmes, the Union seeks to improve security sector institutions, complementing other activities, such as CSDP missions/operations in the respective country. The programmes, which are managed by DG DEVCO, the relevant geographical desk in the EEAS and the Conflict Prevention, Peace-building and Mediation Instruments Division are seen by the Union itself as an important part of its conflict prevention, peace-building and development agendas.

In the EU SSR is concerned with four specific security aspects in a given country:

1. Core security actors such as army, security services and police
2. Security and oversight bodies such as security advisory bodies, legislative committees, ministries of defence, internal/external affairs and finance
3. Justice and law enforcement institutions like judiciary, justice ministries and prisons
4. Non-statutory security force such as liberation armies, private security companies, guerrilla armies and political party armies[223]

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[219] European Commission. 2015m. "Historical Overview of EU Cooperation and Aid." https://ec.europa.eu/europeaid/historical-overview-eu-cooperation-and-aid_en.
[220] European Commission, "Overseas Countries and Territories (OCTs)," 2015, https://ec.europa.eu/europeaid/regions/octs_en.
[221] Council of the European Unionl, *EU Concept for ESDP Support to Security Sector Reform (SSR)* (Brussels, 2005), http://register.consilium.europa.eu/doc/srv?l=EN&f=ST 12566 2005 REV 4.
[222] Council of the European Union. 2006. *Draft Council Conclusions on a Policy Framework for Security Sector Reform*
[223] European Council, *EU Concept for ESDP Support to Security Sector Reform (SSR)* (Brussels, 2005), http://register.consilium.europa.eu/doc/srv?l=EN&f=ST 12566 2005 REV 4.

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Key EU institutions for SSR are DG DEVCO, geographic desks in the EEAS and the Conflict Prevention, Peace-building and Mediation Instruments Division.

4.3   EU evaluation of different instruments

Evaluating Civilian Missions and Military Operations

Upon request from the Parliament, a study concerning EU lessons learning processes with regard to CSDP missions/operations was conducted by the Netherlands Institute for International Relations and the Trans European Policy Studies Association in 2012. The study revealed how the evaluation processes and the tools used have evolved through time in line with the EU's military and civilian engagement[224].

Within the EEAS structure, CPCC, EUMS and CMPD are the main bodies, which evaluate missions/operations and undertake lessons learned activities. These three bodies are tasked with different aspects of evaluation. The EUMS is concerned with military operations, CPCC is focused on civilian missions and CMPD has its main focus on lessons learned at the politico-strategic level. The three bodies are meant to collaborate to improve CSDP activities, although each body conducts its own evaluations in parallel with the others. Moreover, different reference points exist for these bodies to attain the approval of the suggested lessons from Member States. EUMS responds to EUMC, whilst CPCC responds to CIVCOM. This separation of evaluation in military and civilian activities is also evident in the processing of the lessons identified. Lessons concerning military operations are filed in one database, 'European Lessons Management Application' (ELMA); whilst another database, 'Civilian Lessons Management Application' (CiLMA), was developed for lessons from civilian missions[225]. CMPD provides the main lessons learned reports on the political and strategic level such as annual reports and thematic reports to the PSC for Member State approval[226]. Some of these reports address both lessons from civilian and military activities; thus, this body evaluates the crisis response from both sides but from a strategic level of analysis, whilst the others focus on the operational. CMPD is also tasked with the implementation of the lessons identified in previous missions/operations, however, the actual training of the personnel is usually carried out by Member States – although increasingly also by the European Security and Defence College (ESDC).

The bodies in charge of the lessons learned processes have very few resources allocated to the task; in 2012 EUMS had to 2 persons specifically dedicated to the task, CMPD had 1, and the staff

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[224] Clingendael Institute for International Relations, and The Trans European Policy Studies Association. *CSDP Missions and Operations: Lessons Learned Processes*, 2012.
[225] Clingendael Institute for International Relations, and The Trans European Policy Studies Association. *CSDP Missions and Operations: Lessons Learned Processes*, p. 29, 2012.
[226] Clingendael Institute for International Relations, and The Trans European Policy Studies Association. *CSDP Missions and Operations: Lessons Learned Processes*, p. 31, 2012.

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in CPCC had no one specifically tasked with evaluation, although this does not meaning that noone is working with lessons learned in CPCC, the staff were simply double-hatted[227].

There appears to be a dilemma here between standardisation of evaluation processes and informal production of lessons. Standardisation is desirable in order to achieve effectiveness and secure production of lessons; however, informal processes of lessons production secure flexibility, which is desirable in the light of the EU's different kinds of operations/missions. Hence, when developing lessons learned programmes, this dilemma has to be taken into account, in order to secure flexibility and effective evaluation and lessons learning.

Evaluating Sanctions

RELEX is mandated to monitor Member States' activities in relation to EU sanctions, specifically with regard to their adequate and appropriate implementation. In cooperation with experts from the Member States, RELEX seeks to exchange experience and develop best practices between them. RELEX is also responsible for information exchange and experience sharing with other international organisations (e.g. UN) and third countries on implementation of sanction regimes of interest to the EU. This is again to provide broader evaluations thereof[228].

Evaluating EuropeAid

In its Strategic Evaluation Work Programme 2014-2018 DG DEVCO presents its evaluations of aid programmes for this period. Generally, evaluation takes place at two different levels: operational and strategic. Monitoring and evaluations of specific programmes and projects are carried out annually by EU delegations and responsible services. The central Evaluation Unit in DG DEVCO conducts strategic evaluations, covering policies and strategies for a country, region, sector, and/or theme. However, due to lack of personnel, it is not possible to evaluate all country programmes in every programme cycle, which is why bigger programmes are prioritised[229]. Furthermore, evaluations are primarily produced by officials from the Commission or Commission services with help from an evaluation team, which consists of people who are independent from the given organisations involved in the programme/intervention[230].

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[227] Clingendael Institute for International Relations, and The Trans European Policy Studies Association. *CSDP Missions and Operations: Lessons Learned Processes*, p. 28-32, 2012.

[228] Council of the European Union. *11205/12 - Guidelines on Implementation and Evaluation of Restrictive Meassures (sanctions) in the Framework of the EU Common Foreign and Security Policy*, 2012.

[229] European Commission, *Strategic Evaluation Work Programme 2014-2018*, 2014.

[230] DG External Relations, DG Development, EuropeAid Co-operation Office, and Joint Evaluation Unit. *Evaluation Methods for the European Union's External Assistance: Methodological Bases for Evaluation.* Vol. 1, 2006.

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Evaluating Election Observation Missions

Evaluations of EU Election Observation Missions are carried out partly by the observers themselves and partly by the core team of the missions. Upon the conclusion of an EOM, each observer is "*required to complete an evaluation on the functioning of the mission, including the performance of the core team and IP* (Implementing Partner)". Further, the core team of the mission, a group of experts tasked to provide the logistic and analytical framework for the mission, produce a final internal report, which is submitted to the Commission ahead of a debriefing in Brussels. This report includes lessons learned with regard to programming and methodology in future EOMs. Hence, participants and leaders of the missions generally conduct the evaluation process of EOMs internally[231].

