

Learning by doing: civil-military co-ordination in EU crisis management policies

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Abstract

This paper examines the EU's efforts to define and implement a coherent concept of crisis management by looking at challenges emanating from the co-ordination between military and civilian policies and instruments. Resulting from a slow process of learning from failure and learning by doing, a new conceptual framework and new institutional arrangements have been established both at the decision-making level and on the ground to guarantee a better co-ordination between civilian and military crisis management instruments. At the decision-making level, this has led to the creation of the Civ/Mil Cell and an EU Concept for Comprehensive Planning. Nevertheless, some problems due to the complexity of EU policy-making structures, the lack of resources and the lack of will among institutional actors hindered attempts to achieve a coherent action. At the implementation level, the EU's recent engagement in Bosnia and Herzegovina (BiH) is examined in more detail. It has been in BiH that the EU has tried to introduce a comprehensive approach towards conflict management. However, difficulties are still evident due to the fragmentation of the EU's presence on the ground and tensions between the EU Police Mission (EUPM) and the EU military mission (EUFOR) in the fight against organised crime. The paper analyses those problems, as well as whether the EU has learnt from the implementation of these operations.

1. Introduction

Since the end of the Cold War, crisis management operations have become more complex and multidimensional in nature. Nowadays it is widely accepted that crisis management requires a comprehensive approach, encompassing a broad array of tasks and instruments. The goal of crisis management is not only about bringing to an end the conflict, but also supporting the process of reconstruction of the country both in a political and a physical sense. State-building projects are increasingly associated to peacekeeping operations, and in most of the theatres of operations, the military are deployed in parallel with other political and humanitarian agencies. This makes cooperation and co-ordination between civilian and military organisations a critical factor for the success of crisis management operations.

This paper aims to analyse the development of the EU's capabilities in the field of crisis management, in particular, the co-ordination between military and civilian instruments. In order to do so, it examines the EU's efforts since 1999 to build a coherent and effective crisis management policy looking at whether the EU has been able to define and implement a comprehensive concept of crisis management. Resulting from a slow process of learning by doing, a new conceptual framework and new institutional arrangements have been established both at the decision-making level and on the ground to guarantee a better civil-military co-ordination. For example, at the decision-making level, this has led to the creation of a Civ/Mil Unit and an initiative to develop an *EU Concept for Comprehensive Planning*. Still, some problems due to the complexity of the EU's policy-making structures and the fragmentation of the EU's presence on the ground have made it difficult to achieve a coherent action.

To illustrate this argument, the EU's recent engagement in Bosnia and Herzegovina (hereafter BiH) – where the EU has launched its first police mission and its largest military operation so far – is examined in more detail in the second part of the paper.¹ The EU has deployed in BiH the full spectrum of instruments at its disposal, including political tools like conflict mediation (EU Special Representative); economic carrots (humanitarian aid and long term economic assistance); and crisis management instruments (police and military missions), becoming a key security actor in the country. In this way, the EU has tried to introduce a comprehensive approach towards conflict management hence fully in line with the *European Security Strategy* (ESS) (European Council, 2003). This strategy has been specified in a *Comprehensive Policy for Bosnia and Herzegovina* (European Council, 2004) and other official documents. However, problems to co-ordinate the activities of the EU Police Mission (EUPM) and the EU military mission (EUFOR) in BiH have been evident during the first year of the running of EUFOR. The paper discusses the problems the EU has faced when trying to implement crisis management operations that involve simultaneously civilian and military components. Particular attention is paid to processes of learning and obstacles that have prevented the institutionalisation of the lessons learned in this case.

¹ This paper is based on confidential interviews conducted by the author in Brussels, Mons and Sarajevo in 2005 and 2006 with EUPM, EUFOR and EUSR officials, national representatives to the Council Working Groups and EU officials from the Commission and the Council Secretariat. The author would like to express her gratitude to all those who kindly agreed to meet and found the time to share their views. For reasons of confidentiality, neither the names nor the respective institutions of the interviewees are mentioned.

1. Complex peace support operations: determining the interface between military and civilian operations.

A more multidimensional approach to crisis management has emerged in the last years, including military security, institutional-building and economic reconstruction. This has also led to a multiplication of the actors on the ground from military, civilian administration experts, police, rule of law and humanitarian agencies among others. The broadening of the concept of peacekeeping makes it more difficult to establish the “transition points” between the military and the civilian spectrum of the crisis management activities. In an ideal crisis scenario, the military would be in charge of the first stage of the crisis, leading the operations aiming to stop the violence in the country and to separate the warring factions. In a second stage, so-called stabilisation, the military organisation would establish a safe and secure environment where the civilian organisations can operate. The successful performance of this task would mean the conclusion of the military mission. During the final stage, the normalisation phase, the civil international organisations would transfer gradually the responsibilities to the local authorities.²

The above delineation of tasks may seem easy in theory, but in practice, this has not been the case. It is problematic to determine *when* the transition from one phase to the next one takes place and, in particular, as regards the transition of responsibilities from the military to the civilian organisations. Moreover, it is frequent that military and civilian organisations work together on the same theatre of operations. For instance, civilian organisation might undertake humanitarian or monitoring activities during the first stage of post-conflict management. The activities of civilian and military operations may affect each other at the strategic, operational and tactical level, and even, on some occasions, have a negative impact on each other. One example of this might be the involvement of the military in the provision of humanitarian aid that can affect negatively the neutrality and impartiality of humanitarian agencies.³ For this reason, civil-military co-ordination becomes a key issue in post-conflict management.

Apart from problems in determining the transition from one stage to the other, because of the increasing complexity of peacekeeping missions, it is more difficult to delineate the tasks of military and civilian organisations. In the last years, military forces have been involved in the execution of civil-related tasks, beyond their traditional role of separating the warring parties. These may include the delivery of humanitarian aid, reconstruction projects, protection of refugees, organised crime, disarmament and demobilisation of ex-combatants. These areas of activity that usually fall under the responsibility of civilian authorities are undertaken by the military because of emergency reasons or because the mandate of civilian organisations is not properly designed or they do not have the necessary resources. The execution of civil-related activities by the military forces is considered as a last resort and of a temporal nature both by military and civilian organisations in order to prevent ‘mission creep’. Long-term dependence on military resources by the civil organisations must be avoided as much as possible,

² From an EU perspective, a line should be drawn between the stabilisation and the normalisation phases. In the case of BiH, the normalisation process would begin with the opening of accession negotiations with the EU. At that stage, no military forces should remain in the country. Interviews with EU officials in Brussels and Sarajevo, 2005.

