From Kosovo to Kosova? The Transformation of ESDP and its Contribution to Global Conflict Management

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Paper for Workshop 2: The European Union as a Global Conflict manager: from Pragmatic Ad-hocism to Policy Coherence

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Introduction

The European Security and Defence Policy (ESDP) is central to the European Union’s ambitions in the field of global conflict management. Yet understanding how the civil-military potential of ESDP is integrated into wider European Union (EU) conflict management policy is underdeveloped. As the number and variety of EU conflict management operations expands to include Afghanistan and Kosovo, ten years after the EU stood on the sidelines as NATO took the lead, it is an opportune moment to assess: (1) the transformation of ESDP from a largely military driven project to a much more civilian orientated one; and, (2) the policy, institutional and capability gaps both within ESDP and between ESDP and other branches of the EU. Finalising the transformation of ESDP and overcoming these gaps are crucial to the EU’s global conflict management ambitions.

The EU has long tried to carve out a role for itself in global conflict management. Initially, the focus was on conflict prevention through development policy. With the launch of CFSP the EU has tried to combine the economic, political and diplomatic instruments of European Commission and the Council of the EU. These approaches drew on the traditions of the EU as a civilian power to develop preventative measures aimed at addressing the root causes of conflict. Efforts to coordinate a coherent EU approach increased markedly at the beginning of the 21st century, coinciding with the launch of ESDP. In parallel the EU has also become more involved in negotiations to end conflict and in post conflict stabilisation and reconstruction. The focus on pre- and post-conflict initiatives positions the EU at two ends of a spectrum of conflict, leaving it largely absent in the most difficult phase where the polarisation of views leads to violence and even war. With the development of ESDP, and in particular its military and civil-military capabilities, the EU has the potential to act across the conflict spectrum, filling a gap blatantly exposed in the Balkan conflicts of the 1990s.

This paper aims to provide a preliminary examination of the role of the ESDP in the EU’s conflict management approach. One of the key driving forces behind ESDP was the need for the EU to be able to act more effectively in conflict management in the wake of the violent dissolution of Yugoslavia. In particular the ability of the EU (alongside the UN) to negotiate cease-fires and agreements was undermined by its inability to ensure these were adhered to. This ultimately led to the United States taking the lead through air strikes in Bosnia, facilitating the Dayton Peace Accords and agreeing to, leading and providing the majority of the contributions to NATO’s Operation Allied Force (OAF) against Serb forces in Kosovo & Serbia. The inability of the Europeans to ensure the resolution of these conflicts on its own border was a very public blow to its credibility as a conflict manager.

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Utilising Ramsbotham, Woodhouse and Miall’s spectrum of conflict resolution responses, the Hourglass Model, this paper analyses the potential utility of ESDP as an additional tool at the EU’s disposal for global conflict management. The development of ESDP was to enable the EU to undertake more robust peacekeeping operations, which would fill the gap between conflict prevention and post-conflict reconstruction – to enable the EU to use force where necessary to contain and end violent conflict. ESDP could, therefore, contribute ‘in areas of heated conflict where violence has become routine and the prevention of violent conflict has failed.’ The military and civilian elements of ESDP need to be able to do this across three crucial phases: containing violence to prevent it escalating into war, containing violent conflict (geographically and in intensity) once it has broken out and consolidating a ceasefire to enable post-conflict reconstruction. ESDP would have to be complemented by other EU policy instruments from across the institutions and pillars in order to improve the chances for longer term success and move from the management of a conflict to its resolution and even transformation.

ESDP’s potential as the central instrument, at least in the conflict containment phase, is enhanced by its gradual transformation. The overtly military focus of ESDP in the early years of its development has given way to a more civil-military focus with many of the operations carried out under ESDP having been purely civilian. Therefore it is possible that in the ten years since ESDP’s emergence its utility has broadened beyond the ability to resort to the use of force if necessary. It is now not just in terms of containing and ending violent conflict that it has a role but in missions either side of the outbreak of violent conflict – both in prevention and reconstruction. If ESDP’s objectives policy and capability objectives are achieved it may become the fulcrum around which EU global conflict management is centred.

Conceptualising Conflict Management/Resolution

Conceptualising conflict management and/or conflict resolution is a controversial and difficult task. Since the emergence of the study of conflict resolution in the wake of World War II the field has been united in its desire to search for ways of transforming potentially or actually violent conflict into peaceful processes of political and social change. Yet even at its outset the diversity of the field was evident in the different approaches of John Burton (subjectivist), Kenneth Boulding (objectivist) and Johan Galtung (structuralist) which mirrored the different disciplines within each working. In subsequent decades the range of approaches and theories of conflict resolution has multiplied as the field has expanded beyond the state-centric origins to include components below and above the state level (civil society, regional and international levels), with the latest generation of conflict resolution drawing on critical theory, discourse, emancipation and cosmopolitanism.

Given the diversity of the field whether the word “management” or “resolution” is used and how “conflict” is understood can have a significant impact on the

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3 Ibid. p. 133
4 Ramsbotham, Woodhouse & Miall (2005) pp. 32-54
5 Ibid. p. 33
conceptual approach and empirical focus of any study. In this paper the focus will be on conflict management within the field of conflict resolution – the overarching term used to describe the entire area of study. Ramsbotham, Woodhouse & Miall define conflict management as ‘the settlement and containment of violent conflict’. More specifically still, the focus is on the utility of ESDP in the field of ‘conflict containment’ which ‘includes peacekeeping and war limitation (geographical constraint, mitigation and alleviation of intensity, and temination at the earliest opportunity). This focus on conflict containment must be embedded within the broader understanding of conflict resolution which covers the entire spectrum of phases of conflict from prevention to settlement/termination, resolution and, ultimately, transformation. These phases of conflict and of conflict resolution are succinctly encapsulated in the Hourglass Model set up by Ramsbotham, Woodhouse & Miall; described as representing: ‘the narrowing of political space that characterises conflict escalation, and the widening of political space that characterises conflict de-escalation. As the space narrows and widens, so different conflict resolution responses become more or less appropriate or possible.’

This paper attempts to map the potential and actual contribution of ESDP during the conflict containment phase, which includes preventative peacekeeping, war limitation and post-ceasefire peacekeeping. Utilising this model it is possible to map the range of responses available within ESDP and from across the EU’s capabilities to the different phases of conflict. The various stages of conflict resolution and conflict and of strategic and tactical responses are neatly summarised in the table below.

