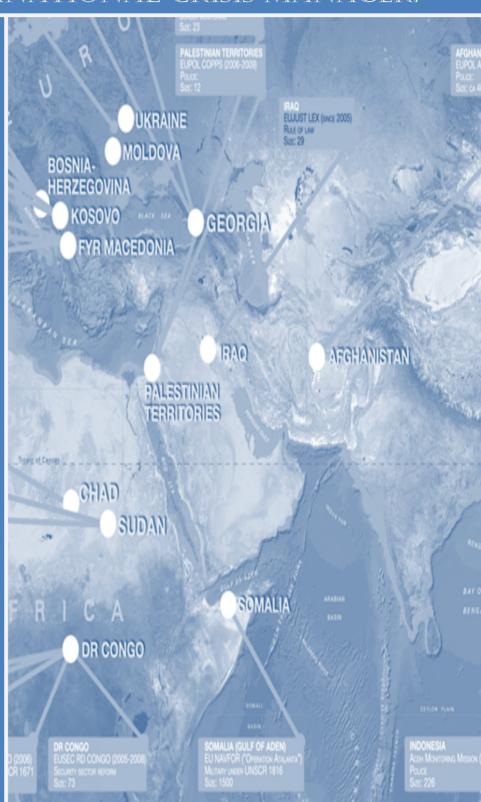
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THE EU AFTER LISBON: AN INTERNATIONAL CRISIS MANAGER?



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ABSTRACT

In December 2009 the European Union introduced the Lisbon Treaty which implemented major transformations in the European security field. The former European Security and Defence Policy under which over 20 missions of different tasks were deployed was renamed the Common Security and Defence Policy and implemented some major changes that had the goal to make the military policy of the EU more effective and strengthen the coherence so that the EU finally can be a crisis manager to global threats. These changes had its impact on the missions which have been deployed under the ESDP by introducing new objectives with which the former have to comply. This bachelor thesis intends to review and describe to what extent the individual missions actually manage it to attain the goals and objectives that were implemented by the new CSDP.

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ABBREVIATIONS

AMM Aceh Monitoring Mission

BAM Border Assistance Mission

BiH Bosnia and Herzegovina

BMO Border Monitoring Mission

BST Border Support Team

CFSP Common Foreign and Security Policy

CSDP Common Security and Defence Policy

DDR Disarmament, Demobilization and Reintegration

DRC Democratic Republic of Congo

ECAP European Capabilities Action Plan

ECMM European Community Monitor Mission

ENP European Neighborhood Policy

EPC European Political Cooperation

ESDP European Security and Defence Policy

ESS European Security Strategy

EU European Union

EUBAM European Union Border Assistance Mission

EUMM European Union Monitoring Mission

EUNAVFOR European Union Naval Force

EUPAT European Union Police Advisory Team

EUPM European Union Police Mission

EUPOL European Union Police Mission

EUSEC Advisory and Assistance Mission for Security Reform

FARDC Armed Forces of the Democratic Republic of Congo

fYROM Former Yugoslav Republic of Macedonia

HR/VP High Representative of the European Union for Foreign Affairs and Security Policy/Vice President

of the Commission

IFOR Implementation Force

IRTC Internationally Recommended Transit Corridor

MoU Memorandum of Understanding

MSCHOA Maritime Security Center-Horn of Africa

NATO North Atlantic Treaty Organization

OEF Operation Enduring Freedom

RRF Rapid Reaction Force

SEA Single European Act

SFOR Stabilization Force

SHADE Shared Awareness and Deconfliction

SSR Security Sector Reform

TEU Treaty on European Union

ToL Treaty of Lisbon

UN United Nations

UNMIK Interim Administration Mission in Kosovo

WFP World Food Programme

1. INTRODUCTION

1.1 PROBLEM DEFINITION

The European Security and Defence Policy (ESDP) has its beginnings back in 1998, the year when the St. Malo Summit was held. Back then the British and the French government signed the agreement of St. Malo and set the corner stone for the establishment of a real European defence policy. Only a year later at the Cologne European Council Summit the governments of the European Union (EU) launched the European Security and Defence Policy as a main aspect of the Common Foreign and Security Policy (CFSP).

Since then the EU managed it to collectively launch 23 operations of great variance in tasks on three different continents. Through this active involvement the EU engaged in international crisis management as never before.

Nonetheless the ambitions of the EU are not yet met. Even though the EU produced some formidable results over the last ten years it still remains unconvincing on whether the role of an international crisis manager is realized. Is even the main aspect of the St. Malo Declaration executed? Does the European Union 'have the capacity for autonomous action, backed up by credible military forces, the means to decide to use them, and the readiness to do so, in order to respond to international crises'? Europe however still is facing new challenges and its security is threatened by globalized conflicts (Grevi, Helly & Keohane, 2009).

The European Security Strategy (ESS) is an answer to those threats. It perceives the threats that are challenging the world around us as we know it now and as a response requests more effectiveness from Europe. Coherence and decision-making are the major points that need groundbreaking revision. Capacities, capabilities and training need to be reinforced. Bilateral and multilateral agreements need to be strengthened to ensure deeper engagement with the neighborhood. The EU needs to combine these forces in order to be able to protect populations and their human rights all over the globe.

The Lisbon Treaty with its outlook on better coherence in policing, more effectiveness and transparency is set out to overcome those hurdles as well. Through the changes that have been adopted in December of 2009 and that renamed the ESDP into the Common Security and Defence Policy (CSDP) the primary character of the CFSP is reinforced. And yet, a step is made towards more coherence, towards a better leadership that is to give the EU the voice of a single opinion (Blockmans & Wessel, 2009).

That is a big thing to ask from the EU government regarding the rather weak performance of policing in the defence and security field as a union. Therefore the propositions of the Lisbon Treaty and the objectives of the CSDP are meant to turn the EU into a global and unified crisis manager.

1.2 RESEARCH QUESTION

To be further able to assess the perspectives as they are established by the EU's Common Security and Defence Policy it is necessary to devote oneself to the activities carried out in this field. The changes that were introduced directly affected the civilian and military missions by producing new objectives and reinventing the governing.

Articles, like the ones by Trybus (2005) and Blockmans and Wessel (2009) already focused on the transformations that have been implemented by the Lisbon Treaty and tried to evaluate how effective those changes are and

whether they do produce the expected results. Other reports published by the European Council (2010), the German Institute for International and Security Affairs (2009) or the European Institute for Security Studies (2009) also focused on the current missions and reviewed their development. This research is supposed to combine those two notions. It commences with the missions and their background and development from which it moves on to the recent developments of the implementation of the CSDP and finally turns to the current outcomes. This approach reveals the ability of the missions to comply with the objectives that were newly introduced and evaluates the ability of the EU to reach its role as an international security actor through the application of these objectives.