4.4   Indicative gap analysis

In the third and final section, these reviews of EU institutions and instruments are brought together in an indicative gap analysis of the Union's current capabilities for conflict prevention. This provides readers with a map of how EU frameworks, policy priorities, statements, goals and terminology have developed and shaped the institutions and instruments – including civilian as well as military components – by which the EU and its advocates hope to pool and share resources, enhance structural synergies and develop new as well as better approaches for future needs. In this way, the chapter helps define in greater detail the empirical scope of this research project, which seeks to 'Improve the Effectiveness of Capabilities in EU Conflict Prevention'.

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[231] European Commission, *Handbook for European Union Election Observation*, 2008.

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Table 1: EU instrumental spread across institutions related to/ relevant for conflict prevention

		Institutions			
		European Council	**European Commission**	**European External Action Service**	**European Parliament**
Instruments	**Military Operations**	PSC, EUMC		EUMS	
	Civilian Missions	PSC, CIVCOM		CPCC	
	Sanctions	RELEX	FPI	Security Policy and Conflict Prevention directorate	
	Mediation		EUSRs	Conflict Prevention, Peace-building and Mediation Instruments Division, EU delegations	
	Instrument contributing to Stability and Peace (IcSP)		FPI		
	Election Observation Missions (EOM)		FPI	EU Instrument for Democracy and Human Rights, Democracy Support and Elections Division	European Parliament
	EuropeAid		DG DEVCO		
	Security Sector Reform (SSR)		DG DEVCO	Conflict Prevention, Peace-building and Mediation Instruments Division, relevant geographical desk in the EEAS	
	Early Warning System (EWS)		European Commission	EEAS	
	Civil Protection Mechanism		DG ECHO		

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As seen in Table 1 the spread of instruments across EU institutions is relatively narrow within conflict prevention. This table shows that the primary institutions in this realm are the Commission and the EEAS. This mirrors the separation of responsibilities on the subject in the Lisbon Treaty. Particularly, as the table shows, both the Commission and EEAS are involved in EWS, SSR, Mediation and Sanctioning. This can lead to discrepancies between their respective practices. On the flipside, the EU's inter-institutional approach to conflict prevention may profit from various fields of expertise embedded in the different structures.

The Comprehensive Approach is at the centre of EU conflict prevention. It aims at addressing a (potential) conflict from different angles at different points in conflict cycle. However, Bellamy (2008) has questioned this approach to conflict prevention by stating that the causal links between preventive measures and the absence of conflict are very difficult to prove empirically[232]. So are the EU institutions actually conducting a foreign policy that prevents (further) conflict? The mapping above shows that the EU encompasses a number of institutions and instruments relevant for conflict prevention, but it also reveals three key points, which constitute possible pitfalls for the EU and calls for further research. These relate to: (1) capabilities and decision-making, (2) evaluation and 3) employed personnel.

First, the mapping shows what tasks the institutions are involved in. Generally, the command structure of EU conflict prevention (incl. crisis management) is divided between the Commission and the EEAS with overall guidelines from the Council. As illustrated in Table 1, several institutions within the EU are involved in the application of EU instruments. Thus, it is possible that different command structures and turf wars generate difficulties in handling conflict situations, e.g. although the Council sets out the overall conditions when imposing sanctions, both the Commission (FPI) and EEAS (Dir. K) are involved in the implementation and monitoring of sanctions. Potential problems such as turf wars between them reflect the dilemma of whether to have an effective foreign service with few decision-making bodies on one hand or a democratic system of consensus and compromise on the other. This example also illustrates how the Member States are maintaining their prerogatives regarding the direction and conduct of EU foreign policy. This is also seen when boots on the ground are to be deployed in a mission/operation, where Member States are significantly involved through the PSC and the Council. A mandate for the specific mission/operation decided by consensus between all Member States (Denmark not included in military operations) naturally puts up some limitations for what can be done. Asle Toje (2008) coined this the 'consensus-expectations gap' stressing that there is a discrepancy between what is expected of the EU and what Member States actually can agree upon[233]. As the mapping shows,

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[232] Bellamy, A. J. (2008): "Conflict Prevention and the Responsibility to Protect", *Global Governance,* 14, pp. 135–156.
[233] Toje, Asle. 2008. "The Consensus Expectations Gap: Explaining Europe's Ineffective Foreign Policy." *Security Dialogue* 39 (1): 121–41.

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the EU's possibilities are many and it potential great. The classic 'capabilities-expectations gap' (Hill 1993, cited in Toje 2008) might not be applicable anymore, however, a component of the term 'ability to agree' may well be alive and kicking, as the decision-making procedure still remain intergovernmental and based on unanimity[234].

Second, it is evident from the mapping that there is a lack of coordination and potentially capabilities (staffing) in the evaluation of EU conflict prevention processes. The respective institutions applying an instrument evaluate their own work and the instruments they apply internally, with no reference to a coordinating institution. Coordinated evaluation of the different measures applied to a (potential) conflict does not yet exist. Nonetheless, it is necessary to evaluate all instruments applied before, during and after conflicts, in order to attain a complete and adequate understanding of the overall measures used and to obtain important lessons for preventing future conflicts. The comprehensive approach needs comprehensive analysis. Comprehensive evaluation would be in the spirit of the Comprehensive Approach and might contribute to improving the effectiveness of the EU's capabilities for conflict prevention. Who should then conduct this evaluation? It would be logical to place this task within the EEAS, although this may cause disagreement with other bodies within the EU. However, as the mapping shows, only scarce personnel are being allocated to current evaluations in CPCC, CMPD, and EUMS, which indicate that it might be difficult to find sufficient resources for this task there.

Third and finally, with only approximately 3400 people working in the EEAS (equivalent of the Belgian foreign service)[235], it is hard to imagine this body being able to conduct a wider reaching service than it does today. However, the mapping does not reveal whether and if so how the EEAS draws upon the national foreign services of the Member States, though it may indeed be possible to do just that (and vice versa) in order to obtain further effectiveness.

In sum, EU institutions and instruments for conflict prevention are many and multifaceted; although, the Union's decision-making with regard to conflict prevention remains predominately intergovernmental, which limits its activities to what the Member States can and will agree to. Evaluation processes are not coordinated and therefore do not reflect or fully assess the Comprehensive Approach, which in turn prevents EU decision-makers from obtaining a comprehensive understanding of the effectiveness of their own capabilities. Finally, the number of staff employed in the EU is generally low – and particularly so with regard to conflict prevention, considering the tasks at hand. This too may negatively influence the Union's institutional as well as instrumental potential for conflict prevention.

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[234] Toje, Asle. 2008. "The Consensus Expectations Gap: Explaining Europe's Ineffective Foreign Policy." *Security Dialogue* 39 (1): 121–41.
[235] Balfour, Rosa, and Raik Kristi. 2013. *The European External Action Service and National Diplomacies. European Policy Centre & The Finnish Institute of International Affairs*

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4.5   Conclusion

Chapter Four took stock of the structural *status quo* of EU capabilities for conflict prevention. It provided an overview of the EU institutions and instruments that are most relevant – by mandate and/or activity – to operational conflict prevention. The focus was on joint EU structures rather than those of individual Member States, and in particular on 'crisis management missions and operations' launched within the Common Security and Defence Policy (CSDP).