<table>
<thead>
<tr>
<th>Conflict Resolution</th>
<th>Stage of Conflict</th>
<th>Strategic response</th>
<th>Example of tactical response</th>
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</thead>
<tbody>
<tr>
<td>Conflict transformation</td>
<td>Difference</td>
<td>Cultural peacebuilding</td>
<td>Problem-solving, support indigenous dispute resolution institutions, CR training, fact finding missions, peace commissions</td>
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<tr>
<td>Contradiction</td>
<td>Structural peacebuilding</td>
<td>Development assistance, civil society development, governance training &amp; institution building, human rights training, track II mediation</td>
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<tr>
<td>Conflict Settlement</td>
<td>Polarisation</td>
<td>Elite peacemaking</td>
<td>Special envoys &amp; official mediation, negotiation, coercive diplomacy, preventative peacekeeping</td>
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<tr>
<td>Conflict</td>
<td>War</td>
<td>Peacekeeping</td>
<td>Interposition, crisis management, containment</td>
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<td>Conflict</td>
<td>War limitation</td>
<td>Peace enforcement, peace</td>
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6 Ibid. p. 29
7 Ibid.
8 Ibid. p. 12
9 Adapted from Ramsbotham, Woodhouse and Miall p. 14 (first column added by author from hourglass model p. 12)
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<tr>
<th>Containment</th>
<th>Support &amp; Stabilisation</th>
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<tbody>
<tr>
<td>Ceasefire</td>
<td>Preventive peacekeeping, disarmament &amp; security sector reform, confidence building measures, security in community through police training</td>
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<td>Peacekeeping</td>
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<th>Conflict Settlement</th>
<th>Prevention</th>
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<tr>
<td>Agreement</td>
<td>Electoral and constitutional reform, power sharing &amp; decentralisation of power, problem-solving</td>
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<td>Elite peacemaking</td>
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<tr>
<th>Conflict Normalisation</th>
<th>Structural peacebuilding</th>
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<tr>
<td>Structural peacebuilding</td>
<td>Collective security and cooperation arrangements, economic resources cooperation &amp; development, Alternative defence</td>
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<tr>
<th>Conflict Transformation</th>
<th>Cultural peacebuilding</th>
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<tr>
<td>Reconciliation</td>
<td>Commissions of enquiry, truth &amp; justice commissions, peace media development, peace and conflict awareness education &amp; training, cultural exchanges &amp; initiatives, problem-solving as future imaging</td>
</tr>
<tr>
<td>Cultural peacebuilding</td>
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However, it is important to note that the phases are not demarcated as clearly as implied in the model and the approaches and capabilities may not always be deployed best sequentially but perhaps simultaneously, especially in the de-escalation phase. This means that ESDP’s contribution should run simultaneously with other EU instruments to ensure a coherent and comprehensive approach to the conflict management.

The EU’s own definitions in the field of conflict resolution are provided by the European Commission and help further clarify the focus of the paper:

- Peacebuilding: ‘actions undertaken over the medium and longer-term to address root causes of violent conflicts in a targeted manner.’
- Conflict prevention: ‘actions undertaken over the short term to reduce manifest tensions and/or to prevent the outbreak or recurrence of violent conflict.’
- Conflict management: ‘actions undertaken with the main objective to prevent the vertical (intensification) of violence) or horizontal (territorial spread) escalation of existing violent conflict.’
- Conflict resolution: ‘actions undertaken over the short term to end violent conflict.’

There are clear differences between some of the Commission’s definitions and those of Ramsbotham et al. In particular for the Commission conflict resolution is a short term action whereas for Ramsbotham et al it ‘implies that the deep-rooted sources of conflict are addressed and transformed’ meaning a long term approach. This

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10 Ibid.
12 Ramsbotham, Woodhouse & Miall, p. 29
A. Shepherd Draft     ESDP Conflict Management

approach is reflected more in the EU’s definition of peacebuilding which also correlates with Ramsbotham et al’s conception of peacebuilding as ‘addressing the structural issues and long term relationships between conflictants.’ The EU’s concept of conflict prevention seems to correspond loosely to Rambotham et al.’s notion of conflict settlement. Finally, the EU and Rambotham et al have similar conceptualisations of conflict management – limiting the vertical (intensity) and horizontal (geography) escalation of violence. It is in this specific area that ESDP has the potential to enhance EU conflict management capabilities; alongside the UN or autonomously. It is therefore to ESDP that this paper now turns, analysing its conflict management rationale, the transformation of its military and civilian capabilities and its growing civil-military focus; a transformation that, if carried through, has the potential to make the EU a credible global conflict manager.

Conflict Management: The Origin and Rationale of ESDP

ESDP has always been essentially about conflict management. Several factors explain the emergence of ESDP in 1998-99 including: post-Cold War geopolitical transformations; US downgrading of Europe’s priority status in its foreign policy; changes in UK foreign and security policy; French relations with NATO; the completion of Economic and Monetary Union; and, European defence industry manoeuvring. However, two drivers in particular emphasise ESDP’s conflict management origins and rationale: the violent break-up of Yugoslavia and the emerging notion of an international community with responsibilities to protect those members of the community unable to protect themselves.

First, the EU’s experience in failing to tackle violent conflict has been central to ESDP: ‘our experience of the consequences of conflict has been instrumental in the development of civilian and military crisis management capabilities, and is a driving factor in the development of a more effective and responsive common foreign and security policy.’ The brutal conflicts that tore apart Yugoslavia in the 1990s and the EU’s ultimately failed attempts at conflict management during the ‘hour of Europe’ was perhaps the compelling factor in the emergence of ESDP. If the EU could not resolve conflicts in a region bordered on three sides by EU member states what credibility could it bring when contributing to international security? While the EC/EU managed to negotiate cease-fires and agreements in the early stages of conflict it was unable to ensure they were adhered to. The warring parties quickly reverted to violence and it took US leadership and military force to bring the conflicts in Bosnia and later Kosovo to an end. Hence, the missing link in the EU’s conflict management capabilities was seen to be the credible threat or actual use of force in support of political and diplomatic efforts and agreements.