For this reason the main research question will be formulated as follows:

"To what extent are the different EU missions (civilian and military) able of attaining the objectives that were set out by the EU's renewed Common Security and Defence Policy?"

Approaches have already been made to try to answer this question. The answers however remain highly contrasting. Steven Blockmans and Ramses A. Wessel remain critical as they see the main points, namely the leadership and the decision-making, not improved. On the other hand they argue that the new HR/VP function will enhance external relations and the possibility for permanent structured cooperation can guarantee a rapid response when needed. Concluding, they see the new objectives of the CSDP as a new potential for the EU in especially crisis management. The changes introduced by the Lisbon Treaty pave the way for a possible more integrated and more effective CSDP in the future as they provide for the needed reformations (Wessel & Blockmans, 2009).

Sabathil states thereby that the Lisbon treaty is the right start for reforming the EU, its tasks and internal changes that in the end could elevate the EU in its international role. However the major impetus that triggers any change lies within the national governments and their willingness to subordinate their interests to the unified position of the EU. According to his opinion only the external situation requesting broadened capabilities or stronger coherence in leadership or decision-making can drive the progress forward (Sabathil, 2010).

The research conducted by the European Union Institute for Security Studies supports this vision. A follow-up of all missions conducted so far till the ratification of the Lisbon Treaty discloses that the ESDP missions in the past ten years have already been evolving into a certain direction. Through that development the main draw-backs such as the capabilities gap and the deficient coherence rise to the surface and make it easier for the main reformative elements to appear in the future as they represent a unified request for change (Grevi, Helly & Keohane, 2009).

In the further study I will include both sides of the discussion to be able to remain unbiased in the conclusion and deliver a clear result. The main focus thereby will however lie on legal documents and their analysis.

By analyzing the Treaty on European Union (TEU) first with its implementation of the CFSP as an innovative approach the first established objectives are represented. Those include alongside the five extensive goals for the CFSP field that are specified in Title V TEU also the future ambitions of a 'strengthened European identity' and a 'common defence'. Following the historical timeline the further influential legal documents are encountered in the research. The changes perceived by the Amsterdam Treaty are revealed with its implications on the TEU. Furthermore the broadened objectives accepted under the Saint Malo Declaration, the following Helsinki Headline Goals and the Berlin Plus Agreement are discussed in order to revive the first objectives of the TEU. For reasons of further updating the objectives are continuously adjusted to the changing environment through the European Security Strategy and the new CSDP objectives. These therefore are also administered into the overall

enumeration of ambitions and objectives of the EU concerning security and defence and will give an answer to the first sub question:

"What are the ambitions of the EU in relation to its role in international security?"

In order to relate the objectives to the level of their realization the individual missions as they were or still are conducted under the ESDP are evaluated according to their objectives and mission mandates. By looking at them separately the civil and the military missions are an indication for the measures perceived by the EU in order to achieve its goals that are defined by the treaties and legal documents. This section will answer the following sub question:

Which kind of military and civilian missions were established by the EU to meet its ambitions in the area of international security?

To go into detail three case studies are conducted, the EUFOR Althea BiH mission in Sarajevo, the EU NAVFOR Atalanta mission in Somalia and the EULEX rule-of-law mission in Kosovo, which each represent a different background and therefore stand for several differing objectives. Their analysis reveals the measures that were established and the actions that were undertaken by the EU in order to meet its ambitions in the international security field.

Therefore the legal framework beginning with the Maastricht Treaty establishing the European Union, including important legal documents such as the Amsterdam Treaty and the Saint Malo Declaration, the Helsinki Headline Council establishing the Helsinki Headline Goal, Feira and the Gothenburg European Council Conclusions and the European Security Strategy will be described and compared to the chosen case studies to answer the third sub question:

To which extend to the current treaty competences allow the EU to reach the objectives in relation to its role as an international security actor?

The construction of the thesis therefore will be as follows. In the first chapter the methodology will be described and the design under which the research is conducted will be explained. In the second chapter the historical development of the EU objectives concerning the foreign and security policy will be revealed in a time frame from 1992 till the current moment. In chapter three then the implementation of the single missions that have been or still are conducted under the ESDP, divided in civil and military, will be uncovered. Their individual objectives will be reported accordingly. Chapter four then describes the missions, the EUFOR Althea BiH mission in Sarajevo, the EU NAVFOR Atalanta mission in Somalia and the EULEX rule-of-law mission in Kosovo, and their background, objectives and achievements. Afterwards in chapter five the analysis will follow in which it will be made explicit based on the findings from the previous five chapters to what extent the new treaty competences enable the EU to reach its objectives of becoming an international security actor. In chapter six at the end the research question will be answered as well as a concluding remark will recapitulate the main findings and give deductive recommendations.

1.3 RESEARCH METHODOLOGY

1.3.1 ANALYSIS OF TREATY PROVISIONS AND DOCUMENTS

In order to be able to ascertain whether the EU civilian and military missions introduced under the former ESDP reach the objectives of the CSDP I will first of all analyze the legal provisions given by documents available from the EU.

This means that I will carry out the inquiry as a descriptive research. Therefore I will be using qualitative primary (Treaties) and secondary (legal documents addressing security policy) literature as my source of evidence due to the fact that those are covering every point of my analysis of the CSDP objectives and the mission's development and outcomes. Those as well contain exact details describing past events and are a stable source for my research. Through this approach I will be able to collect the objectives that were laid down in the Treaty on European Union and similar documents including the ESS. I will to that add the use of scientific articles and review those to get a broader picture of the matter and prevent a biased view about the outcome (Yin, 2009).

Afterwards I will retrieve from EU documents the missions, divided into civilian and military, and categorize them according to their objectives. This classification will give me the ability to analyze in what way the EU is conducting missions to be able to reach its overall objectives. With the help of this analysis I will be able to reproduce the actions that the EU undertook in order to reach its ambitions in the international security field.

1.3.2 CASE STUDIES

In order to highlight the ability and the extent to which the civilian and military missions can comply with the newly included CSDP objectives I will present solid and realistic examples through the presentation and analysis of the three case studies.

The particular type of sampling of my cases for this study is a purposive sampling. That kind of sample is a non-probability sampling as I do not want a random sample but am searching for cases that are predefined by the enumeration of new Petersberg Tasks (Shadish et al., 2002). I did not chose my samples for reasons of proportionality but instead concentrated on finding special cases that I targeted for the following reasons.

I chose the EUFOR military mission in Bosnia and Herzegovina because it originally was set out as a North Atlantic Treaty Organization (NATO) mission and was taken over by the EU as a downsized operation. Still at the time as it was launched it was the largest mission deployed under the EDSP then. The fact that it was handed over from the NATO and that 80% of the forces deployed under the EUFOR mission were already at place when the mission started makes this operation an interesting case to include in my research. The fact that it makes use of the cooperation with the NATO and the Berlin Plus Agreements gives me also the possibility to discover how those aspects influence or maybe hinder the success of the mission. Due to the fact that the mission is a down-sized version of a NATO mission and one that is deployed in an already stabilized environment gives way to the expectation that its deployment and execution would proceed rapidly and successfully.