The rationale behind this endeavour was to provide IECEU researchers and end-users with a review of up-to-date information regarding the institutions and instruments that make up EU structural capabilities for conflict prevention. As the project aims to improve such structures, it is necessary for its researchers to share as their starting point this stock-take of the Union's current capabilities, when assessing its strengths as well as its weaknesses, exploring potential pitfalls and possible improvements.

The chapter provided a platform for subsequent enquiries – within and beyond this project – which seek to improve institutional and instrumental effectiveness in EU conflict prevention. It sorted and synthesised up-to-date information and developed a go-to-guide, where EU institutions and instruments, including corresponding abbreviations and terminology, were not simply listed but mapped in relation to each other. This allows for informed enquires into what such structures can (be expected to) achieve and where they can be improved.

The chapter reflected the Union's structural logic. The initial section looked closer at which EU institutions handle conflict prevention: first it explored intergovernmental bodies and then Community structures. In the second section, key instruments available to the Union in its endeavour to prevent (potential) conflict situations were identified. In the third and final section, the reviews of EU institutions and instruments were brought together in an indicative gap analysis of the Union's current capabilities for conflict prevention. This provided readers with a picture of how EU frameworks, policy priorities, statements, goals and terminology have developed and shaped the institutions and instruments – including civilian as well as military components – by which it hopes to pool and share resources, enhance structural synergies and develop new as well as better approaches for future needs. In this way, the chapter helped define in greater detail the empirical scope of this research project, which seeks to 'Improve the Effectiveness of Capabilities in EU Conflict Prevention'.

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5   LEGAL FRAMEWORK FOR CSDP

The primary law of the European Union is the Treaties; the Treaty on European Union (TEU) and the Treaty on the Functioning of the European Union (TFEU) which are together named, the Treaties of the European Union. The Union's international action is framed within principles which have motivated its own creation, development and enlargement, and which it promotes in the wider world: democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, and respect for the principles of the United Nations Charter and international law (Article 21 TEU).

The Treaties frames, for the first time all aspects of the EU's external action within a common set of coherent principles and objectives and directs that the EU works to 'preserve peace, prevents conflicts and strengthen international security'.[236] The Council is assisted by a number of key planning and preparatory bodies, and by the European External Action Service (EEAS) under the direction of the High Representative of the Union for Foreign Affairs and Security Policy.

In that context, the Union defines and pursues common policies and actions, and works for a high degree of cooperation and competence within areas of shared jurisdiction in all fields of international relations, in order to:

(a) consolidate and support democracy, the rule of law, human rights and the principles of international law;

(b) preserve peace, prevent conflicts and strengthen international security, in accordance with the purposes and principles of the United Nations Charter .

Pursuant to Article 47 TEU, '[t]he Union shall have legal personality', clarifying years of academic debate as to whether or not it had this personality. In Article 42(1), 'The common security and defence policy … shall provide the Union with an operational capacity drawing on civil and military assets. The Union may use them on missions outside the Union for peace-keeping, conflict prevention and strengthening international security in accordance with the principles of the United Nations Charter'.

These missions are further defined in Article 43 of this Treaty: they 'shall include joint disarmament operations, humanitarian and rescue tasks, military advice and assistance tasks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and post-conflict stabilisation' and may 'contribute to the fight against terrorism, including by supporting third countries in combating terrorism in their territories'.

While articulated in a different fashion in the Treaties prior to the Treaty of Lisbon, it arguably does not really impact on the possible nature of EU operations, including a wide range of crisis

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[236] http://europarl.europa.eu

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management operations, but merely spells out some of these tasks in greater detail. In addition, although the contrary is sometimes argued, 'tasks of combat forces in crisis management, including peacemaking' embrace a tailored response[237], peace enforcement and potentially high intensity operations involving combat. So far EU forces have not become engaged in combat

5.1   Rules of International Law

The Treaties of the EU accords an important role to international law in the EU's external relations. Article 3(5) TEU now states that in its relations with the wider world, the Union shall contribute to 'the protection of human rights as well as to the strict observance and the development of international law, including respect for the principles of the United Nations Charter'. Therefore it requires that all international actions are guided by 'democracy, the rule of law, human rights and fundamental freedoms, respect for human dignity and respect for the principles of the (UN) charter and international law'.

Although the Treaties requires that the EU respects international law and human rights in the conduct of its external relations[238], there is no specific mention of international humanitarian law, but this branch of international law is obviously covered by the more general term - 'international law'.

Personnel on CSDP operations must comply with the international humanitarian law obligations and criminal law obligations of their home state even when deployed abroad. In this respect, it should also be noted, that even though the Court of Justice of the European Union (CJEU) has ruled that, at least in the exercise of its powers in the field of external relations, the European Union must respect customary international law, the Court has no jurisdiction in the area of CSDP.

According to Naert (2013)[239] there should be armed conflict (or occupation) before international humanitarian law applies. This may not be the case in all EU-led peace operations, for example EUFOR Althea in Bosnia and Herzegovina, which is not a situation of armed conflict.

In circumstances when international humanitarian law doesn't apply, the EU chiefly uses human rights law as the appropriate benchmark for conduct of CSDP operations.

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[237] Frederik Naert. 'The Application of Human Rights and International Humanitarian Law in Drafting EU Missions' Mandates and Rules of Engagement.' *Leuven Institute for International Law Working Papers*, no. 151 (2011): 1–18.

[238] http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2014/130712/LDM_BRI%282014%29130712_REV2_EN.pdf

[239] Frederik Naert. 'The International Responsibility of the Union in the Context of Its CSDP Operations.' In *The International Responsibility of the European Union*, edited by Malcolm Evans and Panos Koutrakos, 313–38. Oxford: Hart Publishing, 2013.

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The EU Charter of Fundamental Rights contains a catalogue of fundamental rights to be observed by the EU institutions in their actions. Moreover, the Charter has also to be observed by Member States when implementing a CSDP mission as a feature of EU external action (Article 21(1) TEU) and be promoted outside the EU (Article 3(5) TEU). According to Naert (2013), in the absence of unilateral acts on human rights and CSDP operations, this is problematic as extraterritorial application of the European Convention of Human Rights (ECHR) can be incomplete and most human rights treaties permit derogation in emergency situations. From a human rights perspective, due to the scope and nature of CSDP operations, functional jurisdiction rather than territorial limits is a decisive aspect.

Therefore the legal framework for CSDP operations is a mixture of EU law, international law, and domestic law [240] appropriate to each mission. The most common basis in international law for CSDP operations are a United Nations Security Council (UNSC) resolution, host government consent (which is the rule in civilian operations) and/or a peace agreement. There may also be an additional basis, such as the law of the sea, relevant to maritime missions, eg. EUNAVFOR Operation Atalanta and EU NAVFOR Med.

5.2 International Agreements

On the basis of Article 37 TEU and Article 218 TFEU, the EU can conclude international agreements relating to its crisis management operations. These agreements are concluded by the EU as a separate legal entity and not collectively by the Member States where the centre of gravity for the agreement relate to CSDP. They are binding on the institutions of the Union and on its Member States.