Second, following the end of the Cold War there was a sense that a true ‘international community’ could emerge, based on the UN, which could act to ensure a much wider and deeper notion of security for states and peoples. This was

14 Council of the European Union (30 November 2000) p. 4
coupled with an emerging sense of responsibility to limit the effects of violent conflict not just between states but also within states. There was a growing belief this international community had a responsibility toward human rights and humanitarianism, even if this meant overriding the primacy of sovereignty in international relations. Moves in this direction can be seen in Boutros Gali’s 1992’s Agenda for Peace which stated that ‘the time of absolute and exclusive sovereignty...has passed.’ Later in the decade, speaking during OAF; Tony Blair spoke of a ‘new doctrine of international community’ which should be based on the belief that ‘the principle of non-interference must be qualified in important respects. Acts of genocide can never be a purely internal matter. When oppression produces massive flows of refugees which unsettle neighbouring countries then they can properly be described as “threats to international peace and security”.’ This was essentially a doctrine of humanitarian intervention. Finally, the policy-makers were supported by a raft of academic work on humanitarian intervention. These shifts, according to Howorth, fitted easily with the EU’s multilateral and normative approach to conflict management within its borders. Based on this approach to conflict management and seeing itself as an integral part of the international community, the EU needed to be able to intervene in support of the new humanitarian objectives being espoused.

Driven by the EU’s failings in the Balkans, the shifting international political environment and the EU’s desire to contribute to international security France and the UK proposed that the EU ‘must have the capacity for autonomous action, backed by credible military forces, the means to decide to use them, and the readiness to do so, in order to respond to international crises.’ This was the birth of ESDP. The EU, quickly adopting the initiative in June 1999, immediately positioned ESDP as a conflict management tool. The European Council linked ESDP explicitly to ‘the full range of conflict prevention and crisis management tasks defined in the Treaty on European Union, the Petersberg tasks.’ These tasks, incorporated by the EU in the 1997 Amsterdam Treaty, include ‘Humanitarian and rescue tasks; peacekeeping tasks and tasks of combat forces in crisis management, including peacemaking.’ It is clear, therefore, that the central rationale for ESDP was to contribute to preventing, ending and resolving conflict internationally. Six months later, at the Helsinki European Council, new committee structures were approved for decision and policy-making and the EU established its military capabilities objective. The Helsinki Headline Goal (HHG) declared that the ‘member states must be able, by 2003, to deploy within 60 days and sustain for at least 1 year military forces up to 50,000-60,000 persons capable of the full range of Petersberg tasks.’ This goal was clearly modelled on NATO’s crisis management operations in the Balkans, SFOR and

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18 Howorth (2007) pp. 54-55
19 British-French Summit, Joint Declaration, St. Malo, 4 December 1998
20 European Council, Declaration of the European Council on Strengthening the Common European Policy on Security and Defence, Cologne 4 June 1999
21 Article 17.2 Consolidated Version of the Treaty on European Union (Brussels: Office for Official Publications of the European Communities, 1997)
KFOR, illustrating conflict management as the main rationale and primary role of ESDP. Conflict management has also influenced ESDP’s subsequent transformation.

**Conflict Management and the Transformation of ESDP**

As the EU takes over from the UN in Kosovo it does so with a very different ESDP to the one launched in 1998-9. The range of operations has widened, the military goals have changed significantly and civilian capabilities have taken on at least equal importance. In terms of the number of operations, civilian crisis management has become the dominant focus, format and function of ESDP. The remit of EU conflict management outlined in the European Security Strategy (ESS) and the wider Petersberg tasks highlight the need to balance civil-military capabilities and approaches. Ensuring the right civil-military balance and coherence in ESDP is crucial to the EU’s wider conflict management credentials.

**Widening the conflict management remit of ESDP**

Two key developments have widened the scope of ESDP yet reinforced its conflict management focus: the publication of the ESS and the widening of the Petersberg tasks. The 2003 ESS highlighted a number of ‘global challenges’ and ‘key threats’ facing the EU. The global challenges included resource competition, global warming, poverty and disease which contribute significantly to ‘political problems and violent conflict’ with ‘a number of countries and regions caught in a cycle of conflict, insecurity and poverty.’23 This focus on insecurity and conflict is reflected in two of the five key threats which are directly relevant to ESDP’s conflict management capabilities: regional conflict and state failure. The ESS states that ‘none of the new threats is purely military; nor can any be tackled by purely military means...in failed states, military instruments may be needed to restore order...Regional conflicts need political solutions but military assets and effective policing may be needed in the post conflict phases...the European Union is particularly well equipped to respond to such multi-faceted situations.’24 An integrated civil-military ESDP is key to the EU being ‘well equipped’ and gives the EU the potential to make a significant contribution to conflict management particularly in support of the UN. The EU declares that it ‘is committed to reinforcing its cooperation with the UN to assist countries emerging from conflicts, and to enhancing its support for the UN in short-term crisis management situations.’25 It is clear therefore that conflict management is crucial to the ESS and, therefore, ESDP. This is even more apparent in moves to widening the Petersberg tasks, first hinted at in the ESS.26

The broadened Petersberg tasks were formalised in the Headline Goal 2010 launched in June 2004.27 They were further widened in the 2007 Treaty of Lisbon (ToL), and now include: ‘joint disarmament operations, humanitarian and rescue tasks, military advice and assistance talks, conflict prevention and peace-keeping tasks, tasks of combat forces in crisis management, including peace-making and

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24 Ibid. p. 7
25 Ibid. p. 11
26 See Ibid p. 12
27 European Council, Presidency Report on ESDP, Brussels, 4 June 2004
post conflict stabilisation.” The widening of the Petersberg tasks has cemented the conflict management focus of ESDP and correlate with the hourglass model of conflict resolution capabilities suggested by Ramsbotham et al. The enlarged remit suggests that the EU aims to be able to contribute to conflict resolution across the entire conflict spectrum. To do so it will need the capabilities to match its ambitions.

Transforming military capabilities for conflict management

Despite numerous capability commitment conferences pledging over 100,000 troops, 400 aircraft and 100 ships the 2003 HHG was never fully achieved. The personnel and equipment shortfalls have been well documented, yet they did not stop ESDP becoming operational in 2003, at least on a limited scale, in Bosnia, FYROM and the DRC. The first two EU military missions in FYROM and the DRC were significant for the EU’s development as a conflict manager and a symbolic shift away from its traditional image as a civilian power. They also shaped the subsequent transformation of the EU’s military capability targets.