The second mission I chose to observe within my research is the EU NAVFOR naval mission in Somalia as this was the first operation in the maritime field that the EU pursued so far. This mission is extremely different from all the other tasks that the EU is currently conducting all over the globe. That means that it on the one hand asks for totally new assets whose acquisition could pose a challenge on the EU and it as well asks for multiple tasks to be

carried out which also could be problematic in its realization. The fact that this mission is a new experience for the conducted under the CSDP which makes it interesting for my research as it can be a good example for the EU's ability to cope with multidimensional and new tasks. Furthermore this mission is conducted within a network of additional actors that are present in the Gulf of Aden and through that is an adequate example for the intense cooperative approach towards such operations.

The third mission I selected is the EULEX rule-of-law mission in Kosovo because this mission had a very troubled start as it was launched during highly complex political conditions. Adding to that is that the EU had to launch a very large mission in a complicated situation which put defiance in the way towards its objectives. This mission is furthermore a good example for how difficult it may be under the ESDP to reach a consensus between the individual member states as was the case in Kosovo. This operation mainly is important to my research as it represents the difficulties and challenges that can hamper a mission in the beginning and foreclose that it attains the expected strength.

2. EU AMBITIONS AND OBJECTIVES

This section is intended to establish a list of ambitions and objectives as they are pursued by the EU on the international stage in the area of security and defence. Through this enumeration this section intends to answer the following sub question:

What are the ambitions of the EU in relation to its role in international security?

The question will be answered through reviewing and analyzing existing and influential policy documents and treaty contents concerning the EU's interests in international security matters according to a timeline beginning with the coming into force of the TEU Treaty in Maastricht till the ratification of the Lisbon Treaty.

2.1 TREATY ON THE EUROPEAN UNION (TEU)

The establishment of the Treaty on European Union (TEU) was driven mainly by the profound changes appearing within and outside the EU. On the one hand the communist regime fell and Germany celebrated its reunification. On the other hand a conflict situation emerged in the Gulf and a crisis in the Yugoslav Republic. All those were steps beyond the establishment of an economic superpower and towards an EU foreign policy (Keukeleire & MacNaughtan, 2008) as the international and regional system within which the EU security has been operating so far has been altered. Due to those developments the member states in 1992 came together in Maastricht to sign the Treaty on European Union. The three pillar structure was introduced in which the Common Foreign and Security Policy (CFSP) was designated to form the intergovernmental Second Pillar (Cameron, 2007, p. 28-29). The treaty presented a replacement for the Single European Act (SEA) and eventually enabled the member states of the EU to act jointly on foreign and security policy. The CFSP constituted an approach made under cooperation in order to strengthen the ability to carry out its power outside the EU borders. This important step additionally would decrease the reliance of the EU upon the US (Jones, 2007).

It is important to note that in 1997 the TEU Treaty was consolidated by the amendments of the Amsterdam Treaty. Through this adoption Title V which defined the CFSP by the principles already engraved by the European Political Cooperation (EPC) has been extended (Keukeleire & MacNaughtan, 2008).

The treaty explicitly stated that it from the moment of the ratification of the TEU contained foreign as well as security components. Through Article 2 TEU it sets itself apart from the rather unsuccessful EPC as it reaffirms its presence and asserts "its identity on the international scene" (C 325/14 Official Journal of the European Communities Article2 (ex. Article B)). The article also included the indication about a 'common defence' which is actually meant as an assertion for a future process that is triggered by the TEU.

In December, after 10 years of the ESDP being deployed, the Treaty of Lisbon (ToL) was ratified and consolidated the TEU once again. The new Title V now consists out of two chapters whereby the second deals with the CFSP. The general objectives that are constituted by the EU are all included under Title V TEU on the Provisions on the CFSP in the Articles 21-46. Thereby Article 21 TEU (TEU-Lisbon) is the main source of eight predetermined ambitions and objectives that are guiding the CFSP.

First, the EU constitutes the aim to "safeguard values and fundamental rights" which as in the TEU makes the symbolical notion that should any of those values be victims to a common threat the member states will defend it. Second, the stabilization of human rights and democracy is included. The consolidation of those rights and principles needs to be carried out by the EU on a global stage in which it needs to strengthen its active role.

Third, the retention of peace and a "strengthening of international security" in cases where self-defence is indispensable taken over from the TEU as it was signed in Amsterdam.

Fourth, the active international role of the EU is concerned with the aim of eradicating poverty which should be the leading principle. This should be progressed through the conveyance of "sustainable development".

Fifth, the free world market needs to be constructed and widened through the "abolition of restrictions on international trade" so that "the integration of all countries" can take place.

Sixth, again makes the mention of sustainable development however not in the economic field but rather in the environmental sector. As the EU addresses the environmental deterioration as a global threat it sets itself the aim to" preserve and improve the quality of environment" in order to help save the environment with its "global natural resources".

Seventh, solidarity for countries all over the world who have been victim to a "natural or man-made disaster" is constituted into the objectives. This notion relates to the civilian capabilities which the EU needs to present on a global stage as well to guarantee humanitarian aid.

Eighth, the objective to promote globalization is included which builds on the objectives made by the ESS. It fosters "stronger multilateral cooperation" in an "international system" which includes good functioning international institutions and organizations. Through this approach the Union will be able to establish "good global governance" (TEU-Lisbon).

The previous sections present how the EU established its security and defense area within the Treaty on European Union which is till today the significant reference document stating the major objectives that drive the EU nowadays. Out of this document the development of civilian and military components were born.

2.2 ADDITIONAL POLICY DOCUMENTS

2.2.1 SAINT MALO DECLARATION AND COLOGNE EUROPEAN COUNCIL

The next step towards new guidelines responding to the new developed threats in the world has been made in 1998. Jacques Chirac and Tony Blair at that time in Saint Malo decided that the time was ripe to strengthen the Second Pillar and to further develop the scope of the EU defence policy. Adjacent, the Cologne European Council summit a year later finally declared for then all 15 member states that (Hauser & Kernic, 2006) "the Union must have the capability for autonomous action, backed up by credible military forces, the means to decide to use them, and a readiness to do so, in order to respond to international crisis without prejudice to actions by NATO" (Cologne EU Presidency Conclusions, 1999). An important addition was made by adding that this commitment would not endanger the Atlantic Alliance as it bounds the member states to engage in military actions "without unnecessary duplication" and "where the Alliance as a whole is not engaged" (Cameron, 2007, p.74). This definitely was the first attempt by the EU to establish a military force in the Second Pillar of the CFSP. The Declaration as it was issued by Britain and France was furthermore calling for an organized and permanent European military capability. A rapid response force was called for and a military technology within the EU that backed it up was imagined as well (Trybus, 2005). This development additionally marks the very beginning of the European Security and Defence Policy (ESDP) where it set the first guidelines and the structure (Gnesotto, 2001).