³ For a more detail analysis on cooperation between military and humanitarian organisations, see Van Baarda, 2001.

especially when it comes to policing activities. Once the situation is under control or the civilian/police organisations can operate efficiently, the military should hand over the responsibilities to the appropriate civilian bodies.

The execution of civil-related activities by the military was first considered by NATO in the context of its operations in the Balkans. With the deployment of IFOR in BiH, NATO started a process to define its doctrine on Civil-Military Cooperation (CIMIC). The fact that NATO forces found themselves involved in activities traditionally outside the role of the military in a context where other civilian organisations were also operating, forced NATO to consider a more efficient way to organise their interactions with its civilian counterparts. CIMIC refers to the cooperation and interaction between military operations and other external civilian actors on the ground, including international organisations, NGOs, local population and administration. The objective of the CIMIC doctrine is to facilitate the military task, by providing the operational commanders with intelligence. It also intends to improve the infrastructures and communications in the country in order to facilitate the mobility of the military forces and to smooth the relations with the local authorities and populations (Hills, 2001). The first CIMIC units were established in IFOR. In 2000, NATO agreed on a new CIMIC doctrine and on the operational resources required to meet this challenge (Rollins, 2001).⁴ This CIMIC concept, however, differs from that of Civil-Military Co-ordination (CMCO), which constitutes the bulk of this paper.

Civil-military relations within the EU require not only co-operation, but also internal co-ordination at all levels. According to *The Oxford Dictionary*, cooperation means “working together to the same end”. For its part, civil-military co-ordination (or CMCO in the EU jargon) would imply cooperation *plus* the existence of institutional structures that facilitate communication and agreement between different actors (institutional bridges) within an organisation.⁵ Whereas CIMIC refers only to cooperation among actors on the ground, CMCO operates at the strategic, operational and tactical level (Khol, 2006). CMCO helps make policies, instruments and institutions work in an efficient and organized way. It involves inter-pillar (EC/ESDP policies) and intra-pillar dimensions (e.g. police and military ESDP operations). Thus, the deployment of the EU’s military force in BiH (EUFOR) requires not only a CIMIC concept, but also a co-ordinated approach involving all relevant EU actors in the country, from the strategic and planning phases to the implementation of the operation on the ground.

The experience in the Balkans also revealed some deficiencies in NATO’s military operations when heavily-armed SFOR troops were almost overrun during a riot in Brcko (BiH) in 1997 (Dwan, 2004: 3). This event demonstrated that military forces are not always the most suitable for tasks such as crowd control, protection of refugees or criminal investigation. In order to remedy this gap a Multinational Specialized Unit (MSU) was established as part of SFOR. The MSU was composed of paramilitary police forces, mostly carabinieri. For some, these type of forces would be the most appropriate to fill in the “security-gap” in a post-conflict scenario where a military organisation is deployed

⁴ Other international organisations like the United Nations (UN) have introduced CIMIC components. In the case of the EU, a CIMIC for EU crisis management operations was adopted in 2002 (Council of the EU, 2002b)

⁵ As described in a Council document, “Civil-Military Co-ordination (CMCO) in the context of CFSP/ESDP addresses the need for effective co-ordination of all relevant EU actors involved in the planning and subsequent implementation of the EU’s response to the crisis” (as quoted by Khol, 2006: 125).

(ibid: 3-4). However, this view is opposed by those who consider that such tasks could be better undertaken by military forces and by establishing the appropriate mechanisms for civil-military co-ordination.⁶ This issue refers to the interface between the military and the police in post-conflict scenarios, which constitutes one of the main concerns of this paper: how to delineate the tasks between police, military forces and constabulary forces? Most of the people would agree that a situation where the military undertake policing operations should be seen as “exceptional”, only until the crisis situation has been stabilised and/or the (international or local) police organisations have the necessary resources (Hills, 2001). In practice, however, it is difficult to define the boundaries.

The next section briefly discusses the concept of learning and its application to the CFSP/ESDP. Learning appears as an important mechanism explaining change within the ESDP context, and in particular, it may explain some of the changes that have taken place in the case of civil-military co-ordination, both at the decision-making and at the implementation level. Learning is facilitated by the CFSP institutional setting that prompts information-sharing, consultation and other communicative practices. Moreover, as explained in the next section, some specific institutional mechanisms have been established in order to facilitate learning in EU crisis management. However, there are still some obstacles that might halt the institutionalisation of the lessons learned.⁷

3. Learning in EU crisis management operations

Jack Levy defines learning as “*a change of beliefs (or the degree of confidence in one’s beliefs) or the development of new beliefs, skills, or procedures as a result of the observations and interpretation of experience*” (1994: 283). Drawing on this definition, learning is conceived for the purpose of this paper as an active process which involves the following stages: 1) observation of your own experience or others’ experience; 2) an active interpretation of this new information; 3) a change of beliefs. Thus, confronted to new information, actors will reassess their prior beliefs what will lead to a change of beliefs or a change in the degree of confidence of one’s beliefs (reaffirming your prior beliefs).

A crucial aspect here regards to the institutionalisation of learning, i.e. the transfer from the individual to the institution. Only when learning has been institutionalised can lead to a policy change. However, the institutionalisation of learning can be prevented by several factors. Among them, it can be mentioned: rotation, organisational culture, institutional setting and lack of resources. For example, individual learning may take place, but then a change in personnel (rotation) would prevent this learning to be institutionalised in the routines of the organisation. Or, individuals stay, but they do not have enough institutional resources within the organisation to implement the lessons learned.

Processes of learning at the EU level –in other words, the EU’s learning from its foreign policy activities– may result from an evaluation of the EU’s own experience, such as crisis management exercises (CME) or crisis management operations. In addition to this, the EU also learns from the information gathered about the experiences of other international actors (UN, NATO, Member States). New information is channelled by

⁶ A similar debate has developed during the design of ESDP operations (see below).