Lessons from the first conflict management operations, together with the ESS and elements of the original HHG, drove the transformation of military capability objectives. The 2003 HHG was focused on the target 50-60,000 troops deployable in 60 days, but as part of this member states should ‘provide smaller rapid response elements available and deployable at very high readiness.’ This objective, largely neglected in the early years of ESDP, was revisited in February 2003 at the Le Touquet Franco-British summit. The summit declaration called for improvements in ‘European capabilities in planning and deploying forces at short notice, including initial deployment of land, sea and air forces within 5-10 days.’ The need for an ability to deploy smaller force packages at shorter notice became the centre piece of Headline Goal 2010 and was highlighted later in the year by Operation Artemis.

Artemis was comprised of approximately 2,000 personnel and was an interim three month ‘bridging’ operation launched at the request of the UN to stabilise the town of Bunia prior to the arrival of a reinforced UN mission in September. This autonomous EU operation was run through the Framework Nation concept utilising French Headquarters and based largely on French troop contributions (with Swedish, UK and Belgian troops on the ground and a further 13 EU states and 5 non-EU states contributing other capabilities). By EU standards the decision making process was extremely quick with the request coming from Kofi Annan on 10 May (to the French who subsequently sought EU involvement) and the mission being deployed on 12 June. It was a difficult mission in which EU forces were involved in several fire-fights yet they managed to contain and reduce the violent conflict in Bunia. While critics

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32 The speed can be largely attributed to French planning prior to EU involvement
point out that they just pushed the violence out of the town Artemis did fulfil its mandate, containing the violence and ensuring stability until the UN force relieved it in September. This operation clearly fits into the conflict management role envisaged for the EU and demonstrated the EU’s ability, though still limited, to operate in ‘the narrowing of political space that characterises conflict escalation,’

It was a good example of the EU’s desire to contribute to the conflict containment phase as well as the conflict settlement and transformation phases it traditionally focused on. It was also an example of what the Le Touquet Summit had envisaged for ESDP, calling for the EU to ‘examine how it can contribute to conflict prevention and peacekeeping in Africa, including through autonomous operations, in close cooperation with the United Nations.’

The lessons of Artemis, the remit of the ESS and the revival of the 5-10 day deployment target shaped the February 2004 ‘food for thought paper’ on the battlegroup concept, which was adopted by the EU in June 2004 as the core of new the military Headline Goal 2010. The Battlegroups are 1500 strong battalion sized units, deployable within 5-10 days and sustainable for 30 days; with the possibility of extending that to 120 days. The 1500 strong national or multinational battlegroup is, according to the EU, the ‘minimum militarily effective, credible, rapidly deployable, coherent force package capable of stand alone operations, or for the initial phase of larger operations.’ In any six month period there are two battlegroups on standby at very high readiness for almost simultaneous deployment to undertake the full range of Petersberg tasks. More specifically, the illustrative scenarios for the battlegroups are: separation of parties by force, conflict prevention, stabilisation, reconstruction and military advice to third countries, evacuation operations in non-permissive environments and assistance to humanitarian operations. Most of these scenarios correlate neatly with several phases of Ramsbotham et al’s hourglass model of conflict and conflict resolution.

Artemis, and previous capability audits, also strongly influenced other components of the HG2010: the importance of the civil-military cell, a European Defence Agency (EDA) to coordinate capability improvements, improved strategic lift (air, land and sea), the availability of an aircraft carrier and its air wing and escort by 2008, improved communications and quantitative benchmarks for deployability and multinational training. The key elements of strategic lift and civil-military coordination were areas where the lessons of Artemis are apparent and will be crucial to ESDP’s contribution to an effective EU conflict management approach.

The changing military focus of ESDP is shaping it more appropriately for the EU’s global conflict management ambitions. However, as the ESS points out, the military instrument alone is not enough. Therefore, the EU has, with less public attention, also

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35 Franco-British summit, February 2003
37 European Council, Presidency Report on ESDP, Brussels, 18 June 2004
38 EU Council Secretariat, Factsheet: EU Battlegroups, 2 November 2006
39 For more on the Battlegroup concept see: Lindstrom, G. Enter the EU Battlegroups (EUISS: Paris, 2007)
41 European Council (18 June 2004)
been developing the civilian capabilities it believes ESDP needs to fulfil its role in conflict management.

Conflict Management and ESDP’s Civilian Capabilities

After Concordia and Artemis only two subsequent ESDP missions have been military ones (EUFOR Althea in Bosnia and EUFOR Tchad/RCA). Civilian or civil-military operations such as police, judicial, border and monitoring missions have dominated ESDP’s operational agenda. Unsurprisingly therefore, civilian capabilities have become as equally important as military ones for EU conflict management. The 1999 HHG was complimented by a less specific and less high profile statement on ‘non-military crisis management of the European Union’ which called for an Action Plan for civilian crisis management based on an inventory highlighting EU capabilities in: civilian police; humanitarian assistance; administrative and legal rehabilitation; search and rescue; and, electoral and human rights monitoring. The action plan highlighted the need for strengthening the synergy and responsiveness of national, collective and NGO resources, enhancing and facilitating EU contributions and activities within other organisations as well as autonomous actions, and, ensuring inter-pillar coherence.

The 2000 Feira European Council outlined the four priority areas for civilian capabilities: police, rule of law, civilian administration and civilian protection. The summit set a concrete target of 5000 police officers by 2003 for conflict prevention and crisis management operations, 1000 of which should be deployable in 30 days. This was followed in June 2001 by a call for 200 rule of law experts to support the police, a pool of civilian administration experts and civilian protection intervention teams of up to 2000 personnel available at short notice.

The 2004 European Council published a draft action plan for civilian aspects of ESDP which outlined the need for a civilian headline goal, a capability commitment conference and a broadening of the expertise available for potential ESDP missions (including experts on human rights, political affairs, security sector reform (SSR), mediation, border control, disarmament, demobilisation and reintegration (DDR) and media policy). The quantitative side of the civilian equation was met at the November 2004 commitment conference with 5,761 police, 631 rule of law experts, 562 administration experts, and 4,988 civil protection personnel pledged. These capabilities, at least on paper, gave ESDP an increased conflict management role with the conflict containment but also in the conflict settlement phases. However, as with military commitments the actual numbers may not have been as promising due to availability problems and varying levels of experience and training.