2.2.2 HELSINKI EUROPEAN COUNCIL AND HELSINKI HEADLINE GOALS

Only a half year later the progress was still in motion. The Helsinki European Council took place in 1999 and made a remarkable corner stone in the development of the ESDP. It allowed for the development of the military and civilian crisis management capabilities of the EU that meant to strengthen and improve the credibility of a common European defence (Blockmans, 2000). On the one hand the EU decided upon establishing a so called Rapid Reaction Force (RRF) (part II in Common European Policy on Security and Defence, Article 28) that consists out of "50,000-60,000 persons capable of the full range of Petersberg tasks" and that will be able to be deployed "within 60days" and that can remain within place "for at least one year" (Helsinki European Council Presidency Conclusions, 1999). This notion is an additional important future guideline and an aim to be achieved as it introduces the military component on an EU wide level by extending its capabilities beyond the reach of its former policy instruments and adds a military aspect which even includes the use of force in certain situations. However it remains important to note that this commitment towards an establishment of an RRF is not equal to the development of a European army (Hauser & Kernic, 2006). Still the ambitions set out by the amendments which have been accepted during the Helsinki European Council not only created a military component within the ESDP but furthermore restructured the ESDP to make it more effective. Through these developments highly ambitious aims have been set including the broad Petersberg Tasks and future EU military forces (Cornish & Edwards, 2001).

A follow-up came in 2001 at the Leaken Summit when the EU published the European Capabilities Action Plan (ECAP) as it realized that the military capabilities were not as developed as expected and through this paper committed the member states to close the gaps.

In 2002 another big step was taken by the EU through clarifying the sharing of responsibilities between the EU and the NATO as the Berlin Plus Agreement went into force. This document enabled the EU to engage in a strategic partnership with NATO through cooperation. This included that the EU was authorized to use NATO assets and capabilities so that it could intervene in crises where was already withdrawing troops or not engaged at all. This relationship clearly defines that the EU leaves the primacy to the NATO through which it establishes a distinct distribution of roles (d'Argenson, 2009). Other aspects however remained unsolved as for example the overlapping

competences when it comes to membership because 21 EU member states are also members of the NATO and may be undermined in their affiliation by member states that are either only EU member or solely NATO members. An overlapping mandate at a conflict area can cause conflicts when there is no clear division of tasks (Hofmann, 2009).

2.2.3 SANTA MARIA DE FEIRA AND GOTHENBURG EUROPEAN COUNCIL

In June 2000 The European Council met in Santa Maria de Feira where it marked the beginning of the civilian component of the CFSP and at the same time confirmed the decisions made during the Cologne and Helsinki meetings. In order to establish the second part to the already established military component under the ESDP the Feira European Council established the Feira Headline Goal as an addition to the already existing Helsinki Headline Goal. This entailed four major instruments to be applied. Those sub items included a police cooperation of 5000 police men of which 100 could be deployed within thirty days, 200 judges, civilian administration and civil protection in cases of humanitarian emergency situations (Article 11. Santa Maria de Feira European Council presidency Conclusions, 2000). The establishments made by the decisions of the Santa Maria de Feira European Council were additionally supported and specified. That was done during the Gothenburg European Council in which the existing requirements were translated into more proceeded planning and execution measures for police operations (Hauser & Kernic, 2006).

2.2.4 EUROPEAN SECURITY STRATEGY

However all the objectives reached so far were not able to ensure a successful progress for the ESDP as this presented its first draw-backs in the missions conducted in Afghanistan and in Iraq. This development led the EU to draw new requirements, a common strategy. Newly appearing threats and challenges needed to be included and the foreign policy of the Union needed to be updated.

In 2003 during the Brussels European Council the European Security Strategy was adopted as it was formed by Javier Solana. This adoption introduced first of all new approaches for future actions that will be taken in the foreign policy field. Furthermore it enriched the EU foreign policy additional objectives covering the interrelation and the identity aspect (Keukeleire & MacNaughtan, 2008).

First, it is responding to global threats and establishes that addressing those should be an EU objective. The threats as they are analyzed are consistent of terrorism, proliferation of weapons of mass destruction, regional conflicts, state failure and organized crime. This strategic objective outlines also the approach for the EU to tackle those threats as it is said that the EU needs to examine the very nature of those and address them directly (ESS, 2003). Second, the strategy contains that "a ring of well-governed friends" should be established which entails that the EU needs to concern itself more with its surrounding neighborhood and take action in order to build security in this area. The aim thereby is to establish "close and cooperative relations" through partnerships and intensive cooperation in several fields such as economy and policy (Biscop, 2004). This includes a reaffirmation of the

Third, the EU needs to establish a stronger international society through an "effective multilateral system". This notion states that "a rule-based international order should be developed with well functioning international institutions". To be able to achieve this aim the EU will have to advance its international organizations, regimes and treaties in which it will establish its active role (Keukeleire & MacNaughtan, 2008). Besides this cooperative approach that is supposed to tackle threats that are directly addressed the strategy furthermore focuses on the preventive engagement of the EU which calls for a more coherent and fast response. According to the strategy this

already established commitments towards its neighbors such as the European Neighborhood Policy (ENP).

can be established through a strategic and responsive culture that is able to implement robust interventions as well. However military methods are only meant to be deployed as a last possibility. The use peaceful, political and economic measures based on a humanitarian approach are to be favored. This notion was a slight and critical emphasis on the US National Security Strategy which was adopted just a year earlier for its determined robust approach in crises areas (Bailes, 2008).

2.2.5 TREATY OF LISBON

In December, after 10 years of the ESDP being deployed, the Treaty of Lisbon (ToL) was ratified and consolidated the TEU for the last time so far. It renamed the ESDP into the Common Security and Defence Policy (CSDP) and reinforced the need of the EU to coordinate its inner structure for more coherence and work towards a unified union.

Chapter one, Article 1a ToL states that the Union's main principles have to be "the respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights" which the Union as a whole is set out to defend as a "society in which pluralism, non-discrimination, tolerance, justice, solidarity and equality between men and women prevail" (TEU-Lisbon).