⁷ For a more detailed analysis of learning in CFSP see, Juncos and Pomorska, 2006

several EU institutions (the Joint Situation Centre or the Policy Unit) or some CFSP institutions set in specific geographical areas like the EU Special Representatives (EUSRs) or the EU Monitoring Mission. Usually, learning on the ground would be incorporated into the *Mission's Reviews* (EUSRs or ESDP Mission Reviews) or into the *Lesson Identified/Lessons Learned reports* (ESDP missions). Changes to current missions are decided in Brussels taking into consideration these reports. In this way, learning becomes institutionalised.

High rotation levels may be a problem to institutionalise learning in the case of police and military missions, because officers only stay between 6 to 12 months. Resources have been also a significant obstacle to implement the lessons learned. Finally, the compartmentalisation of the ESDP may avert learning processes. Problems to implement the lessons learnt might result from turf battles within the EU itself. Besides, although there is a Lessons Learned process in both military and police missions, there is no a centralised system of Lessons Learned at the EU level. For this reason, it is extremely difficult to transfer the lessons from the police to the military and *viceversa*. This has resulted in a fragmented approach towards EU crisis management and has hindered attempts to streamline resources.

This paper argues that learning, and in particular learning by doing (from the EU's experiences in crisis management) has been a significant factor explaining incremental changes in the EU's crisis management capacities in order to improve civil-military co-ordination. The institutionalisation of learning has led to the adoption of new initiatives such as the EU Concept for Comprehensive Planning and establishment of new bodies, like the Civ/Mil Cell. On the ground, as a result of a painful process of learning by doing, new mechanisms for co-ordination among the police and the military organisations have been established. However, this paper also identifies potential obstacles that have prevented the institutionalisation of learning in this context or, on some cases, have not allowed taking full advantage of some conceptual or institutional innovations.

4. CMCO in EU crisis management.

The challenge of CMCO within the EU

The EU is commonly seen to be in a unique position to make a significant contribution to complex crisis management operations due to the broad range of instruments at its disposal, including political tools like conflict mediation; economic ones (humanitarian aid and long term economic assistance); police and military ones. The ESS (European Council, 2003) states that the EU "*could add particular value by developing operations involving both military and civilian capabilities*" (ibid.). In the same vein, an EU official argued that

The Union will be capable both of maintaining peace and restoring law and order, policing, monitoring elections and rebuilding the material infrastructure and of providing humanitarian assistance. With these capabilities complementary to each other, the EU has all the qualifications for being a powerful and effective player in world affairs (Hagglung, 2002: 5).

However, the fact is that the EU is still far from using all these instruments in a coherent and effective way. The recent development of ESDP capabilities has increased the ability of the EU to play a significant role in the world, but it has also made co-

ordination within the EU more difficult. The need for a more coherent approach is acknowledged both at the political and operational levels and for this, it is required both the structure for co-ordination, but also the political will of the actors involved. For instance, recently, the High Representative for CFSP stated,

The EU is uniquely equipped among international actors in its ability to tackle problems using a wide range of instruments. The trick is to use them in a co-ordinated way to achieve the greatest impact. This is not always easy, but where there is a will, there is usually a way (Solana, 2005).⁸

Problems of civil-military co-ordination are not exclusive of the EU, but have also impinged upon the efforts of other international organisations involved in complex peace support operations. Nonetheless, in the case of the EU, these difficulties are even more demanding due to the pillar division, the complexity of procedures and the number of actors involved both in the decision-making and the implementation process.⁹ The Treaties establish different instruments and actors in charge of the crisis management procedures. For example, in the case of CFSP instruments, the Council of the EU, the PSC and the Council Working Groups are in charge of the decision-making process, whereas the role of the Commission and the European Parliament is mainly limited to oversee financial arrangements. In short-term crisis management activities, under the Council's competence, the second pillar instruments have primacy, whereas long term crisis management and conflict prevention activities, under the first pillar, are mainly managed by the Commission. Within the Council, this complexity is exacerbated by the number of bodies involved and the Byzantine nature of the EU's decision-making process.¹⁰

The overall system is complicated with the fragmentation of the EU's presence on the ground. The slow development of the CFSP and ESDP over the last few years means that together with the traditional EU actors on the ground, the Commission Delegations, other EU actors have been deployed in the last years to the theatres of conflict, *inter alia*, the EUSRs, monitoring missions, police missions and military missions. The lack of a comprehensive planning strategy and appropriate co-ordinating mechanisms have originated some problems and prevented the implementation of a coherent and effective EU's external action. Civil-military co-ordination is necessary in order to increase the impact of the EU and its role as a unitary player. It is also required in order to prevent local groups from playing off different parts of the EU's mission against each other, which would be highly damaging for the EU's external action.

This paper focuses on the coherence within the intergovernmental pillar, i.e. CFSP/ESDP crisis management activities. Intra-pillar co-ordination is expected to be less problematic than inter-pillar co-ordination, i.e. co-ordination between the second and the first pillar.¹¹ Ensuring coherence between short term (ESDP) and long term conflict prevention and crisis management policies (supported by the Commission) becomes a thorny issue, since the actors involved, the decision-making procedures and the premises

⁸ The ESS states that the "challenge now is to bring together the different instruments and capabilities: European assistance programmes and the European Development Fund, military and civilian capabilities from Member States and other instruments" (European Council, 2003).

⁹ See, for example, Council of the EU, 2000: 1. Moreover, as noted by Khol, the existence of different national cultures of civil-military relations makes it more difficult to define a common model of CMCO (2006: 127).

¹⁰ This has been also mentioned in several interviews with Council Secretariat' officials and with national representatives to the Council Working Groups, Brussels, November 2005.

¹¹ For a more detail analysis of this issue, see Gourlay, 2004.

are different. There is still a long way to improve inter-pillar co-ordination, and it seems that the breach has only grown in the last years with the development of the EU civilian crisis management capabilities. According to Catriona Gourlay,

The institutional division between intergovernmental and Community procedures and instruments also presents serious structural obstacles to the EU's stated ambitions to bring together its different instruments and capabilities to become a more coherent and effective actor in crisis management (2004: 420).