The EU will normally conclude a Status of Forces/Mission Agreement (SOFA/SOMA) with the host State which will regulate the status and activities of an operation in the host State. [241] A SOFA/SOMA typically contains, amongst others, provisions on the wearing of uniforms and carrying of arms, the exercise of criminal jurisdiction, privileges and immunities of the operation and its personnel, security of the mission and its personnel, handling of claims, implementing arrangements and the settling of disputes.[242]

When a third State participates in an EU military operation, the modalities of its participation are laid down in a participation agreement with the EU. Such agreements may be concluded on an ad

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[240] ibidem

[241] Panos Koutrakos 'The EU Common Security and Defence Policy' Oxford: Oxford University Press, 2013, 318.

[242] See e.g. Agreement between the European Union and the Republic of Chad on the status of the EU led forces in the Republic of Chad, Article 8.

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hoc basis for a given operation (on the basis of a model agreement) or may take the form of a framework agreement covering the participation in EU operations generally.

In participation agreements, the participating State normally associates itself with the Council decision establishing an operation, commits itself to providing a contribution and bears (some of the) the costs thereof. Such agreements also inter alia provide that the personnel of the third State participating in the operation are covered by any SOFA/SOMA concluded by the EU and contain provisions on the (transfer of) command and control, jurisdiction and claims (via declarations on waivers of claims) and EU decision-making autonomy is safeguarded. There are also likely to be additional agreements, often memoranda of understanding, technical arrangements or transit agreements between participating States dealing with various aspects of their cooperation within an EU operation.

5.3   Council Decisions

The basic legal instrument governing each EU operation is a Council Decision, adopted on the basis of Article 43 TEU, in conjunction with Article 28 TEU (and in accordance with the voting rules laid down in Article 31 TEU). It is significant that these acts are acts of the Union and not simply decisions adopted collectively by the Member States. Such decisions set out the mission and mandate, political (and, where applicable, military) control and direction, designate the commanders and/or head of mission and, where applicable, headquarters, specify the command and control relations and contain provisions on the status of the mission, financial arrangements, participation of third States (i.e. non-EU Member States), relations with other actors, handling of EU classified information and on the launching and termination/duration of the operation. Articles 42 and 44 TEU has also introduced the possibility to entrust the execution of a task to a group of member states.

In military operations, the Council usually adopts a further separate decision launching the operation, together with the approval of the Operation Plan and, where applicable, the Rules of Engagement. The key reparatory body is the Political and Security Committee (PSC). This Committee, under Article 38, exercises, under the Council, the political control and strategic direction of EU operations. It may also be delegated from Council some decision making powers.

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Table 2: Treaty of the European Union in crisis management decision-making

TEU	Article 42.1	Article 43	Article 28	
Council Decision	Objective	Scope	Means	Duration
PSC	Planning Decisions	Chain of Command	Op Comd - Force Comd Civ Mission Command	ROE

5.4 Political and Security Committee Decisions

The PSC is usually authorised to take a number of decisions (Article 38 TEU), including decisions to amend the planning documents, which incorporate the Operation Plan, the Chain of Command and the Rules of Engagement, and decisions on the appointment of the EU Operation Commander, Force Commander and/or Head of Mission, while the powers of decision with respect to the objectives and termination of the operation remain vested in the Council.

Accordingly EU operations are tailored to the specific situation and may vary greatly, ranging from consensual rule of law, police, security sector reform, border assistance or monitoring missions, to peacekeeping and potentially even peace enforcement. This wide range of missions and operations has consequences in terms of the applicable law and code of conduct for CSDP personnel. As a result 'Generic Standards of Behaviour CSDP Operations' were adopted by the PSC since 2005 and 'Guidelines on the Protection of Civilians in CSDP Missions and Operations (2010) which include treatment of civilian and persons hors du combat, protection of wounded, the sick and medical and relief personnel, detention and apprehension of persons. These guidelines outline prohibition of torture or other cruel treatment, sexual exploitation, abuse or gender based violence and human trafficking.

In 2012 the Council adopted an action plan on human rights. It commits to systematically include human rights, child protection, gender equality, and where relevant, international humanitarian law in the mandates of EU missions and operations and in their benchmarks, planning and evaluation.

The urgent need to achieve operational capabilities, budgetary constraints and the need for special expertise have led to Member States increasingly using private military and security services (PMS) during military and civilian operations. The EU itself has employed PMS in a more restricted way, mainly as security guards or support services for transport and logistics. Reports of violations

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of civilians' human rights, particularly by US contractors, has intensified the discussion on democratic accountability and transparency as well as of parliamentary control over PMS.

In this context, Article 340(2) TFEU stipulates the non-contractual liability for any damage caused by its institutions and servants. Thereby"servants" of the Union include not only civil servants but also private contractors authorised by the Union to fulfil official duties. In this way, the Union cannot circumvent its human rights obligations by contracting PMS for missions and operations abroad.

5.5   Headline Goals

Headline goals were put in place to create capability targets for CSDP crisis management capabilities in the military and civilian sphere.

It was agreed that that the EU should possess an autonomous military capacity to respond to crises; Including the ability of Member States to deploy forces up to corps level, capable of the full range of Petersberg tasks; with military capabilities required to conduct the full range of missions compassed by the Petersberg tasks.

The Civilian headline goals identify civilian crisis management priority areas for the EU. In its latest revision Civilian Headline Goal 2010 placed greater emphasis on civil-military cooperation in addition to a continued focus on improving readiness and deployability.

5.6   Gap Analysis

As stated previously, the CJEU has no jurisdiction in the area of CSDP. The amendments to the Treaties by the Treaty of Lisbon did however extend its jurisdiction to restrictive measures (targeted sanctions) against natural or legal persons adopted by the Council (eg. freezing of funds).

The current Treaties demonstrate that the emergent legal personality of the EU also leads to a number of interesting questions. When classifying conflicts, can the EU be equated to a State for the purposes of qualification of an armed conflict? This does not seem to be disputed when conflicts involve an international organisation and a State, but is less obvious when the opponent is a non-State actor, such as a rebel grouping or a fight against terrorism.

A further question is whether, in respect of CSDP military operations, only the troop- contributing Member State, or additionally the EU, is responsible for violations of international humanitarian law and human rights. This is important because, according to the Geneva Convention, only parties to the conflict are subject to international humanitarian law obligations. The EU could be party to an armed conflict as this is not reserved to states only (rebels, etc.). Some suggest applying the test of "effective control" over the troops to determine whether the Member States or the EU is party to the conflict in question.

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Experts view the particular challenge is not determining whether human rights are applicable in EU missions abroad but rather their application in practice.[243] Some cases of abuse are attributable to lack of knowledge and training, as well as difficulties for persons affected during EU missions accessing justice. The recent instance of transfer of captured suspected sea-pirates for prosecution to Kenya and Seychelles during EUNAVFOR Atalanta is an example where agreements were made to ensure proper process and treatment, however human rights organisations claimed that, actually, the EU was circumventing their human rights obligations. In addition the inclusion of diplomatic immunity, and exemptions from local criminal jurisdiction in SOFA/SOMA undermine notions of transparency and cultivate impressions of impunity.