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44 Ibid.
48 Council of the European Union, Civilian Capabilities Commitment Conference - Ministerial Declaration, Brussels, 22 November 2004
Consequently, the quantitative steps toward a civilian capability were complemented by the more qualitative focus of the December 2004 Civilian Headline Goal (CHG) 2008. The CHG 2008 restated unequivocally ESDP’s conflict management rationale describing the civilian dimension as ‘part of the EU’s overall approach in using civilian and military means to respond coherently to the whole spectrum of crisis management tasks such as conflict prevention, peacekeeping and tasks of combat forces in crisis management, including peacemaking and post-conflict stabilisation.’49 Drawing on lessons from the first two civilian missions (EUPM & Proxima) the CHG also reiterated the need for capabilities in the areas of SSR and DDR in addition to the four priority areas highlighted previously. The civilian missions envisaged by the CHG included strengthening local institutions through advice, training and monitoring and/or performing executive functions (substitution missions);50 further enhancing the EU’s conflict management credentials. Decisions to launch civilian missions are to be taken within 5 days of the approval of the Crisis Management Concept by the Council and capabilities are to be deployed within 30 days of the decision to launch a mission. This focus on rapid deployment led to the development Civilian Response Teams (CRTs) which consisted of integrated packages of experts to: make fact finding assessments in crises or imminent crises; provide a rapid initial operational presence; and, reinforce existing EU mechanisms for crisis management.51 Finally, the CHG highlighted the growing civil-military focus of ESDP, emphasising the need to be able to ‘deploy civilian means simultaneously with military means at the outset of an operation’ and that ‘close cooperation and coordination with the military efforts have to be ensured throughout all phases of the operation. When necessary, civilian crisis management missions must be able to draw on military enabling capabilities.’52 The need for smooth civil-military transition is aided by the establishment of the European Gendarmerie Force (EGF) which is at the disposal of the EU and should help fill the gap between military and civilian personnel in the field. These developments highlight the importance the EU’s potential for civil-military synergy in global conflict management.

While these capability and institutional developments were taking place ESDP was running several civilian missions in the Balkans, Caucasus, Ukraine, Africa, the Middle East and Indonesia as well as providing support to the AU mission in Darfur. This rapid rise in the number, scope and geographical variety of missions demonstrates the growing civilian and civil-military nature of ESDP and therefore the importance of the civil-military potential of the EU in global conflict management. This, as yet incomplete, transformation of ESDP highlights the shift from an almost purely military focused project to more balanced civil-military capability. ESDP was launched due to the EU’s inability to back up its political, diplomatic and economic weight with the credible threat of force when conflicts became violent. Yet, it was quickly realised that civilian capabilities were equally as important and in several respects just as deficient. While, it has not been as easy as first thought to put together the civilian capabilities53 there has been more progress on these than on military capabilities.

49 Council of the European Union, Civilian Headline Goal 2008, Brussels, 7 December 2004
50 Ibid.
52 Ibid.
and civilian and civil-military operations are the predominant conflict management role for the EU. Nevertheless, there is still a great deal of progress required to overcome the remaining gaps in the EU’s approach to conflict management.

**Bridging the Gaps in EU Conflict Management: The Place of ESDP?**

Despite the progress outlined above it is well known that there are still significant gaps to be filled. There are two broad areas that need to be addressed: (a) the continuing civilian and military capability gaps within ESDP; and, (b) the policy and institutional gaps that continue to exist between ESDP and the EU’s other key tools for global conflict management (such as aid, development, and civil protection).

Within ESDP military and civilian capability gaps must be filled. Even more importantly, the gaps between military and civilian doctrines, planning and capabilities must also be bridged. Between ESDP and other branches of the EU the gaps in concepts and approaches and leadership and decision-making need to be overcome. In particular the limited coherence between policies and pillars and the turf wars between (and within) the Commission and the Council need to be resolved.

**Identifying and Rectifying Gaps within ESDP**

Capability, institutional and policy gaps persist within ESDP. The list of military shortfalls in ESDP is well known, yet very few have been overcome. The 2006 Capability Improvement Chart showed that since 2001 just eight shortfalls had been solved, four improved and 52 remained unchanged.\(^5^4\) An International Crisis Group Report on EU capabilities highlighted the three broad areas which have consistently been the most debilitating military shortfalls: deployability, standardisation and interoperability, and strategic intelligence.\(^5^5\) The report focuses on air and sealift as well as aerial refuelling as the crucial deployability gaps, but as important is the availability of personnel. The EU’s long term airlift solution is the A400M military transport aircraft being procured by a number of member states and Turkey,\(^5^6\) but the delivery date for the first aircraft has slipped from 2007 to 2010, with the last ones not in service until 2020 or later. The temporary (NATO led) solution is the 2006 Strategic Airlift Interim Solution (SALIS). A consortium of 15 EU and NATO states have a three year, renewable contract, to charter Russian and Ukrainian Antonov AN124-100 transport aircraft; two on a permanent basis, plus two more on six days notice and a further two at nine days notice.\(^5^7\) This should help overcome some of the airlift problems encountered during Operation Artemis when EU capabilities were supplemented by Canadian and Brazilian capabilities and chartered Antonov-124 aircraft for the Europe to Entebbe leg. Sealift, while not fitting the requirement of “rapid” crisis management is a crucial capability for overall conflict management missions and this is still lacking. The UK procurement of roll-on, roll-off ferries and chartering has improved the situation a little\(^5^8\) but longer term coordination and procurement will be needed. In the area of aerial refuelling the EDA has launched an initiative to monitor requirements and look at future possibilities. However, with


\(^{56}\) Subsequently South Africa, Chile and Malaysia has signalled their intent to procure A400Ms

\(^{57}\) NATO, ‘Strategic airlift agreement enters into force’, NATO Update 23 March 2006

\(^{58}\) International Crisis Group (2005) p.26
the number of EU operations continuing to grow and their range extending, the
relatively small and aging capability across the EU will need to be upgraded.
Improved strategic lift capabilities are crucial to a credible and effective EU conflict
management policy.