By contrast, ESDP civilian and military operations take place within the same institutional framework, the second or intergovernmental pillar. Co-ordination is also facilitated by the fact that the different bodies within the Council Secretariat dealing with ESDP crisis management operations share the same premises (Kortenbergh building in Brussels). However, even within this pillar, coherence has proven problematic and there is still room for improvement. As put by an EU official, in the context of the ESDP, "there is not legally binding differences, but the question is whether there is institutional will to make it happen".¹² There are still some tensions between the civilian and military components of the ESDP, due to the different working cultures of the military and civilian/police personnel and what has been perceived as an imbalance between the resources devoted to build-up the EU's military capacities and those earmarked for civilian crisis management (Dwan, 2004:14).¹³

Meeting the challenge: Brussels' efforts to improve CMCO

Aware of the complexity and potential problems of co-ordination that could arise between civilian and military ESDP instruments, the EU tried to improve the co-ordination at the planning and the operational stages of crisis management operations.¹⁴ This issue was firstly discussed in the context of the preparation of the crisis management procedures (Council of the EU, 2000 and 2003). These procedures were initially tested in the first EU's Crisis Management Exercise "CME 02" in May 2002. The lessons learned from the CME02 pointed at the need for an improvement of the CMCO throughout the planning and operational phases of an operation (House of Lords, 2003, 17). In consequence, in the second semester of 2002, the Danish Presidency presented an *Action Plan for the further strengthening of civil-military co-ordination in EU crisis management* to be developed by the following Greek Presidency (Council of the EU, 2002b). This document served to draw some attention among different actors about the need to foster a culture of co-ordination; however, it did not put in place any specific initiative or mechanism to achieve that goal.¹⁵ In the absence of formal structures for co-ordination, a culture of co-ordination between Commission and the Council Secretariat's staffs (and even between the different Council Secretariat DGs) has not yet crystallized.¹⁶

¹² Interview in Brussels, 2006.

¹³ Currently, the EU Military Staff (EUMS) consist of around 140 personnel, whereas the Police Unit is only staffed with a dozen of people. Several interviewees complained that DG IX and, in particular, the Police Unit, were understaffed and could not cope with the increasing number of operations in the area of civilian crisis management.

¹⁴ For a more detailed account of the development of CMCO within the EU, see Khol, 2006: 126-127.

¹⁵ Another attempt to improve civil-military co-ordination has been the establishment of training courses, following the example set by other international organisations. The Folke Bernadotte Academy in Sweden has developed a project for joint civil-military training that includes modules on public order, organised crime, border security, DDR, civilian protection, elections, intelligence, security provision to humanitarian actors, communication and transportation (Dwan, 2004: 16).

¹⁶ Interviews in Brussels, 2005-2006.

The implementation of the first military and civilian crisis management operations, in particular in BiH, helped draw more lessons about the need for further improvement of the CMCO system.¹⁷ According to one EU official: there was a realization that “*there are neither purely civilian nor military solutions for this type of complex emergencies, that both strands need to be put together in a coherent way*”.¹⁸ The Brahimi Report presented by the UN Secretary General also pointed in this direction.¹⁹ As a result of learning from its own experiences and learning from others, an initiative to generate a more comprehensive strategy at the decision-making level was developed. The initiative largely came from the UK Presidency, but it was supported by member states. UK, Austria and Finland, the countries holding the EU Presidency during the period July 2005 to December 2006, agreed on a *Non-Paper on CMCO in the context of CFSP/ESDP* (Pullinger, 2006: 17). They also agreed to put forward a programme of action that included: the development of a Concept for Comprehensive Planning (to be undertaken by the UK Presidency); a comprehensive review of the EU activities in some individual cases (Austrian Presidency); and a summary/evaluation of the lessons learned from these cases (Finish Presidency).²⁰

In autumn 2005, the PSC agreed on an EU *Concept for Comprehensive Planning* as part of civil-military co-ordination in the EU’s crisis management operations (GAERC, 2005). This concept was a logical step forward in the development of an EU integrated response to crisis management. This document provided the guidelines in order to generate a more coherent approach to crisis management so as to improve co-ordination of the different civil and military instruments both at the decision-making and at the theatre of operations. It should also allow for a more efficient use of the different instruments at the EU’s disposal (military, police, rule of law, civil protection, development and humanitarian). As other documents of this type, it was devised as a living document to be reviewed in the light of the experience and taking into account the lessons drawn in the different EU crisis management operations.

The Council charged the Austrian Presidency with the operationalisation of this concept in the cases of Aceh, Darfur and BiH, providing a single comprehensive overview of the EU’s activities in these cases.²¹ In BiH, the Single Comprehensive Review that was adopted by the Council in June 2006, included reports from all the main EU bodies operating in the country: EUFOR, EUPM, the EUSR and the Commission (GAERC, 2006). The overall revision of the EU’s activities aimed at providing a strategic vision of what the role of each of the bodies should be, as well as how the transition from a crisis management situation to a normalisation phase should take place. However, producing this comprehensive overview proved to be difficult²² and many EU officials expressed doubts

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ For example, it recommended the establishment of Integrated Mission Task Forces to plan and support complex peacekeeping operations. General Assembly/Security Council (2000) *Report of the Panel on United Nations Peace Operations*, A/55/304-S/2000/809.

²⁰ Ibid.

²¹ The Austrian Presidency also initiated a “Framework paper of possible solutions for the management of EU crisis management operations”, providing some concrete recommendations to improve CMCO in the field (Council of the EU, 2006).

²² For example, the comprehensive review has posed some problems due to the fact that every mission followed different review processes. Because of that, the PSC had to modify the EUPM Mission Review’s

about whether this initiative can actually change the situation on the ground since all the EU bodies have been already deployed and when there is no real determination among the concerned actors. After all, this initiative is just a concept that has been put to work.²³

In the implementation of this document, the new Civ/Mil Cell was expected to play a crucial role.²⁴ The Civ/Mil Cell agreed at the European Council in December 2003, was established in June 2005 within the Council Secretariat, directly under the EUMS.²⁵ Its creation resulted from two factors: 1) a package deal struck in the aftermath of the Iraq crisis between “Atlanticists” and “Europeanist” about the establishment of an EU autonomous operational headquarter; 2) a common realization from past experiences that a better mechanism for planning joint civil-military operations was required (Pullinger, 2006: 14). This explains the two main functions of the Civ/Mil Cell. First, it is to assume the strategic and conceptual planning of EU’s civilian and military operations. That could be a purely civilian, a purely military or a civ-mil mixed type of operation. This cell is also in charge of the establishment of an EU’s autonomous operations centre, i.e. a headquarter to run an EU military operation in the event that there is no another EU Member state acting as the leading-nation for an EU military operation and it is being carried out without resorting to Berlin Plus agreements.²⁶ This autonomous headquarter should operate “in particular where a joint civilian/military response is required” (in Gourlay, 2004: 410). This operational capacity will not be ready until the summer 2007.²⁷