Moreover, under Article 340(2) TFEU, the EU must compensate for any damage caused by its institutions or its servants in the performance of their duties.[244] It should be noted however that there is no central EU court dealing with reparation for damages incurred during EU missions and operations since the CJEU has no jurisdiction over CSDP (Articles 24(2) TEU, 275 TFEU). Perhaps an implication is therefore that national courts would be responsible for dealing with claims against the EU for actions in CSDP operations.[245]

The applicability of international human rights law, which would also bind the EU vis-à-vis third countries and international organisations, is surrounded by uncertainties.[246] These stem from the fact that the EU as such is not a party to the most relevant human rights treaties. Therefore it is questionable whether certain international human rights instruments apply to EU missions abroad, although the EU has not signed them, and if yes, what is their scope of application. The provision of third party assistance[247] from countries outside the jurisdiction of ECHR further complicates matters. The responsibility for complying with international humanitarian law, where it applies in an EU led operation, rests primarily with the State to which the troops belong. Many argue that there is a shared responsibility between the EU and Member States when on operation.

An additional challenge comes from the fact that CSDP operations often involve EU institutions, Member States forces and possibly also third countries and other international organisations, such as human rights applied to CSDP operations with NATO. Since the different actors involved are subjected to different human rights instruments, it is difficult to establish which of them are applicable. Furthermore, it is often difficult to determine to which of the actors a specific action is attributable.

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[243] http://www.europarl.europa.eu/RegData/bibliotheque/briefing/2014/130712/LDM_BRI%282014%29130712_REV2_EN.pdf

[244] http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:12012E/TXT:EN:PDF#page14

[245] Responsibility of the EU regarding its CSDP operations / F Naert, in The international responsibility of the European Union, 2013, 331.

[246] EPRS Briefing 'Human Rights applied to CSDP operations and missions' http://www.eprs.ep.parl.union.eu

[247] Thierry Tardy 'CSDP: Getting third states on board' European Union Institute for Security Studies March 2014.

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The European Council meeting in December 2013 was the first time post-Lisbon that the European Council held a thematic debate on defence. Recognising the need to provide a strategic impetus to advance CSDP[248], the heads of EU Member States identified priority actions for stronger cooperation, how to enhance defence capabilities, strengthen the defence industry and improve the effectiveness, visibility and impact of CSDP. It is widely acknowledged that the Treaties facilitates a number of innovations in the field of CSDP, however implementation of these aspirations as outlined poses broad legal challenges that will surely have a future impact on the effective deployment of EU missions.

The European Council meeting in December 2013 was the first time post-Lisbon that the European Council held a thematic debate on defence. At the summit the heads of EU Member States identified priority actions for stronger cooperation, how to enhance defence capabilities, strengthen the defence industry and improve the effectiveness, visibility and impact of the CSDP. It is widely acknowledged that the Treaties facilitates a number of innovations in the field of CSDP, however implementation of these aspirations as outlined poses broad legal challenges that will surely have a future impact on the effective deployment of EU missions.

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[248] http://www.europarl.europa.eu/atyourservice/en/displayFtu.html?ftuId=FTU_6.1.2.html

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6   CONCLUSION

This concluding chapter has two main purposes. First, it revisits the main points of the preceding chapters, which elucidated EUs mechanisms in conflict prevention and crisis management including clarification of the concepts used by the EU. These main points are discussed separately below for each chapter.

Second, this conclusion highlights and further discusses current developments in the European Security situation that may impact the future of EU conflict prevention and crisis management, including more specifically the 2015 European Agenda on Security and the on-going review of Europe´s neighbourhood policy. These new, and growing concerns of Europe´s security can impact institutional development, and prioritisation in EUs conflict prevention and crisis management.

By doing so this chapter strengthens the purpose that D1.1 has in the IECEU-project as emphasising foundational aspects of EU crisis management missions and describing the political and legal frameworks within which the EU operates. These structures have developed significantly in recent decades but institutional reform is slow even when reform needs are identified and there is wide ranging political support for change. When needs are not clearly identified or political backing is lacking, institutional reform can move at glacial speeds, if at all.

From the perspective of those operating in the field, EU's political and legal frameworks are a defining and largely, a pre-determined part of the operational context. As such, understanding of these frameworks is also necessary to any study of EU's operations in the field. Moreover, this understanding also emphasises an actor-specific approach in terms of *who* can improve the effectiveness of which kinds of capabilities in EU conflict prevention. More specifically, there are potentials for improvement of effectiveness that are within the mission or the operation—and others that require the involvement of Brussels institutions.

The centrality of conflict prevention to EU´s *raison d´être* means that a significant number of EUs institutions are, as we have seen, involved in conflict prevention. With increasing demand for crisis management, and instability in EUs neighbourhood, even broader institutional involvement in conflict prevention is possible and potentially desirable with increased coordination, thematic expertise and inter-agency cooperation. The larger the number of actors, however, the more demanding coordination is; and the more necessary to target supportive efforts to the correct actor.

6.1   Revisiting the preceding chapters

The preceding chapters have given a broad picture of the institutions of the European Union that enable the EU to bridge the gap between short-term stabilisation and long-term peacebuilding. Both are needed, without short-term stabilisation, long-term peacebuilding is not possible.

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Combining the two to a seamless operational context is complicated already within the EU through the number of actors present and is even more complicated within an operational context. However, the sustainability and long-term benefit of EUs actions in crisis management require an ever growing emphasis on conflict prevention as well as a clearer understanding of what conflict management is in fact.

Chapter 2 clarified the relationship between conflict prevention and crisis management, showing how crisis management methods become primary when conflict preventative measures have proven to be insufficient, or in other words: in crisis situations. However, different phases in the conflict are often difficult to distinguish and may co-exist temporally and even geographically. Thus in practice, the mechanisms used in crisis management may be the same as those used in conflict prevention.

Chapter 2 also showed how conflict prevention consists of measures and tools of different durations undertaken to prevent conflict in a direct and/or an indirect way. This foundational understanding in turn gave rise to understandings of conflict prevention approaches through three inherently linked constitutive elements of 1) a strategy in terms of a systematic plan of actions for conflict prevention 2) an instrument of conflict prevention or a concrete tool and 3) policy for implementation.

Chapter 3 analysed the evolution of EU´s approach to conflict prevention and crisis management. It demonstrated the centrality of conflict prevention to even the early European integration efforts. These early examples were "of an explicitly structural conflict prevention character."[249] In the 1990s, efforts in conflict prevention became more ambitious, and with the Gothenburg Programme of 2001, the EU decisively "stepped onto the stage of conflict prevention and crisis management." The chapter concluded that awareness of conflict prevention has been raised but that the record of action is mixed with both successes and failures.

Chapter 4 examined EU's institutions and instruments relevant to conflict prevention; first by exploring relevant intergovernmental bodies and then Community structures, followed by relevant instruments available to the EU. The examination emphasised and manifested the centrality of the Comprehensive Approach referring "not only to the joined-up deployment of EU (civil and military) instruments and resources, but also to the shared responsibility of EU-level actors and Member States."[250]The chapter also showed potential gaps in EU institutions in relation to 1) capabilities and decision-making 2) evaluation and 3) employed personnel. The gaps in decision-making are specifically possible between the Commission and the Council. Evaluation methods are typically

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[249] Ch. 3, 40.