With the move to largely multinational battlegroups interoperability becomes of
paramount importance. Ensuring interoperability is difficult task and it is one where
the EDA has a crucial coordinating role to play across all equipment areas from
weapons to communications. Finally, strategic intelligence is a key requirement for
peace-enforcement operations. There is a need for virtual real-time human and
technical intelligence, yet the politics and sensitivity of the intelligence means an EU
capability is likely to be difficult to develop. The Galileo system and the Global
Monitoring of Environment and Security (GMES) initiatives may prove useful but more
important is the sharing of intelligence between member states and this is currently
limited. Even more limited is the nature of the intelligence that member states are
willing to give to EU bodies such as the Joint Situation Centre (SitCen); which is
supposed to be the hub of intelligence collection in the EU. The most cost-efficient
and coordinated approach to solving many of these military capability gaps is
pooling; yet this is politically sensitive for the larger and more capable EU states.
Pooling may also be a solution to the outstanding civilian capability gaps.

Overcoming the civilian capability gaps has seen more progress than on the military
side, yet gaps persist. The final report on the CHG 2008 highlighted that the process
had ‘revealed considerable potential shortfalls in certain police and rule of law
categories’; in particular judges and prosecutors, prison personnel, junior and middle
ranking police officers, and junior level border police.’ A European Parliament
Report concurred, noting ‘continued shortfalls in the areas of police, rule of law and
civilian administration’, and worryingly added the ‘lack of use of the valuable
Civilian Response Team instrument’. These reports highlight the continuing
problems of getting the required number and type of personnel and the more
strategic problem of training, coordination and integration of those personnel, many
of whom may never have envisaged deploying overseas for conflict management
operations. These problems were reflected in the fluctuating availability of the
personnel pledged in 2004/5 with five states raising the number of personnel
available but three decreasing their commitment, while nine states’ commitments
remained stable. This uncertainty is highly problematic for conflict management
where rapid availability of the appropriate capabilities is crucial across all phases of
action (from preventative through containment to resolution).

Problems with civilian conflict management operations have been outlined in EU
and independent reports on the EUPM. The International Crisis Group report

59 Ibid.
60 Interviews with Officials in the Council of the EU and Commission, October 2007
2007
62 European Parliament Committee on Foreign Affairs, Draft Report on the Implementation of the
European Security Strategy and the ESDP (Brussels: 31 January 2008)
63 Council of the European Union (9 November 2007), Annex 6
64 See for example: Nowak, A (ed) 2006; International Crisis Group, EU Crisis Response Capability
Revisited, Brussels, January 2005; and, Emerson, M. & Gross, E. (eds) Evaluating the EU’s Crisis Missions in
the Balkans (Brussels: CEPS, 2007)
highlighted the weakness and inappropriateness of the EUPM’s mandate and the low levels of experience among some experts. Juncos adds to the list of problems, emphasising the fragmentation of the EU’s presence on the ground, the complexity of EU decision making and the simple lack of resources. Ioannides blames the complexity of the EU’s pillar structure for coherence problems with operation Proxima. Examining the same operation another analysis questioned the usefulness of co-location at management, rather than operational, levels of policing. For Emerson and Gross a broader issue emanating from the Balkan operations is the lack of institutional learning within the EU. The underlying critique across the commentaries was the lack of integration and coordination across the various components of conflict management. Separating rule of law from police from civil administration may be useful for databases but not when operationalising a programme. This is partly where the push for CRTs came from. But as the European Parliament has pointed out the CRTs are yet to be used as an integrated team. Instead individuals have been used on an ad-hoc basis.

In addition to gaps within the military and civilian components of ESDP there are significant gaps between the military and civilian components, further undermining the EU’s conflict management strategy. The civil-military relationship can be divided in two: Civil-Military Cooperation (CIMIC) in the field and Civil-Military Coordination (CMCO) at the political level. At both levels the experience of the EU is mixed at best. Positively, when a plan has to be devised and an operation has to be deployed very quickly which draws on the knowledge and/or capabilities of both civilian and military assets the EU manages to get by (Aceh). However, without the pressure of having to find a solution within a short space of time relations can be strained, even suspicious, and coordination and cooperation is often weak. This is far from the integrated civil-military coordination that is at the heart of the EU’s potential as a conflict manager.

The Civilian-Military Cell (CivMil Cell) is at the heart of the ESDP’s attempt at CMCO. The CivMil Cell emerged largely from EU-NATO negotiations on operational headquarters arrangements for ESDP, but also partly from initial indications emanating from EU missions in the Balkans revealing the need for a far more integrated civil-military approach on the ground and in planning. CMCO is need within ESDP and across the Pillars and the CivMil Cell has the potential to do this. In order to do so there needs to be a culture of coordination. Yet the military believe civilian planning is overly optimistic about the environments into which the EU deploys and the civilian elements are wary of militarising EU policy. The CMCO culture is clearly not yet engrained. The CivMil Cell also encompasses the ability to establish an Operations Centre at very short notice to run battlegroup sized civil-military missions and this became ready for activation in January 2007, but has yet to be tested beyond exercises. The CivMil Cell is also supposed to operate as the link

70 Interviews in Commission and Council of the EU, October 2007.
71 Radek in Nowak, A (ed) 2006 p. 127
72 Interview with former CivMil Cell official, October 2007
between the new Civilian Planning and Conduct Capability (CPCC – which supports CIVCOM) and the military command chain. The central problem for the CivMil Cell is that there is no comprehensive crisis management concept that incorporates both civilian and political-military elements. Even with the CivMil Cell in place the civilian and military elements are still quite distinct at the planning level and this creates problems in setting up an integrated mission. According to one official a better solution would be to merge the CPCC with the Operations Centre (which should be a standing military HQ) but politically this is not feasible given the position of states such as Sweden, Germany and the UK. Hence, while the CivMil cell is potentially at the centre of any integrated, comprehensive EU conflict management mission, before it has really had a chance to draw together the numerous assets fragmentation is occurring. There is a danger that the gaps between the civilian and the military are not being bridged let alone eliminated. The problem of gaps is exacerbated by the problem of overlap when examining relations between ESDP and other branches of the EU.

Continuing Gaps between ESDP & other branches of the EU

When examining relations between ESDP (Pillar II) and the policy instruments in Pillar I (and to an extent in Pillar III) coherence is the key problem. Compounding this are the policy, institutional and capability gaps within Pillar I (e.g. between DG RELEX and DG Development) and even within individual DGs within the Commission (or the Council). While these are important the focus of this section is the inter-institutional gaps. There is a strong policy and academic literature discussing the lack of coherence and consistency across the pillars in foreign policy more generally and in conflict management in particular. The central problem raised by policy-makers and commentators is the lack of a ‘unity of command’, exacerbated by overlapping competences and poor communication. In the area of military capabilities for conflict management the unity of command is relatively straightforward with the Council having overall political control and the PSC effectively taking the lead. The Commission has no role in decision-making, but does have an input into aspects of planning. However, as the ESS states none of the threats can be tackled by purely military means and this is true for conflict management. Therefore, the civilian components of a conflict management operation have to be factored in from the start and it is in the civilian crisis management field where inter-pillar coordination and cooperation is particularly problematic; add in the need for civil-military coordination and another layer of overlap, gaps and political sensitivities complicate the picture further.