The Civ/Mil Cell should provide the EU with an added value in terms of strategic and conceptual planning, without overlapping with the roles of other institutional actors within the Council, that is, DG VIII (dealing with mil/pol aspects of ESDP), DG IX (civilian crisis management) and the EU Military Committee (EUMC). As acknowledged by an EU official: “one of the objectives here in the cell is to avoid duplication, we don’t want to do the job of DG VIII or DG IX, but that is not always easy (...) we are still finding our way and about how do we fit into the overall structure”.²⁸ Another mentioned that the cell should not be seen as “the planner”, but as a “catalyst” for more integrated planning, pulling in expertise from different parts of the Council Secretariat, in particular when it comes to the implementation of the Concept for Comprehensive Planning.

The Civ/Mil Cell should in theory concentrate on developing a comprehensive planning at the strategic level, handing over the tactic and operational planning to DG VIII and DG IX. However, in its first months of functioning, the cell has concentrated in strengthening the planning capacities of DG IX, at the request of the latter and due to the limited resources of DG IX and the multiplication of the civilian crisis management

deadlines and produced concurrent timelines for a comprehensive review of the EU’s activities in BiH. Interviews in Brussels and Sarajevo, 2006.

²³ Ibid.

²⁴ However, the implementation of the Comprehensive Planning undertaken under the Austrian Presidency (Aceh, Darfur and BiH) was assigned to the Council Secretariat and the Civ/Mil Cell only had a supporting role in the whole process, whereas other DGs within the Council Secretariat took the lead.

²⁵ For more on the creation and role of the Civ/Mil Cell, see Pullinger, 2006.

²⁶ Currently, the EU can conduct the strategic planning for an operation from five national headquarters (Britain, France, Germany, Greece and Italy), as well as from the EU cell at the SHAPE Headquarters in Mons.

²⁷ Interviews in Brussels, November 2005-January 2006.

²⁸ Ibid.

operations in the last months.²⁹ The lack of resources earmarked to civilian crisis management has so far prevented the Civ/Mil Cell from developing all its potential. On the other hand, as noted by an EU official, “the rationale for the creation of the cell was to provide an added value to the interface between civilian and military operations. But this interface is not always easy to define [...] *who* will set the actions and do the planning, *when* the military ends and the civilian starts...”³⁰

From the outset, the creation of this cell has also been surrounded by criticisms mainly because of its location, within the EUMS, which has been perceived with certain suspicion from other Directorates-General within the Council Secretariat (DG VIII and DG IX).³¹ It is argued that since the role of this unit is to co-ordinate civilian and military activities it should be not located within the EUMS, headed by a military, and with a military-dominated composition.³² Rather it should have been established as an independent body, under the High Representative’s command, composed equally by civilian and military personnel, hence acting as the main body bringing together the military and the civilian approaches. However, one of the rationales behind its establishment (the development of an EU headquarter) explains why EU policy-makers decided to place the Civ/Mil Cell in its current position. Concerns about appropriate CMCO seem to have weighted less in the deals among the Member States and the CFSP decision-making process (the unanimity rule) prevented to certain extent the institutionalisation of the lessons learnt.

Another problem to improve civilian-military co-ordination within the Council Secretariat stems from the complexity of its structures and procedures to deal with crisis management operations and the intra-institutional quarrels. As an EU official acknowledged, the Civ/Mil Unit could provide a holistic and integrated planning in crisis management, but “when push comes to shove, there is still too much directorate turf wars going on in respect to ‘who does what’”.³³ This view is also shared by the High Representative. According to Javier Solana,

The creation of the Civ/Mil Cell has been a step in the right direction, but does not go far enough. It should be seen as a pathfinder, leading the way to a more complete integration of civilian and military expertise within the Council’s structures (General Secretariat/High Representative, 2005: 5).

For this reason, the High Representative has recommended a reform of the Council Secretariat’s structures to achieve “the maximum possible the civil/military integration in all areas” (ibid: 6). According to him, it is necessary a more concerted approach and the political will from the different bodies within the Council Secretariat. However, for the moment, this restructuring does not seem a priority. The Council Secretariat is still very much process-focused (engaged with EU internal processes), instead of being operation-focused, i.e. looking at what are the appropriate instruments to deal with each crisis.

²⁹ For instance, the Civ/Mil Cell has assisted DG IX with the planning of the missions in DR Congo, Aceh Monitoring Mission (AMM) and the EU Border Assistance Mission at the Rafah Crossing Point in the Palestinian Territories (EU BAM Rafah).

³⁰ Interview in Brussels, November 2005.

³¹ Ibid.

³² It has to be noted however, that within the Civ/Mil Cell, the Planning Branch has been equally staffed by military and civilian officers. Currently, there are seven civilian experts in the Civ/Mil Cell. Interviews in Brussels, November 2005.

³³ Ibid.

Finally, the recent creation of a European Gendarmerie Force (EGF) increases the need for a clear definition of the role of civilian police, paramilitary police and military forces in EU crisis management operations in an effort to streamline capabilities.³⁴ Within the EU, there are some divergences amongst the Member States regarding the usefulness of constabulary forces. The Nordic countries, for instance, have traditionally been suspicious of the role of ‘paramilitary’ police forces and hence oppose their deployment. By contrast, Southern countries like Spain, France, Italy and Portugal have this type of forces at home and are keen to employ these forces in missions abroad. Because of this fundamental disagreement, the EGF has been created outside the EU’s structures. Based on a French proposal in 2003, this force follows the model of the EUROFOR: it is an autonomous initiative of five Member States (France, Spain, Italy, the Netherlands and Portugal), not integrated within the EU’s structures for crisis management.