The eight major objectives as described above under the TEU Title V for which the Union needs to "define and pursue common policies and actions". The Lisbon Treaty therefore is a follow-up of the Treaties of Amsterdam and Nice. The main reason for its ratification was the strengthening of EU's presence and active involvement in the world (Blockmans& Wessel, 2009). To make the compliance with the objectives as they are introduced by the consolidated TEU the Lisbon Treaty reforms the inner EU structure. In this sense a de-pillarisation within the Union takes place to assure more coherence during decision-making. The new High Representative of the European Union for Foreign Affairs and Security Policy/Vice President of the Commission (HR/VP), Baroness Ashton, gives the EU the ability for strong organizational change and the adoption of common perspectives and at the same time brings gender equality visibly to the fore. The organizational transformation through improved training and logistics establishes a stronger and better capacity and the start-up fund like the Athena mechanism secures the rapid access to the CFSP budget. All these measures need to prove themselves in reality but when they reach their operability they will give the EU the organizational change it needs to appear on the global stage as an equal actor (Gya, 2009).

2.3 CONCLUSION

After summarizing the previously described legal documents the main objectives concerning the CSDP become visible. They all can be subordinated to the main aim of establishing the EU as an international security actor. A division can be made here between inside-EU and outside-EU objectives. The first set is mentioned in the ESS as well as in the ToL and states that the EU:

- Should establish more coherence between its member states to be able to guarantee unification
- Needs better and stronger military capabilities as well as a rapid access to the CFSP budget
- Should establish a more strategic and responsive culture to be able to respond quickly with robust measures if needed

The second set of objectives is directed towards the outer appearance of the EU in the civilian and military area. As those are projected on the future development of the CSDP they are targeted at:

- promoting international cooperation and establishing an effective and multilateral system
- securing the Union
- preserving human rights and fundamental freedoms, eradicating poverty and stabilizing democracy
- addressing globalization and the threats it newly introduces
- strengthening international security, assist in disastrous situations and committing itself towards its neighborhood (in economy, security and policy areas)
- preserving the environment

These objectives are documented in order for the EU to progress in this direction in its future and engage in the according developments.

3. EU MISSIONS CONDUCTED UNDER THE ESDP

As stated in the previous chapter the ESDP from its very beginning in 1999 has experienced an enormous growth and many additions on the legal basis. Its active deployment is best demonstrated through the civilian and military missions that have been conducted so far. The missions are thereby a step towards the realization of the objectives as they are described in chapter two above. Through the establishment of those missions and operations under the CSDP the EU directs its actions towards the implementation of its newly established aims and goals. The actual deployment of the missions thereby is a concrete proof for the willingness of the EU to actively engage in crisis management. The multiple operations launched so far constitute the active involvement of the EU in the prevention and fight against crises and conflict situations. The missions thereby directly represent the development of the ESDP into the CSDP and the striving of the EU towards an international leading role in the military area.

Therefore this section is meant to list the missions launched by the EU so far and through this enumeration answer the following sub question:

Which kind of military and civilian missions were established by the EU to meet its ambitions in the area of international security?

To be able to present the means that were introduced in order to attain the objectives in the best manner one can divide them into civilian, civilian/military and military missions. Therefore the following chapter will give a description of those missions fragmented into the three categories and represented by their objectives.

3.1 CIVILIAN MISSIONS

3.1.1 RULE OF LAW MISSIONS

The EUJUST Themis was the first civilian rule-of-law mission that has been deployed under the ESDP on the 16th July of 2004 following a request that was made by the Georgian authorities calling for help (Naert, 2007). It furthermore constituted the first ESDP involvement beyond the Western Balkans and Africa which was seen as a crucial symbolic gesture from the EU (Cornish & Edwards, 2007). It was foreseen to help Georgia to move closer to the European Union by assisting it in the challenging situation. That has been achieved through monitoring and

mentoring activities that guarantee professional advice, support the criminal justice system, assist in the drafting of necessary new legislature and develop international and regional cooperation in the criminal justice sector (Facts on EUJUST Themis, 2004).

The second rule-of-law mission is EUJUST LEX which is conducted as a civilian crisis management mission and was launched on the 1st July of 2005 in Iraq. The main focus thereby lies on the police, judiciary and penitentiary area. Strengthened rule of law has to be established here to guarantee that respect and human rights are fostered inside the administrative system. This will be done by providing courses in which the best practice in the rule of law is demonstrated and can be learned by Iraqi officials. The training sessions however are held outside the area itself and are moved to the surrounding neighborhood or even to Brussels (Naert, 2007). This mission is conducted with the main focus on human rights which is an EU objective according to the new ToL (Factsheet on the EU integrated Rule of law mission in Iraq (EUJUST Themis), 2010).

The third rule-of-law mission was deployed in order to ensure stability in the Western Balkans on 16th February of 2008. At that time the EULEX Kosovo rule-of-law mission was launched and became fully operational in April of 2009. The mission is intended to give support and assistance to the government and the authorities situated in Kosovo. The mandate that was issued on 4th February of 2008 states that the mission "shall assist the Kosovo institutions, judicial authorities and law enforcement agencies in their progress towards sustainability and accountability and in further developing and strengthening an independent multi-ethnic justice system and multi-ethnic police and customs service, ensuring that these institutions are free from political interference and adhering to internationally recognized standards and European best practices..."(Council Joint Action 2008/124/CFSP). This objective is to be realized through fostering progress within the areas of police, judiciary and customs. As the main threat organized crime and corruption need to be addressed and combated by an independent justice system as well as police and customs service (EUSR in Kosovo, 2010).

3.1.2 MONITORING MISSIONS

On the 22nd December of 2000 The European Community Monitor Mission (ECMM) became the European Union Monitoring Mission (EUMM) through the Joint Action (2000/811/CFSP). Its main objective during the time the mission was deployed was to monitor the developments that took place in the political and the security sector. The monitoring of the borders was the second objective that lead to the observation of the refugees coming back and taking into account all the issues that arose between different ethnic groups. It was an unarmed mission and carried out its activities by monitoring, reporting and building confidence within the country (EU Monitoring Mission in former Yugoslavia, 2007).

The second monitoring mission deployed under the CSDP was launched on the 15th September of 2005. The Aceh Monitoring Mission (AMM) was established due to the developments between the Government of Indonesia and the Free Aceh Movement. Those agreed on the Memorandum of Understanding (MoU) which was implemented afterwards. The AMM mission was there to monitor the coming into force of the MoU so that the conflict could be resolved. Thereby the AMM did not support any of the two parties but acted as an autonomous player. The situation was even more complex as the AMM mission was expected to seek additional expertise in the fields of SSR and Disarmament, Demobilization and Reintegration (DDR) in which it had to provide assistance. The mission was able to conquer this complex situation by adjusting accordingly. This included the gaining a high degree of expertise (Braud & Grevi, 2005). Through such an adaptation to the situation the implementation did succeed and the AMM was therefore concluded a year after being launched (EU Monitoring Mission in Aceh, 2006).

The third monitoring mission that still is being conducted is the European Union Monitoring Mission in Georgia which has become operational on the 1st October of 2008. Its goal is to engage in the establishment of stability in Georgia and its surroundings according to the six-point Agreement. This is to be achieved by analyzing the stabilization process, by monitoring the normalization of the public and security order, by building confidence between the involved parties to reduce tension and by reporting the observations back to the EU (Deployment Details, 2008).