[250]European Commission. Joint Communication to the European Parliament and the Council: The EU´s Comprehensive Approach to External Conflict and Crises. Commission Document JOIN(2013) 30 final, 11.12.2013. Accessed July 11th, 2015. http://www.eeas.europa.eu/statements/docs/2013/131211_03_en.pdf

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used internally within an EU body rather than by a coordinating body or an external evaluator. This practice takes place even when external evaluation would bring added benefit to the institution through a different perspective on actions taken. Finally, the chapter noted the limited size of the EEAS in terms of its responsibilities, which is comparable in terms of personnel to the Belgian Foreign Service, and thus its limited possibilities with the existing structure and resources to extend its activities further.

Chapter 5 explored the legal foundations of the EU's conflict prevention and the key principles the Union promotes: "democracy, the rule of law, the universality and indivisibility of human rights and fundamental freedoms, respect for human dignity, and respect for the principles of the United Nation's Charter and Internal Law."[251] For crisis management operations, the EU concludes agreements as a separate legal entity. The agreements are binding on both member states and EU's own institutions. Both military operations and civilian missions are accompanied by a flurry of legal activity, which defines the mechanisms the EU has at its disposal. The drafting process of these agreements also assures that there is local support for EU involvement, and that the role of the Union is known and agreed to by all parties in question.

The balance between member states and the central EU institutions is sometimes difficult to maintain as what is feasible at the EU-level may not be acceptable on the national level. Decisive power over EU Foreign affairs and security policy is held by the Council of Ministers or in other words the member states. The Member states are consulted at each turn of the decision-making and planning, which upholds national quorum and stiffens the process. Decisions over crisis management operations can be especially difficult as they are based on voluntary contributions of member states. The voluntary nature of the operations makes the expenses, potential losses of life and possible damage to political and economic reputation difficult to justify to the domestic audience; all the more difficult the farther afield the deployment is.

Specific conclusions relevant to subsequent field work:

- This deliverable gives a roadmap to EU institutions to be used in the case studies especially for the analysis of the politico-strategic level of analysis (defined in D1.5). As Crisis Management and conflict prevention are central to the EUs ethos, there are a number of EU actors, institutions and instruments who may directly or indirectly cooperate with the missions. Some of these the Mission or Operation will have closer ties with, some will be more directly influential to the Mission or Operation.

- A potentially interesting avenue for enquiry would be to identify the EU actors that Missions or Operations are in contact with. Who does the Head of Mission call?

[251] Ch 5, 125.

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- **Conflict prevention** is a set of short-, mid- and long-term processes and measures (instruments) of a political, economic, diplomatic, security (military), good governance, or developmental character, undertaken to prevent a violent conflict in a direct or indirect way. It has three inherently linked constitutive elements of 1) a strategy in terms of a systematic plan of actions for conflict prevention 2) an instrument of conflict prevention or a concrete tool and 3) policy for implementation.

- **Crisis-management** refers more to short-term measures aimed at immediate settlement and containment the conflict.

- Both conflict prevention and crisis-management measures may be used at the same time.

- The European Union actions are bound in crisis management by a legal framework, which may be very extensive and include several contracts and treaties.

- The institutional and legal frameworks demarcate the way that EU operates. There is a certain level of leeway in the implementation of operations and missions but this leeway is very much limited by the mandate, which defines the operational steps the EU takes. For political relevance, findings should be focused on those considerations where there is leeway for decision-makers, planners and within implementation.

- The IECEU project focuses on capabilities within EU conflict prevention. Case study implementation also needs to specifically focus on capabilities.

6.2 EU as a unique global actor in crisis management

The European Union is a unique actor globally in crisis management. In contrast to other regional actors, the EU is both willing and able to tackle crises globally. Its developing role is clearly different from those of NATO and the UN, who are typically involved in the first wave of activities (i.e. cessation of hostilities or securing the on-going cessation of hostilities). In contrast, the EU sends in a relatively small group of well-trained professionals, who arrive after NATO and the UN.

An EU member state can send crisis management personnel to a conflict area through all three international organisations, and are well-aware of the strengths of each. The same military forces are pooled for both NATO and the EU in countries that are members of both organisations. However, only NATO has the necessary command structures, which currently hampers EU as a military actor, even if on some occasions EU is allowed to use NATO's structures. [252]

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[252] Janne Haaland Matlary. European Union Security Dynamics: In the New National Interest. (Basingstoke: Palgrave, 2009), 65-67.

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Key practical mechanisms for European Actors to work in areas of conflict and fragility can be found in the EU Staff Handbook: Operating in situations of conflict and fragility. [253] Conflict analyses on the causes of conflict are central to the understanding of conflict dynamics and thus the prevention of further conflict. Conflict analysis should examine the context of the conflict, permissive conditions for the conflict and conflict triggers, actors in the conflict including differences and potential regroupings, consequences and aftermath of the conflict and any other more specific dynamics of the conflict. These questions can be encapsulated into "who, what, when, where, why, how."

The EU has limited rapid deployment capability even after the introduction of the battlegroup concept; and only a handful of EU member states can provide forces and command structures suited for expeditionary type of warfare. However, after having worked together, either under NATO, the EU or some other umbrella, European forces have gradually become used to different European ways of working, are to a large extent technically interoperable and have the experience of training and/or working together.

If militarily the EU is closely tied to NATO, the EU is especially strong in the field of civilian crisis management in its own right. Although originally met with general hesitation as their modus operandi was new and the rationale behind sending "solicitors to war"[254] seemed elusive, civilian missions have become a corner stone of CSDP policies. Moreover, they have had a modicum of success. [255] The civilian mission are typically longer in duration and require extensive (pre-) planning, coordination and negotiation, where the nature of the mission is detailed. There are no planning and command structures analogous to those of the military, on the civilian side.

What makes the EU a unique actor in conflict prevention and crisis management is its vast potentiality in combining civilian and military means – and a multiplicity of policies. Combining of the strengths of both military and civilian crisis management offers interesting possibilities. For example, where the military acts in groups, individual (or few) civilian actors may have a significant and lasting positive impact. The military´s strength is that it can do at least something in every context whereas civilians may find themselves side-lined with few opportunities to act in their

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[253] European Commission: EU Staff Handbook, Operating in situations of conflict and fragility, 2014. Tools and Methods Series, Reference Document No 17. http://capacity4dev.ec.europa.eu/sites/default/files/file/16/03/2016_-_1623/eu_staff_handbook_for_operating_in_situations_of_conflict_and_fragility.pdf

[254] Per M. Norheim-Martinsen. *The European Union and Military Force: Governance and Strategy.* (Cambridge: Cambridge University Press), 2013, 127.

[255] Keith Crane. "Effectiveness of Peace- and State-Building Efforts." In: Krause, Joachim and Natalino Ronzitti (eds.) *The EU, the UN and Collective Security: Making Multilateralism Effective.* (London: Routledge), 2012, 193.

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specific context. However, where civilians are able to act effectively, their positive impact may outweigh that of the military.