This initiative embodies the idea of creating a force that can fill in the gap between the military and the civilian interface, providing the best of each world (Esquivel Lalinde, 2005). It is particularly endowed to carry out a rapid reaction intervention in the aftermath of a conflict under a military command or a substitution mission under a civilian command and can be deployed at different stages of a crisis (initial phase, transition, stabilisation, and even as a preventive engagement). The EGF will be able to carry out a wide range of operations from public safety, maintaining public order, criminal investigation, intelligence gathering, fight against organised crime, witness protection, anti-terrorist activities and crowd control. In principle, the contributing countries expressed their intention that the EGF could take part in EU crisis management operations under civilian command or integrated into a military mission. However, the role of this force is still to be defined and the fact that it is not a proper EU instrument will make it more difficult to optimise its capabilities.

The creation of this force has to be also linked to the problems experience by the EU in BiH regarding co-ordination among police and military forces, and the role played by the constabulary forces within EUFOR in the fight against organised crime (see below). The EU needs a clear CMCO doctrine and to define what the role of each of these instruments should be in a post-conflict scenario. In the next section, the paper analyses the attempts to improve civil-military co-ordination in the field by considering the case of EU’s engagement in BiH. In particular, it is interesting to examine the tensions between the police (EUPM) and the military (EUFOR) missions recently launched in the country.

5. CMCO in the case of Bosnia and Herzegovina: learning by doing.

An EU’s fragmented presence on the ground

One of the main lessons drawn from the EU’s experience in the Balkan conflicts was that the EU had to improve its crisis management capabilities in order to better deal with threats in its neighbourhood. From then, the Balkans have become one of the main testing grounds for the ESDP. In January 2003, the first ever EU police mission began its operations in BiH, and then, on the 31st March 2003, the military mission Operation Concordia in FYROM. In December 2004, the EU launched its largest ever military mission in BiH to take over from the NATO-led SFOR mission: EUFOR Althea. It was

³⁴ The Headquarters of the European Gendarmerie Force are in the Italian city of Vicenza. The EGF has an initial reaction capability of about 800 men within 30 days.

the first time that the EU had simultaneously on the same theatre of operations a civilian (EUPM) and a military (EUFOR) crisis management operation. This involved a new challenge for the EU: the need for an enhanced co-ordination between the military and the civilian elements of ESDP at different levels.

In BiH, coherence on the ground has been difficult to achieve not only because of the EU's fragmented presence, but also because of the fact that different actors arrived at different times, and that there was not a comprehensive approach from the beginning. The EC Monitoring Mission (later the EUMM) was launched in July 1991 to observe the cease-fire in Slovenia and then deployed to other countries in the region, including BiH, to monitor human rights and other security-related issues. In 2003, the EU decided to launch its first ever police mission in BiH. At the same time, Paddy Ashdown was appointed EU Special Representative in BiH (EUSR). The EUSR was integrated into the chain of command of the EUPM in order to facilitate co-ordination of the different EU bodies in the country. For its part, the Commission had maintained various activities in BiH since the beginning of the war in 1992 with the provision of humanitarian aid and, later on, technical assistance to the country in the framework of the Stabilisation and Association Process. Finally, in 2004 the EU launched EUFOR Althea, under the Berlin Plus Agreements, with the main task of maintaining a safe and secure environment and supporting the implementation of the Dayton Agreement.

With such a range of actors, co-ordination does not seem easy. In the past, co-ordination was a more challenging task because the police mission (EUPM), the main provider of economic and technical assistance (EC Delegation) and the military mission (SFOR) were part of different organisations. Nowadays, they belong to the same organisation, the EU. According to some interviewees, although coherence has improved, there is still room for improvement.³⁵ Now that all the main actors are under the umbrella of the EU, it is not sufficient with cooperation, but coherence requires an overall co-ordination effort so as to integrate the police and military activities with the economic and political activities of the EU with the aim of producing synergies. In other words, “*even if the different missions might not be integrated, they need to be seriously co-ordinated*”.³⁶

To ensure coherence, different mechanisms have been set up, and among them, the most important is the figure of the EUSR. The EUSR is in the chain of command of EUPM and can offer political advice to EUFOR, *inter alia*, on organised crime and ICTY indictees. However, the two ESDP operations remain under separated chains of command and carry out different mandates what impinges upon coherence. The EUSR is not in the chain of command of EUFOR, limiting *de facto* its co-ordinating role, although good working relationships between the Force Commanders and the EUSRs have facilitated this task.³⁷ In the summer of 2004, with a view to prepare the deployment of EUFOR, the European Council approved a *Comprehensive policy for BiH* “to ensure that the EU has a comprehensive approach to Bosnia and Herzegovina, based on a clear EU policy and modalities to pursue that policy in a coherent manner” (European Council, 2004). The document acknowledged the difficulties to achieve co-ordination and coherence in BiH “given the magnitude of the EU's involvement” in the country. For this reason, different

³⁵ Interviews in Sarajevo, 2005-2006.

³⁶ Interview in Brussels, 2006.

³⁷ The EUFOR Commander reports directly to the Operation Commander in SHAPE Headquarters (Mons).

arrangements both in Brussels and in Sarajevo were suggested in order to ensure a coherent and effective policy.³⁸

Co-ordination between EUPM and EUFOR in the fight against organised crime

However, these arrangements have not prevented some problems of co-ordination. A case in point has been co-ordination between the police and the military mission. In theory, the mandates of the two missions did not clash. The role of EUPM was to monitor, mentor and inspect at the medium and senior level, assisting in the building of the capabilities of the Bosnian police forces, according to European and international standards (Council of the EU 2002a). EUFOR Althea was to provide a safe and secure environment, and to implement other aspects of ANNEX 1A and 2 of the Dayton Agreement (Council of the EU 2004). Whereas, the EUPM's mandate aimed to the long-term capacity-building of the police forces, EUFOR focused on the short term (deterrence). The first had a non-executive mandate (monitor, mentor and inspect); the latter had an executive mandate, i.e. it had enforcement tools to be used if appropriate. In spite of the different mandates and approaches, in practice, some tensions arose between EUPM and EUFOR. The implementation of these operations revealed that there were still some grey areas between the EUPM and EUFOR mandates, especially regarding the fight against organised crime. The existence of a paramilitary police force under the chain of command of EUFOR, the Integrated Police Unit (IPU), only contributed in exacerbating these tensions.³⁹