3.1.3 CIVILIAN BORDER MISSIONS

After the conclusion of the OSCE Border Monitoring Mission (BMO) the EUSR Border Support Team (BST) started its activity on 1st September of 2005 in Georgia. That task that was received by the mission was the establishment of an effective border control system and a well functioning management that controls the system. Therefore the BST is supporting the Georgian officials by advising and assisting them on how to construct and maintain such a system. That is mainly done through the influence on the drafting of legislature and strategic papers (ESDP and EU mission update, 2009).

The second mission deployed on the 1st December of 2005 as a civilian border operation was the EU Border Assistance Mission to Moldova and Ukraine (EUBAM). The mission was triggered by a joint letter asking the EU for additional support for the border management in Moldova and Ukraine. The objective that was therefore set by the EU was to first observe the current situation on the border side and as a second step to combat trafficking, smuggling and customs fraud. The second part of the objective is achieved through training and educating the Moldovan and Ukrainian customs officers.

The third and till now last border mission applied on the 24th November of 2005 which is still in action nowadays is the EU Border Assistance Mission Rafah (BAM). The EU through this mission is supporting the Agreement on Movement and Access which applies to the Rafah crossing. The mission aims at contributing to the opening and sustaining of the crossing point on the one hand and at building confidence between the two involved parties, Israel and Palestine on the other hand (EU Border Assistance Mission at the Rafah Crossing Point, 2010).

3.1.4 POLICE MISSIONS

The first and so far longest mission ever deployed under the ESDP was the EU Police Mission (EUPM) in Bosnia and Herzegovina which has been launched on the 1st January of 2003. The objectives of the mission are streamlined with those of the Dayton Agreement. Therefore in its first mandate it was set out to develop well functioning police assets according to European best practice. The second mandate given to the EUPM was reserved for two years and refocused the mission on assisting and monitoring and, in cases it is needed, advising the BiH police officials. The third mandate was again an extension for two more years with the aims to guarantee the implementation of the three main mission pillars: "support to the police reform process, strengthening of police accountability and support to the fight against organized crime" (European Union Police Mission in BiH, 2010). The emphasis during this mandate however was laid on the fight against organized crime and the interaction and cooperation between police and prosecutors. With this aim the mission has been extended again and remains in action for fighting organized crime and corruption (Factsheet on the EUPM BiH, 2010). Furthermore the mission is representative for the attempts made by the EU in order to integrate South-eastern Europe into the EU through stabilization and association (Naert, 2007, p.65).

The second police mission then was launched on the 15th December of 2003 in the Former Yugoslav Republic of Macedonia (fYROM) following the military operation Concordia and was called the European Union Police Mission (EUPOL) Proxima. It was based on the beforehand signed Ohrid Framework Agreement of 2001. Through the aims set out therein the objectives of the mission have been described as follows. The EU Proxima Police tried to fight organized crime and implement standards of policing as there are applied in the EU. That all was to be achieved through monitoring, mentoring and advising the local police forces. Unlike other similar police missions the Proxima mission was allowed to keep an armed protection unit by its side (Naert, 2007). Additionally a border police should be established and confidence being built inside the country between police officials and residents. This mission however was succeeded by the EU Police Advisory Team (EUPAT) fYROM when its mandate was terminated on the 14th December 0f 2005. The EUPAT mission continued with the supported establishment of a new police force in the country and assisted during the construction through giving advice and implementing EU policing standards enduring sixth months. The main focus was set on the monitoring and mentoring function of the EUPAT police to guarantee an effective border police, to build public peace and accountability and to fight organized crime and corruption (Factsheet on the EUPAT fYROM, 2010).

Between April of 2005 and June of 2007 the first civilian mission on the African continent has been launched under the ESDP named the EU Police Mission (EUPOL) Kinshasa. It experienced a bad start because its setting took a much longer time than expected even though only a small number of personnel were involved. The Congolese counterpart in this case as well needed a longer time period to be able to set up its own police forces (Hoebeke, Carette & Vlassenroot, 2007). Its main purpose thereby was to support the Congolese national Police and assist them during the transition period to democracy. Like in other police missions in this one the way towards success was monitoring, mentoring and advising the Congolese police and educate them with applying the international best practice (Naert, 2007). After the mission ran out in 2007 it was succeeded by the EU Police Mission for the Democratic Republic of Congo (EUPOL RD Congo) on the 1st July of 2007 which continued the police assistance within the country (Council of the European Union, 2010). The mission therefore reflected the efforts of the previous mission and concentrated on consolidating stability, the rule of law and security. According to these aims the EU police forces help to restructure the Congolese police to make it accountable and to build confidence. They furthermore engage in the interaction between the police and the criminal justice system. In order to additionally contribute to the field of gender, human rights and child protection the EUPOL RD Congo sent teams to Goma and Bukavu and remains fighting there till the end of June of 2010.

In 2004 already the EU did express its supporting attitude towards the Palestinian Authorities and presented its readiness to give assistance and support to the police and law enforcement capacities. For this reason on the 1st January of 2006 the EU Police Mission in the Palestinian Territories (EUPOL COPPS) has been launched as a follow-up initiative to the publicly expressed EU support. The main objectives of the mission are the establishment of a well-functioning police, the giving advice to Palestinian criminal justice officials, the implementation of international best practice standards and the cooperation with EU institution-building programmes. This mission in order to continue its achievements was extended till December of 2010 (Factsheet on the European Union Police Mission on the Palestinian Territories, 2010).

Another mission was launched in order to support Afghanistan in developing responsibilities in the field of law and order. As part of the EU commitment to Afghanistan the EU has deployed the EU Police Mission (EUPOL) in mid-June in 2007. The mission is introduced to the Afghan law and order sectors to help them to improve their civil, police and law enforcement capacity. This is to be achieved till 31st May of 2013 through close coordination between the EUPOL Afghanistan and other international actors (Council of the European Union, 2010).

3.1.5 OBJECTIVES

These civilian missions that are described above are thereby mainly based on the objectives introduced by the ESS in 2003 and those included in the ToL. The missions as they are committing themselves towards its direct neighborhood followed the objective to build around it "a ring of well governed countries" as it is included in the ESS. They furthermore followed one of the four major areas to which the EU needs to turn its priority according to the Santa Maria de Feira European Council as they strengthen the rule of law in Georgia, Iraq and the Kosovo. The CSDP with its civilian missions furthermore addresses the preservation of human rights and fundamental freedoms, the eradication of poverty and the stabilization of democracy. Simultaneously, the EU is engaging in the protection of international security through its assisting and monitoring task that assures that new threats are addressed and fought. All these attempts are directed towards a strong international security which is guaranteed through the deployment of EU civilian capabilities which act as a commitment towards EU's neighborhood.