Joint-missions and the possibilities that they offer have not been generally used by the EU. Rather, EU crisis management operations are either civilian missions or military operations.[256] Thus far, the potentiality has not been realised to its fullest. Whether or not it will be, depends on the future development of the Union's security environment, the EU's internal structures and policies, its cooperation with other actors and the economic development, as well as whether conflict prevention and crisis management will remain as one of the priority areas of the Union. However, the institutional and practical separation of military operations and civilian missions (rule-of-law experts) significantly reduces EUs possibilities of becoming a coherent and capable crisis management actor

Perhaps the most unique, defining, feature of the EU is that it is a value-based union, also in practical terms. There is a certain level of trust amongst the member states and people as otherwise the Union would not be able to operate. The extent of integration in the field of foreign affairs and security goes depends upon whether trust within the Union can be cherished and strengthened. The level of trust has direct implications to the EU's conflict prevention and crisis management activities, which both require a high level of collaboration and cooperation. The more trust the member states have towards one another, the less confidence building activities are needed in the field of security, and the better member states are able to cooperate. In trans-boundary nature of many main security threats makes cooperation vital.

6.3 European Agenda on Security 2015, changing security landscape and the individual

Since the end of the Cold War, the prevalent security concerns in Europe have been transboundary in character, be it terrorism, cyber threats, organised crime, regional conflicts, state failure, flows of refugees or proliferation of weapons of mass destruction. The three core security priorities stressed in the European Agenda on Security from April 2015[257], are terrorism and foreign

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[256] See: Catriona Gourlay. "European Union procedures and resources for crisis management." *International Peacekeeping* 11, no. 3 (2004): 404-421.

[257] European Commission. Communication from the Commission to the European Parliament, The Council, the European Economic and Social Committee and the Committee of the Regions: The European Agenda Security. EU Commission Document COM (2015) 185 final, 28.4.2015. Accessed July 11th, 2015. http://ec.europa.eu/dgs/home-affairs/e-library/documents/basic-documents/docs/eu_agenda_on_security_en.pdf

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terrorist fighters; serious and organized cross-border crime; and cybercrime. The implementation of these three priorities will impact CSDP, potentially stretching mechanisms that were not originally designed with these priorities in mind.[258]

These core priorities reflect quite a traditional state-centric approach to security rather than the individual-based human security that was highlighted after the 1994 UNDP development report. In the report, human security is defined as "freedom from fear" and "freedom from want". Within the EU, human security was espoused with the Barcelona (2004) and Madrid (2006) reports on human security, created by the study group on Europe's security capabilities, convened by Professor Mary Kaldor. According to Martin and Kaldor: "For the European Union, human security is about how it describes its approach to making the world a safer place, the aim of the original European Security Strategy; and it can be the basis of a shared narrative upon which to build common security culture and identity."[259]

The ambitious name of the Madrid report "the European Way of Security" was not sufficient to mainstream human security into EUs missions and operations although the importance and impact of the individual-based concept of security is evident. Rather the individual is incorporated into European missions through the mainstreaming of human rights, and what has been called a "fervent support"[260] for Responsibility to Protect (i.e. sovereignty is based on the state protecting its citizens; if it does not, it is the responsibility of the international community to intervene). As a recent sign of this support, on 8 September 2015, the EU announced that it will become a part of the Global Network of RtoP Focal Points as the first intergovernmental, regional organisation. [261]

In the 2015 European Agenda on Security, the central role of the individual is reflected in the five key principles (see table) notably compliance with fundamental rights and building transparency as well as accountability and democratic control to improve the confidence of citizens. As human rights and human security overlap, the "fundamental rights" in the Agenda may include human security concerns depending on the definition and the exact content of the concepts.

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[258] See: Bruno Oliveira Martin, and Laura C. Ferreira-Pereira. "Stepping inside? CSDP missions and EU counter-terrorism." *European Security* 21, no.4 (12/2012):1-20.

[259] Mary Martin and Mary Kaldor. "Introduction." In: Martin, Mary and Mary Kaldor (eds.) *The European Union and Human Security: External Interventions and Missions.* (London: Routledge), 2010, 6.

[260] Andrej Kirn. The European Union´s Role in Promoting and Implementing the Responsibility to Protect in Africa: Turning Political Commitments into Effective Action. Bruges Regional Integration & Global Governance Papers 1, 2011. Accessed 4 August, 2015. http://www.cris.unu.edu/fileadmin/workingpapers/BRIGG_papers/BRIGG_2011-1.pdf

[261] EU Statement at the United Nations. Informal interactive dialogue on the Secretary-General´s Report on the Responsibility to Protect by Ambassador Ioannis Vrailas, 8 September, 2015. Accessed 15 September, 2015. http://eu-un.europa.eu/articles/en/article_16805_en.htm

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The protective element of human security can also be seen in the protection of civilians (PoC) in armed conflict. PoC principles exist in international humanitarian, human rights and refugee law but are perhaps more strongly worded and directly applied to parties in armed conflict. In UN´s resolution 1894 on PoC from 2009, the Security Council urges parties to armed conflict "to take all required measures to respect and protect the civilian population and meet its basic needs".[262]

In general, the EU has shown strong support for protection of civilians and an ambition to become better at protecting civilians.[263] Similarly, the cross-cutting themes in crisis management, especially human rights and gender, are important in the protection of civilians and in long-term conflict prevention efforts, but may be problematic for short-term crisis management. It is far from clear how potentially competing goals can be reconciled within a crisis management operation. For example, promotion of democratisation processes can lead to instability as the political status quo is changed. Similarly, strengthening rule of law may threaten those who have previously been able to act with impunity. If there is a choice between peace and justice, the EUs choice is peace and justice, but the practical application of the stance requires clear prioritisation.

Table 3: European Agenda on Security 2015

European Agenda on Security 2015	
Core priorities	Terrorism and foreign terrorist fighters
	serious and organized cross-border crime
	Cybercrime
Five principles	Compliance with fundamental rights
	Transparency, accountability and democratic control for citizen confidence
	Better application and implementation of existing EU legal instruments
	Joined-international inter-agency and cross-sectorial approach
	Join internal and external dimensions of security

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[262] United Nations Security Council. Resolution 1894 (2009). Accessed 15 August, 2015, 3. http://www.unrol.org/files/Security%20Council%20Resolution%201894.pdf
[263] EU Statement at the United Nations Security Council by Mr. Thomas Mayr-Harding, Head of the Delegation of the European Union to the United Nations: Protection of Civilians, 9 November, 2011. Accessed 15 August, 2015. http://eu-un.europa.eu/articles/en/article_11570_en.htm

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6.3.1 THE UNSTABLE NEIGHBOURHOOD AND 2015 REVIEW OF THE EUS NEIGHBOURHOOD POLICY

The Europe´s Neighbourhood Policy, which was established in 2003, is currently under review and is likely to include more elements of conflict prevention as instability has increased dramatically in the neighbourhood both in the East and the South of the Union. Several of the countries covered by the current ENP (Algeria, Morocco, Egypt, Jordan, Lebanon, Israel, Libya, The Palestinian Authority, Syria, Tunisia, Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine) are fragile, unstable or in conflict. The potential extension of the neighbourhood even further to "neighbours of neighbours" would also increase the number of fragile states included in the ENP.

The purpose of the current review is to "ensure the ENP can, in the future, support more effectively the development of an area of shared stability, security and prosperity with our partners"[264] leading to questions of whether and to what extent CDSP and CFSP measures should be integrated into the ENP framework to address conflicts and crises in the neighbourhood in the future. As many of the world's worst conflicts are in Europe's troubled neighbourhood, integration of CSDP instruments and ENP has potential benefits.