Everybody seems to agree that the military mission in BiH is a low-level risk mission, especially given that the country is currently in the process of signing a Stabilisation and Association Agreement. Even if not ruled out, the resumption of ethnic violence among the different entities' armies does not seem likely to occur. With the defence reform that has been recently agreed, in the next years, there will be a single army. Therefore, deterrence, the main task of EUFOR, will be made redundant.⁴⁰ Instead, one of the main challenges for the country appears to be organised crime, including drug trafficking, smuggling of weapons and human trafficking. According to the ESS, organised crime constitutes one of the main security challenges for the EU and the Balkans appear as one of the main nests of organised crime: "90% of the heroin in Europe comes from poppies grown in Afghanistan . . . Most of it is distributed through Balkan criminal networks which are also responsible for some 200,000 of the 700,000 women victims of the sex trade world wide" (European Council, 2003). Supporting institution-building projects and a solid democracy constitutes one of the most effective ways to tackle this problem. As stated in the ESS, "restoring good government to the Balkans, fostering democracy and enabling the authorities there to tackle organized crime is one of the most effective ways of dealing with organized crime within the EU" (ibid). That is the

³⁸ For instance, the EU's Head of Missions meetings that take place in Sarajevo fortnightly have been set to ensure horizontal coherence. As far as the vertical coherence is concerned, the EUSR has established a weekly meeting with the ambassadors of the EU Member States, chaired by the local EU Presidency.

³⁹ The IPU took over from its predecessor in SFOR, the MSU. It is under the control of the Force Commander and it is composed of troops from Italy, Hungary, Austria, Slovenia, Romania, Turkey and The Netherlands. It combines the unique features of a military unit with the capabilities and experiences of a police force. Therefore, it can perform a wide range of tasks from support to maintain a safe and secure environment to conducting police-like investigations. This is the first example of an executive police force under an EU-flag aiming to support the rule of law in the country (EUFOR Forum Online, 2005a).

⁴⁰ However, according to some EU officials, there is still a need for a "green force" to psychologically reassure the population. Interviews in Sarajevo, 2005.

strategy implemented in BiH through the CARDS assistance programme and the EUPM projects in the area of policing. EUPM provided expert advice and monitored the creation and strengthening of various institutions (the Ministry of Security, a State Intelligence and Protection Agency, a State Border Service, Interpol) to increase the local capabilities to fight against organised crime.

The role of EUFOR in the fight against organised crime was rather different. EUFOR's mandate identified the fight against organised crime as one of its supporting tasks, but from the outset, the involvement of EUFOR in the fight against organised crime was considered by the Force Commander to be a fundamental task. It was argued that its participation in such missions was particularly needed because of the seriousness of the problem, affecting the stability and the security situation in BiH.⁴¹ Since EUFOR took over from SFOR in December 2004, it conducted different operations together with local law enforcement agencies to fight illegal activities like weapons' smuggling, drug trafficking, human trafficking and illegal logging.⁴² They were carried out both by military troops and the IPU, a constabulary force, especially well suited for such activities.⁴³ However, EUFOR's assertive approach soon generated criticisms within the EU family and these problems were pointed out in several EUPM *Mission Reviews*. Some EU officials, especially from the Commission and the EUPM, criticised the appropriateness of this type of operations ten years after Dayton.⁴⁴ From the point of view of EUPM, the activities that EUFOR was carrying out to fight organized crime were beyond its mandate and had to be put to an end. They argued that EUFOR was interfering with EUPM's mandate. By participating in organised crime operations, they were doing the job of the local police forces, instead of promoting long-term capacity-building and ownership of the reforms.

However, as a result of a process of learning by doing, EU actors realised the need for better arrangements. In September 2005, the representatives of EUPM, EUFOR and the EUSR agreed on *Seven Principles for co-ordination* and on *General Guidelines for Increasing Cooperation between EUPM-EUFOR and EUSR* (EUPM, EUFOR, EUSR, 2005). According to this document, the main co-ordinating role would fall under the responsibility of the EUSR who would chair a new body, the Crime Strategy Working Group. According to the *Seven Principles*, EUPM would take the lead in the policing aspects of the ESDP, supporting efforts in tackling organised crime. EUPM would assist the local authorities by mentoring and monitoring the planning of these operations, while EUFOR would provide the operational capabilities to these operations, all under the political co-ordination of the EUSR. These activities should aim at supporting the efforts of BiH authorities in the fight against organised crime, in an effort to promote local ownership. This agreement has been later developed into Operational Guidelines (adopted on 11 May 2006) that specify the new "adjusted roles" of EUPM and EUFOR in supporting Bosnian law enforcement agencies in fighting organised crime and corruption. EUFOR will only support Bosnian police forces when the capacity does not exist within any Bosnian police forces or when it exists, but local police lack confidence, and this

⁴¹ Ibid.

⁴² EUFOR has continued with SFOR operation Harvest Operation, and has launched others like Spring Clean, Strike and Stirling. For more information on EUFOR operations, see EUFOR Forum Online, 2005b.

⁴³ EUFOR rejected on several occasions criticisms against the role played by the IPU. In the *EUFOR Forum*, the IPU was defined in the following terms: "The IPU is not a Law Enforcement Agency; responsibility for conducting police activities in BiH lies with Local Police Agencies. The IPU therefore plays a supporting, and not an independent, role in the fight against organized crime in Bosnia" (EUFOR Forum Online, 2005b).

⁴⁴ Interviews in Sarajevo, 2005.

support will always have to be endorsed by EUPM. The implementation of these guidelines should lead to EUFOR progressively reducing its role in the fight against organised crime (but without leaving a vacuum) and leaving these tasks to the Bosnian police forces.⁴⁵

The problems between EUPM and EUFOR highlighted Brussels' inability in designing a comprehensive civilian and military approach to crisis management. Besides, they came out at a time when the mandate of EUPM had to be reviewed, which led to a heated debate among the Member States about the appropriateness of executive/non-executive missions,⁴⁶ the role of constabulary forces in EU crisis management and the overall strategy of the EU in the fight organised crime. The EU Member States (and the EUSR) realised that something had to be done to improve this situation and contributed to exert pressure on the relevant actors in BiH. There was an agreement that EUFOR should progressively reduce its role in the fight against organised crime (facilitating in this way EUFOR's exit strategy). At the same time, it was obvious that something had to be done to deal with the threat posed by organised crime. The solution was to enhance the mandate of EUPM. The carabinieri-type component remained within EUFOR, but would act under the leading role of EUPM.⁴⁷