An example of both gaps (in communication) and overlap (in rationale) is the Council’s CRTs and the Commission’s Assessment and Planning Teams (APTs). Both are designed to provide situation assessments prior to operational planning decisions for conflict management missions but each report through a different command chain and base its assessments on different capability sets. While Commission officials may be included in CRTs it is not guaranteed. Exchanges of information between the two are limited and inter-pillar disjointedness continues. In many
situations both the Commission and the Council have sent separate fact-finding missions to the same country or region without any coordination between them.\textsuperscript{76} A second example is the gathering of information on tensions, disasters and conflict around the world with the Council's SitCen, the Commission's Monitoring and Information Centre (MIC) in DG Environment and its Crisis Room within DG RELEX all collating information at the same time within few exchanges. The MIC is associated with the Civil Protection Mechanism (CPM) which wants to establish links with the CivMil Cell and the military elements of ESDP in terms of disaster response, yet future development of the CPM has not been linked with CFSP developments.\textsuperscript{77} A similar problem of duplication and lack of communication occurs with early-warning watch lists. Both the Commission and the Council generate watch lists independently of each other, based on different criteria and while the Commission supplies information to the SitCen there is not the overall coordination necessary for conflict management.

There are also inter-pillar gaps in terms of funding mechanisms for conflict management with multiple, but generally poorly coordinated, funding instruments within the Commission and a CFSP budget that is far too limited for the rapidly expanding number of conflict management missions. A second financing problem for conflict management (within the Commission) is the slowness of decision-making in a policy area where speed is of the essence. A relatively minor crisis can escalate very quickly into a violent conflict. At the other end of conflict spectrum speed is equally as important as there may be a sudden break through in negotiations for a cease-fire or peace agreement. In either circumstance speed of decision-making is crucial but most mechanisms do not have this attribute. However, the new stability instrument will hopefully provide a solution to this (see below).

It is not just that there are gaps and duplication between the Commission and the Council in the area of conflict management, but at times there seems to be outright rivalry between the two institutions. This was illustrated by the Commission taking the Council to the ECJ over the demarcation between CFSP and development policy when the Council implemented a Joint Action to support ECOWAS in its efforts to reduce the accumulation or small arms.\textsuperscript{78} The Commission lost its argument that this should be done through the Cotonou agreements, but according to one official at least it helped to demarcate the two policy areas.\textsuperscript{79} While, this demarcation may be useful legally it is a stark reminder of the rivalry and of the divisions and gaps that persist in conflict management approaches.

The gaps between Council and Commission in conflict management can also be clearly seen on the ground. In operations from the Balkans to Africa integrated missions seem a step too far for the EU. In Bosnia there have been separate special representatives from the Commission and Council, two civilian missions, a development mission, monitoring mission and a military mission being run by different parts of the EU with limited planning or on the ground coordination beyond some exchange of information and meetings.\textsuperscript{80} Similarly in the DRC the plethora of EU

\textsuperscript{76} Interview with Officials in the Commission and Council of the EU, October 2007
\textsuperscript{78} Opinion of Advocate General Mengozzi, Case C-91/05, 19 September 2007, http://curia.europa.eu
\textsuperscript{79} Interview with Commission official, October 2007.
\textsuperscript{80} Interviews with Commission and Council of the EU officials, October 2007
(and member state) contacts creates confusion as well as disjointedness for the EU’s overall objective. With several missions running to cover SSR, police and military, with multiple points of contact such as the Presidency and Commission representative, the EU Special Representative for the Great Lakes, Solana and member states’ bilateral diplomacy the notion of an integrated response to conflict management seems illusionary.81

Nevertheless, the EU manages through pragmatic ad-hocism, bending the rules slightly and finding solutions when under pressure to do so. While this means that the EU is able to contribute to global conflict management it is not making the most of its potential. The need for greater coherence is clear and the opportunities for more coherence may be increasing.

A More Coherent EU Approach to Conflict Management?

Both some existing structures and instruments and some of the reforms proposed in the Lisbon Treaty, such as the establishment of the High Representative for Union Foreign and Security Policy and the European External Action Service, may be the foundations for a more coherence EU approach to conflict management.

The push for greater civil-military cooperation and coordination within ESDP illustrated by institutional structures such as the CivMil Cell may not yet be functioning optimally but they do hold the potential to give the EU the effectiveness and coherence it requires in conflict management. Some institutional and procedural innovations already in place have the potential to overcome the gaps within ESDP and between ESDP and other EU instruments. The CivMil Cell has two Commission representatives attached to it and through their input tries to incorporate the Commission’s tools into its thinking on conflict management.82 The Monitoring Mission in Aceh (AMM) was an early example of how the CivMil Cell can be crucial to facilitating a more integrated approach. After initial Commission-Council rivalry over the funding of the mission and political leadership83 and problems authorising funding quickly enough, the AMM was seen as real success.84 The mission deployed (as an interim mission initially) in just 12 days and was one the ground precisely when the peace agreement came into force.85 The AMM was an example where Council and Commission relations worked well, eventually, and it also demonstrated the usefulness of having access, through the CivMil Cell, to military planning capabilities even for largely civilian missions, with up to 60% of the planning done by military personnel.86

Another institutional innovation already in place that has further potential to improve coherence across the pillars is the Crisis Response Coordination Teams (CRCTs). These ad-hoc, non-decision making teams were proposed to improve coherence between the Commission and the Council and between civilian and military officials and are currently being drafted into the Lisbon Treaty.87

81 Ibid.
82 Interview with Commission Official, October 2007
83 Schulze, K., Mission Not so Impossible: The Aceh Monitoring Mission and Lessons Learned for the EU, Friedrich Ebert Stiftung, July 2007
85 Ibid.
86 Interview with CivMil Cell official, October 2007.
elements when the EU was considering a crisis management operation. They are established to prepare the draft Crisis Management Concept (CMC) and are made up of staff from across the Commission and Council and are supported by an Information Strategy Team. They are a reactive mechanism being set up when a crisis occurs and are not a standing structure. They have been available since 2003 and therefore have clearly not solved the problems but perhaps with further development they provide a template for a more permanent solution to the gaps between the Council and Commission and the civilian and military components of EU crisis management. Making sure they add to and do not duplicate what the EU already has is vital.