3.2 CIVILIAN-MILITARY

3.2.1 SECURITY SECTOR REFORM (SSR)

In June 2005 as a response to an official request made by the Democratic Republic of Congo government the Council of the EU made the decision to launch the EU advisory and assistance mission for security reform in the Democratic Republic of Congo (EUSEC RD Congo). The main objective hereby is to support the Congolese authorities during the rebuilding stage of their army. The army established thereby needs to guarantee security and make social and economic development possible again. This is achieved through the assisting role of the EU officials that involve themselves with Congolese authorities in order to establish policies that are based on human rights and humanitarian law and are set according to gender issues, democratic standards and transparency. Till the 30th September of 2010 the mission will continue its active involvement and help with implementing the plan for the Armed Forces of the DRC (FARDC) (Factsheet on the EU advisory and assistance mission for security reform in the Democratic Republic of Congo, 2010). The challenge that is facing this mission is the shortcomings of the very small size of the mission as it is still 25% understaffed and the one of the limited mandate that limits the mission in its active involvement and does not provide for an effective coordination with third actors in place (Bloching & Gya, 2010). Another shortcoming that became apparent as the mission was launched was the limited coordination. The mission did not manage it well to organize itself within the network of all the national and international actors that were deployed in the region already (Hoebeke, Carette & Vlassenroot, 2007).

Another SSR mission was launched in February of 2008 in Guinea-Bissau and was established to provide advice and assistance. It was called the EU mission in support of the Security Sector Reform in Guinea-Bissau (EU SSR Guinea-Bissau) and was then conducted under the CSDP. The National Security Sector Reform Strategy has been agreed upon in the country and called for advice and assistance during the implementation phase. The EU capacities thereby provided the needed conditions to be able to execute the implementation. Those include plans for downsizing and restructuring the Armed Forces as well as plans for capacity-building requirements, training and equipment (Council of the European Union, 2010). The mission will be concluded in the end of September of 2010 after which the EU will negotiate the receiving of financial assistance (Bloching & Gya, 2010).

3.3 MILITARY

On the 31st March of 2003 the EU launched the military operation in the Former Yugoslav Republic of Macedonia called Concordia and for the first time made use of the crisis management tools available under the CFSP (Gross, 2007). By using NATO assets and capabilities according to the EU-NATO arrangements, which had been established in a difficult and time-consuming process of agreement seeking between the EU and NATO shortly before the mission itself was launched, the operation followed the request made by the fYROM government. It therefore was seen as a testing ground for the EU to check its ability to launch operations of a military nature (Gross, 2007). As a response the EU operation made efforts to establish a stable and secure environment by promoting a democratic country that does not depend on international security presence. The operation was completed on the 15th December of 2003 when the environment was stabilized and the Ohrid Framework Agreement could move into the implementation phase (Neart, 2007, p.69).

The military operation in the DRC, code-named Artemis, was launched by the EU on 12th June of 2003 after it being involved in the settlement efforts in the conflict in the Great lakes region for many years. The operation finally was conducted in accordance with the United Nations Security Council Resolution 1484 and the Council's Joint Action from the 5th June of 2003. The operation through this legal basis had to influence the development of stabilization and security in the country and concentrate on the improvement of the humanitarian situation in Bunia (Council of the European Union, 2010). The most interesting fact about the mission is that it was launched as an autonomous operation without making any use of NATO assets but rather relying on a framework nation, in this case France, that provide the headquarters and the majority of the troops which caused a considerable delay till the mission became operational (Naert, 2007). However the mission was already meant to turn out as a success due to its limited scope of action through which it was only able to achieve short-term measures. This could have been improved by including accompanying measures such as police and judicial reforms (Manners, 2006). The negative thing is that Inturi, where the mission was stationed, remained unstable after Artemis was redrawn by the EU (Hoebeke, Carette & Vlassenroot, 2007).

During the election process in the DRC the EU supported the United Nations Organization Mission and their involvement by launching a military operation on the 30th July of 2006 and setting its duration for four full months. The only aim of the operation was to secure the historical elections taking place in the DRC. Exactly four months later the operation was concluded with success (Council of the European Union, 2010).

The third mission conducted on the African continent was the military bridging operation EUFOR Tchad/RCA which has been launched on the 28th January of 2008. The operation was meant to fulfill three distinct objectives. First, it was obliged to protect the civilians that were exposed to danger, especially refugees. Second, it guaranteed the delivery of humanitarian aid and secured the free movement for humanitarian personnel. Third, it protected the UN Personnel and its facilities that were situated in the region. On 14th January of 2009 has then been taken over by MINURCAT, a UN military force.

The biggest military mission conducted so far under the CSDP was the military operation in Bosnia and Herzegovina (BiH) on the 2nd December of 2004. The overall aim was to contribute to a secure and safe environment in the country. This operation was the successor of the SFOR operation of the NATO and therefore was building upon NATO military assets and capabilities according to the Berlin Plus Agreements (Factsheet on the European Union military Operation in Bosnia and Herzegovina, 2010).

As its main objectives the mandate included the secured environment so that the Dayton Peace Agreement was continued to be carried out and the support of the international community's High Representative/EU Special Representative for BiH, Valentine Inzko. The operation furthermore ensures that within Stabilization and Association process the BiH develops towards EU integration. In 2010 the tasks were widened as the operation also engaged in capacity building and perceived training tasks as it continues to do till today (Council of the European Union, 2010).

Triggered by the multiple acts of piracy and armed robbery of the Somali coast the EU engaged in the first military naval operation ever carried out. The operation EU NAVFOR in Somalia, code-named Atalanta, was launched with Full Operational Capability in February 2009 (Council of the European Union, 2010). Its mandate dictates its tasks as being first, the protection of the vessels through which the World Food Programme (WFP) delivers food aid, second, the protection of vessel used by merchants and third, the deterrence, prevention and intervention aimed at fighting piracy and armed robbery. For the last purpose even the option of the use of force is included within the mandate. Due to the positive achievements of the operation so far the mandate has been extended for further two years till the 12th December of 2012 (EU naval operation against piracy (EUNAVFOR Somalia – Operation ATALANTA), 2010).

3.4 OBJECTIVES

The above listed missions are representing the ambitions undertaken by the EU in order to comply with its vision of being an international actor. To be able to achieve this aim the EU under the CSDP covers the whole set of Petersberg Tasks on three different continents. This international engagement gives a new perception of the EU by moving it actively on the international scene as it aims at in the Lisbon Treaty in the specific provisions on the CFSP, Article. 23.

The military and civilian-military missions of the EU in comparison to the majority of the purely civilian missions thereby have somehow different goals to achieve and therefore follow various objectives that are not named in chapter three, section one. The military missions are conducted under the CSDP objectives to address new threats and the effects of globalization as the fight against piracy or organized crime and corruption. Therefore the EU is establishing a coherent and fast response that in certain conflict situations would even allow for a robust intervention and the use of force.