Along the same lines as the Seven Principles, the new EUPM mission launched in January 2006, has a stronger, more pro-active role in the fight against organised crime, assisting the local authorities in planning and conducting organised crime investigations (Council of the EU, 2005). With this new mission the EU has tried to overcome some of the problems of the previous one. For example, it has strengthened its inspecting component. Hence one of the new strategic priorities will be to monitor and inspect the accountability of the local police by looking at the operations carried out by the Bosnian police forces, but also the conduct of individual police officers. On the other hand, this mission also tries to respond to criticisms that pointed to the lack of an integrative approach in the previous EUPM, neglecting the importance of other rule of law components in the fight against criminality in BiH. Even though the new EUPM is still a police mission, it also includes some rule of law experts.⁴⁸

6. Concluding remarks

Through a process of learning, the EU is progressively improving its crisis management capabilities to better deal with complex security situations. Thus, in the last few months, the EU has launched mixed civilian crisis management operations including both police and rule of law components (EULEX Iraq and the new EUPM could serve as an example), civilian-military mixed operations (such as the EU support to AMIS II in Darfur), as well as civilian operations supported by military expertise (the EU Monitoring Mission in Aceh).⁴⁹ In this way, the EU has put to the test its recurrent claim that it is in a

⁴⁵ Interviews in Sarajevo, 2006.

⁴⁶ In executive missions, international police officers with enforcement powers are deployed on the ground and participate in police operations to substitute/support the local police forces. Non-executive police missions such as the EUPM do not have an operational role, but are limited to specific tasks, such as monitoring, advising, training and mentoring, and have limited enforcement powers.

⁴⁷ Interviews in Brussels and Sarajevo, 2005-2006.

⁴⁸ Ibid.

⁴⁹ Even if the Aceh Monitoring Mission was composed of civilian personnel, many of them had a military background and the mission has been involved in tasks traditionally undertaken by military missions such as decommissioning and demobilisation of ex-combatants (for instance, the same tasks were carried out by

unique position to contribute to complex crisis management and that it constitutes an added value to NATO. Yet, this challenge requires an effective CMCO system working across the spectrum of EU instruments, especially since the EU has rarely launched integrated missions, i.e. with military and civilian components under a common chain of command and sharing a common mandate.

The development of a CMCO system in EU crisis management has been a lengthy process of learning by doing and from its own mistakes. At the decision-making level, the development of an *EU Concept for a Comprehensive Planning* and the creation of the Civ/Mil Cell sought to overcome some of the problems that affected previous missions. They were seen as a first step to achieve a more holistic approach to EU crisis management policies. The *EU Concept for a Comprehensive Planning* offered an excellent opportunity to streamline and optimise EU's crisis management capabilities by providing a single comprehensive overview of the activities of the Union in a specific country. However, this concept has shown its limitations in those cases, such as BiH, where numerous bodies have been already deployed at different times and with different mandates. The establishment of the Civ/Mil Cell also created great expectations among the concerned actors, but its operationalization has been far from satisfactory.

Several factors explain problems in the institutionalisation and implementation of the lessons drawn at the decision-making level. Firstly, the fragmentation of the structures dealing with crisis management. The compartmentalisation of the Council Secretariat, for example, means that there is little hope that the new Civ/Mil Unit can link the civilian-military spectrums of crisis management unless the Council Secretariat is reorganised. In the absence of a single decision-making process, and while the division among pillars remains, an intensification of contacts among all the relevant actors and better structures for communication might help to overcome some problems. However, the institutionalisation of CMCO in EU crisis management as a working culture among actors still requires changes in beliefs at the level of organisations/individuals, i.e. a move from a culture of confrontation to a culture of cooperation. There have also been other difficulties related to the lack of resources. For instance, due to the limited personnel of the Police Unit, the Civ/Mil Unit had to provide with operational support to some of the last few operations, instead of focusing on its primary role of providing strategic planning. Finally, ambiguities behind the establishment of the Civ/Mil Cell (deals among the Member States), and the lack of a clear single rationale have also undermined its effectiveness.

Progress on the ground at least in the case of BiH seems more hopeful. Even though there are still some reservations regarding how the implementation of the *Seven Principles* will take place, during the transition phase (1st January-31st May), co-ordination between the different ESDP operations in the country has worked well.⁵⁰ The main lesson from the Bosnian case is that to optimise resources, mechanisms for co-ordination are required at the strategic, operational and tactical levels between police and military forces and an agreement about what should be the role of constabulary forces needs to be reached at the EU level. Furthermore, the EU's presence on the ground needs to be streamlined as soon as possible. This would mean the conclusion of the military mission and a substantial reduction in the police mission, together with an increasing role for the Commission and

IFOR in BiH). Moreover, the Civ/Mil Cell supported the planning of this mission with logistic, communication and medical expertise that the Police Unit did not possess. For more on this, see Pullinger, 2006: 21-23. For more on the ESDP operations see the website: <http://www.consilium.europa.eu>

⁵⁰ Interviews in Sarajevo, 2006.

communitarian instruments leading the country in its process towards EU membership. The EU's experience in BiH is also important because the EU can use the lessons learned in terms of civil-military co-ordination for future operations. For instance, the above mentioned problems in BiH have led to the discussion within the EU of a *Regional approach to Organised Crime in the Western Balkans* and the delineation of some guidelines and recommendations for EU crisis management missions to take into consideration when assisting in the fight against organised crime.⁵¹ Kosovo could be the first country where, starting from scratch, the EU could test its new CMCO doctrine regarding the fight against organised crime.

As one EU official mentioned, “everybody wants co-ordination, but nobody wants to be co-ordinated”.⁵² As in other areas of EU crisis management policies, the Union is learning how to move from this idea by developing the necessary concepts and putting in place new co-ordinating mechanisms both at the decision-making and at the implementation level. Problems of co-ordination between the Commission and the Council activities cannot be completely solved unless the pillar structure is abolished. Co-ordination between ESDP operations would not require such an institutional reform. Instead it is related to different institutional and working cultures among the actors involved (civilian/military). In this sense, institutional reform has its limits here and the only way out would involve a change in beliefs (learning) conducive to a cooperative culture. For the moment, it is not clear whether the necessary political will to achieve this objective is already in place, in particular when it comes to the Brussels milieu. Without this will, the lessons learned will be lost.

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⁵¹ Interviews in Brussels, 2006.

⁵² Ibid.

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