Another area showing real potential for creating greater coherence is the use of joint fact finding missions such as the one for the recently launched ESDP operation in Chad/RCA. Instead of having CRTs and APTs there could be just one instrument for undertaking assessment missions drawing on the expertise of personnel from across the EU’s and member states’ resources. This approach, together with the joint establishment of a CMC and joint training missions for conflict management, is at the heart of the recent Council conclusions on security and development.

To ensure that a rapid response on the ground is supported by rapid financing the EU developed the Rapid Reaction Mechanism (RRM) for non-military crisis management operations across all phases of the conflict spectrum for a period of up to six months. This was used in Aceh to support mediation efforts (while the military component was funded through CFSP and member states). The drawback of the RRM was its relatively short time span. Within 6 months another funding source had to be found, and given the drawn out funding procedures within the Commission for geographic or longer term thematic instruments this meant funding gaps could occur. The range of potential funding instruments available for crisis response also created incoherence. Due to the complexity of External Relations financing options the Commission restructured its instruments to consolidate them into six categories: Pre-accession assistance; the European Neighbourhood & partnership instrument; development and economic cooperation instrument; the Stability instrument; humanitarian aid; and, macro financial assistance. The first four are new instruments and the latter two are being continued unchanged. Of particular interest for conflict management is the Stability Instrument which allows rapid funding decisions for civilian operations for up to two years for crisis response and trans-regional threats. This has already been used to fund part of the operation in Chad, with CFSP and member states funding other components of the operation.

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87 Council of the European Union, Suggestions for procedures for coherent, comprehensive EU Crisis Management (Brussels, 3 July 2003), Annex 2
88 Interview with Commission official, October 2007
89 Council of the European Union, Security and Development (Brussels: 20 November 2006)
90 "Council regulation creating a rapid reaction mechanism", in Official Journal of the European Communities, 27 February 2001, p.5
These developments and the potential within existing structures and mechanisms should be enhanced by some of the reforms outlined in the Lisbon Treaty. In particular modifications to the scope of ESDP and how it can operate, the new post of HR representative of the Union for Foreign Affairs and Security and Vice President of the Commission (HR/VP) and the European External Action Service (EEAS) all have the potential to improve coherence, bridge or fill several of the capability, institutional and policy gaps and increase effectiveness and credibility in conflict management.

As discussed above the potential missions of ESDP have been widened through the rewording of the Petersberg tasks and this is formally included in the ToL. The Treaty also allows smaller groupings of member states that are willing and able to undertake a mission to do so on behalf of the EU and for the establishment of ‘permanent structured cooperation’ to further integrate and enhance military capabilities.93 The idea of small groupings carrying out tasks on behalf of the EU is a pragmatic and useful formal amendment to what has in effect been occurring already in conflict management. States that have the political will, interest and capabilities can, with the agreement of the other EU states, undertake an operation on behalf of the EU. In a Union of 27 states this seems a very practical solution that should contribute to a more rapid, effective and coherent conflict management approach.

The position of HR/VP has significant potential to ensure more coherence between the Commission and Council in conflict management. While this position entails a massive portfolio it may present the unity of command that has been absent thus far. Acting as High Representative for CFSP (and chair of the Foreign Affairs Council) and as Commissioner for External Relations the post should provide the holistic view required for conflict management. However, the remit is huge, leading Missiroli to usefully suggest that the HR/VP role may have to be supported by a number of deputy roles, including one for “crisis management proper”.94 This post (or the move to a single legal personality for the EU) does not mean the merging of the community and intergovernmental method of decision-making and allocation of responsibilities. This continued split will add to the difficulties in undertaking the role of HR/VP. Another possible difficulty is how this post will work with the new European Council President in relation to representing the EU overseas (where the Commission President also has a role). However, with the HR/VP there is the possibility of a unity of command that was not previously achievable and with some institutional streamlining of agencies, committees and units and the good use of deputies and delegation, the potential for greater coherence in drawing together all the relevant tools for conflict management is significantly enhanced. This would be even further enhanced if the HR/VP had, as Missiroli suggests, some responsibility or authority over DG Development and AIDCO as well.95

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This potential could be even greater with the addition of the EEAS. While the precise details of this innovation are detailed in the ToL its overall role is to assist the HR/VP. It should therefore assist in improving coherence. The suggested EU Delegations may provide a unified point of contact in third countries or regions and more coherent information on developments within those countries. Within Brussels, Missiroli suggests the EEAS could become a ‘functional interface between all the main institutional actors of European foreign policy.’ Given that it is to be made up of officials from the relevant departments of the Council Secretariat and the Commission as well as diplomatic staff from member states this seems a real possibility. The EEAS could be the basis for eliminating the duplication of Commission heads of delegation and Council special representatives (as was done in FYROM and with the African Union where one person fulfilled both roles). However, as yet little has emerged about discussions on the future size, shape and role of the EEAS in Brussels or third countries.

To conclude, existing structures and innovations within the ToL have the potential to produce a much more coherent EU approach to conflict management. However, it is not enough to simply add to the structures and instruments that are in place. A streamlining of structures across the Commission and Council’s conflict management tools is required. As Howorth and Le Gloannac point out, as ESDP developed ‘very few institutions were replaced by new ones, very few were actually discarded.’ With streamlining and coherence as the guiding principles a transformed ESDP has the potential to be at the heart of a coherent and effective global conflict management policy for the EU.

Global conflict management requires a careful balance between civilian and military instruments from across the EU institutions and pillars, closely integrated to ensure a coherent and comprehensive approach. This paper has provided a preliminary examination of the increasing importance of civil-military coordination in EU conflict management. At the heart of this potential synergy is ESDP. Integrating ESDP into the wider conflict management tools of the EU is complex and, for some, controversial. Yet, harnessing the potential of ESDP’s civil-military capabilities is crucial for the EU to fulfil its unique potential as a global conflict manager.

96 Missiroli, A. (January 2008) p. 11