The European Neighbourhood Instrument (ENI) is well-funded with €15,433 million allocated to it for the period of 2014-2020. Compared to the previous six year period (2007-2013), the funding has grown by nearly 40%[265] demonstrating the importance given to the instrument In contrast, the Instrument contributing to Stability and Peace (IfSP) is much smaller at €2,339 million.

According to the regulation establishing the instrument, the ENI can be used in "promoting confidence-building, good neighbourly relations and other measures contributing to security in all its forms and the prevention and settlement of conflicts, including protracted conflicts."[266] Security is currently not a high priority area, rather the ENI is engaged in topics such as civil-society engagement, climate change action, and youth and employment.[267] However, with increasing

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[264] European Commission. Joint Consultation Paper: Towards a new European Neighbourhood Policy. EU Commission Document JOIN(2015) 6 final, 4.3.2015. Accessed July 11th, 2015. http://ec.europa.eu/enlargement/neighbourhood/consultation/consultation.pdf, 3.

[265] This funding was given to ENI's predecessor, the European Neighbourhood and Partnership Instrument (ENPI)

[266] European Parliament and the Council of the European Union. Regulation (EU) No 232/2014 of the European Parliament and of the Council of 11 March 2014 establishing a European Neighbourhood Instrument. Accessed June 15th, 2015. http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2014:077:0027:0043:EN:PDF

[267] EU Neighbourhood Info Centre. Accessed 15th September, 2015. http://www.enpi-info.eu/main.php?id_type=2&id=402#SixENItargets

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pressure to address conflicts in the neighbourhood, the priority given to different topics may shift to emphasise security questions more.

6.4   Future of EU crisis management

With increasing instability, there is a growing need for crisis management. The EU's role in crisis management is also likely to grow in the long-term. To do the opposite, in other words to circumscribe EUs crisis management operations, would be both contradictory to EUs *raison d'être* as a Union to promote peace, and the Lisbon treaty. Moreover, it could also have serious security repercussions on the security of the European Union itself through increased refugee flows, radicalization, and increased insecurity within the European Union as well as damage the credibility of the European Union as an international actor. Increasingly, CSDP missions have become a corner stone of the EUs international identity.

Whitman and Wolff suggest the formulation of an EU conflict management strategy, which would include a clear description and definition of EUs goals and interests, and an evaluation of EUs strengths and weaknesses in conflict management accompanied by tangible strategies for overcoming and circumscribing the weaknesses as well as leveraging the strengths available.[268]

Civilian CSDP missions are closely bound with state-building processes where their role is to restore civil government, support local government capacity or even substitute local government functions. Often post-conflict governments are compromises created in the peace agreements for the cessation of hostilities where former military leaders hold important posts. These host governments may be and often are "corrupt, recalcitrant and averse to reform."[269] The EUs considerable financial muscle may encourage cooperation, but certainly does not ensure it.

Effectiveness (i.e. doing the right things in the right way) is contextual and tailoring operations to suit their contexts better is thus a necessity. Tailoring operations is, however, hampered by a lack of consensus on how state-building interventions should be tailored for effectiveness and who should tailor the operations.

Similarly, state-building processes seem most effective when a range of tools is employed, but coherence between wide-range of EU actors in humanitarian aid, development and external

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[268] Richard G. Whitman, and Stefan Wolff. "The European Union as a Global Conflict Manager: Reflections on the Past, Perspectives for the Future." In: Whitman, Richard G. and Stefan Wolff (eds.). *The European Union as a Global Conflict Manager.* London: Routledge, 2012, 218.

[269] Keith Crane. "Effectiveness of Peace- and State-Building Efforts." In: Krause, Joachim and Natalino Ronzitti (eds.) *The EU, the UN and Collective Security: Making Multilateralism Effective.* London: Routledge, 2012, 193.

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relations is lacking. There is no forum or tradition of joint deliberation within the EU for the creation of an overall strategy for dealing with weak or failed states that would also include decisions over what is the appropriate mix of instruments to be used. [270] Coherence in itself does not ensure effectiveness in the field, but it does improve potential for improving effectiveness by broadening the range of instruments, actors and funding that can be employed by the EU.

Finally, the changing global security environment is likely to necessitate new types of crisis management operations in the future, which utilise a broader set of expertise from e.g. cyber security to climate change in crisis management. Here, the European Union may already be setting an example for the development for new types of operations in the future. The "New Geopolitics of Peace Operations Initiative" organised by SIPRI in 2015 predicts that in the future "peace operations will be more comprehensive and face more non-traditional challenges" and thus require out-of-the-box thinking. The report emphasises four potential types of operations for the future: 1) anti-crime police missions, 2) maritime peacekeeping missions, 3) border management missions and 4) regional operations[271] which are all types of operations carried out by the EU already. EU's contribution to global peacekeeping thinking is clear here. With improved effectiveness in its capabilities in conflict prevention, the EU can also make a greater contribution to both short-term stabilisation and long-term peacebuilding.

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[270] See: Catriona Gourlay,. "Civilian CSDP: A tool for state-building?" In: Biscop, Sven, and Richard G. Whitman (eds.). *The Routledge Handbook of European Security*. London: Routledge: 2013.

[271] Jaïr Van der Lijn, and Xenia Avezov. *The Future Peace Operations Landscape: Voices from Stakeholders Around the Globe (Final Report of the New Geopolitics of Peace Operations Initiative)*. Stockholm: SIPRI, 2015, 15-16.

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RESOURCES ON CONFLICT PREVENTION AND CRISIS MANAGEMENT

The following is a comprehensive bibliography on European Union official documents relating to conflict prevention and crisis management. Included are also some thematic analyses and evaluations commissioned by the European Union. The bibliography has been organised according to the category of the document. The categories used in this bibliography are the following:

Category	Explanation
1. Treaties and other legally binding documents	EU Treaties and other documents which have been published in the EU official journal.
2. Resolutions and Conclusions	Resolutions and conclusions adopted by the European Council and the Council of the European Union.
3. Strategies, Plans and Programmes	Long-term strategies and programmes as well as plans for including thematic issues in the field of civilian crisis management.
4. Reports	Reports about how strategies, programmes and thematic issues have been implemented in civilian crisis management.
5. Recommendations, Concepts, Communications and Guidelines	Recommendations, concepts and guidelines issued by the EU for the implementation of civilian crisis management missions.
6. Cross-cutting Issues: Human Rights, Gender, Humanitarian Law, Protection of Civilians	Thematic guidelines for cross-cutting issues in the implementation of civilian crisis management missions.
7. Analyses and Evaluations	Analyses and evaluations commissioned by the European Union. This category is far from comprehensive.
8. Documents not publicly accessible	Documents, which partly for confidentiality partly for unknown reasons are not publicly available. Part of them may be requested at the Registry of the Council of the European Union.

a) The documents have been arranged in a chronological order with the exception of analyses and evaluations, which are in an alphabetical order.

b) The internet links of the documents are whenever possible links to official EU registries. However, some documents not publicly accessible and some older documents, are available only on other organisation's websites such as statewatch.org and EPLO.

c) The research was hampered partly by the fact that the EEAS registry does not return any

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search matches for documents earlier than 2015. There seems to be a problem with the registry or it is still in its build-up phase. Thus, there is a possibility that there are some EEAS-issued relevant documents existing which are not listed in this bibliography.

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