There are despite the differences also some similarities between the civilian and the military missions. One main task is running like a thread through all five military missions (however only partly in the Atalanta mission) as they are named above. That is the establishment of a safe and secure environment within the country. This objective relates to the strengthening of the international security, not through assisting measures but through active involvement and military presence.

4. CASE STUDIES

The following chapter aims at describing in detail three distinct case studies that represent the active preoccupation of the EU to reach its objectives established within the, in chapter two described, treaties and documents. By describing the mandate and the powers conferred upon the missions the effectiveness of the competences will become visible.

4.1 EUFOR ALTHEA BIH

4.1.1 BACKGROUND

The war in BiH was triggered by the independence declaration of Bosnia from Yugoslavia in 1992. This development was the starting point for a tough and violent ethnic war. This only has been stopped by the NATO military intervention in 1995 when the Implementation Force (IFOR) with 60 000 troops has been deployed. Peace negotiations took place in Washington and produced the Dayton Agreement which gave the base for the first task of the NATO troops.

Only a year later the IFOR was replaced by the Stabilization Force (SFOR) which decreased the capacities of the mission to 30 000 troops which again have been downsized during the process (Keohane, 2009). During a time span of nine years the NATO did succeed in implementing the Dayton Agreement and in stabilizing the country. The conditions were established for civil reconstruction and the common belief was that the NATO already had accomplished its mission when the EU engaged in setting up a follow-up mission in 2004 (Leakey, 2006). In June the Istanbul Summit took place where the replacement of the SFOR mission by the EUFOR mission was made official. The strategic planning that discussed every issue around the taking over of the EU based on the Berlin Plus Agreements however absorbed more time. This especially was caused by disagreements about the access of the EU to NATO planning assets and capabilities (Keohane, 2009). As soon as this discrepancy has been dissolved the Althea mission was launched on the 2nd December of 2004 (Council Joint Action 2004/570/CFSP, 2004).

4.1.2 MANDATE AND OBJECTIVES

The EUFOR Althea mission mostly took over the mandate as it was given to the first IFOR and then SFOR mission. It inherited the legal basis as it is included in Annex 1a in the Dayton Peace Agreement. This mandate is being seen as quite robust due to the fact that it includes the use of force in necessary situations concerning the enforcement of peace. The only difference is that the deployed EU peacekeepers do not have to answer to the North Atlantic Council as it was the case for the NATO but instead to the EU Council of Ministers (Bertin, 2008).

The objectives have been to a certain point adjusted to the SFOR objectives. Dr. Javier Solana however pointed out at the beginning of the mission towards Lieutenant General David Leakey that the mission had to be "new and distinct" and that it furthermore needed to "make a difference" (Leakey, 2006). That included that first the mission had to ensure compliance with the Dayton Peace Agreement. That additionally included the maintenance of a safe and secure environment and the assurance of this secure and stable situation. Second, it had to support the international community's High Representative/ EU Special Representative for Bosnia and Herzegovina and his Mission Implementation Plan (Keohane, 2009). The first two have been set out as key military tasks and therefore had to be given priority by the commander. Lieutenant General David Leakey believed that the fulfillment of the second tasks was best done by coupling it to another key supporting task, namely the combating of organized crime. Therefore the third objective received a major focus within the EUFOR agenda (Bertin, 2008).

4.1.3 ACTIVITIES

In order to comply with the predetermined objectives the EUFOR mission engaged in two sets of activities. To be able to realize the first requirement the EUFOR mission reassured the country's inhabitants through patrolling and simple presence, harvested the weapons still existent within the communities and gathered information and intelligence. The activities that were supposed to realize the second objective were unfortunately also the ones causing the civ./mil. coordination conflict. The first step was made by assigning the Integrated Police Unit (IPU) to the EUFOR, as it was said to be 'less military and more police in its orientation' (Keohane, 2009) and not to the EUPM mission which also was situated in BiH at the same time. Then the EUFOR mission extended its mission by including a key supporting task of combating organized crime to its major goals (Juncos, 2006). Leakey therefore engaged the IPU in tracking down smuggling and illegal timber cutting activities, building road-blocks and checking cars in coordination with the local police, inspecting sawmills and interrupting transnational links of crime. These activities were the reason for the tensions that arose between the EUPM and the EUFOR mission. Those were only settled by a set of operational arrangements that dictated the exact tasks to be undertaken by each mission and assigned the 'inciting, enabling and emboldening the Bosnian law enforcement agencies' to the EUFOR mission (Bertin, 2008).

4.1.4 IMPACT

The EUFOR Althea mission did manage it to conduct a successful peacekeeping operation so far. It managed the handover from the SFOR mission and the transfer of NATO assets and capabilities. As the largest military mission so far it was able to fulfill its mandate by realizing its key military tasks of maintaining a stable and secure environment and supporting the community's High Representative (Keohane, 2009; Simon, 2010). This can be seen on the fact that no further outbreaks or violent attacks have taken place in the region due to constant EU presence. It also made significant attributions to its key supporting tasks of combating organized crime and corruption as it changed the persistent culture of impunity that cultivated crime. Through the modified perceptions and reimbursed local capabilities the EUFOR mission gained credibility within the local population (Bertin, 2008). This has been mostly achieved through the EU's active engagement in the political field which caused progress in the integration of BiH in the Stabilisation and Association Process (Council of the European Union, 2010).

4.1.5 CONCLUSION

This mission is altogether a great example for the developed role of the CSDP and the EU's increasingly active role in the world. It was deployed on the one hand to represent the commitment that the EU has towards BiH and on the other hand to develop the EU role as a crisis management actor according to the ESS. In its progressive involvement the weak points became visible such as the need for better coordination between the civilian and the military elements as has been shown by the overlapping mandate of the EUPM and the EUFOR mission (Juncos, 2006). That has shown that even though the competences and the aim to reach more coherence and streamline procedures are existent the EU does not yet realize those (Orsini, 2006). Another interesting fact can be found within the analysis of the mission's overall impact. The most mission reviews point it out as a very successful operation that is paving the way for further EU engagement on the military scene. However the achievements of the EU mission have to be regarded in contrast to the achievements of the IFOR and SFOR missions. The comparison shows that the Althea mission did not have such a big task but rather kept the situation as she has

been left behind by the other missions and showed its presence in the country. The credibility that it gained within the local population can mostly be traced back to the accession talks in which the EU and BiH engaged.

Nonetheless, even with difficulties this problem has been solved and made the first step towards the EU's further development towards an international actor (Bertin, 2008).

4.2 EU NAVFOR ATALANTA

4.2.1 BACKGROUND

By 2008 the Horn of Africa experienced a drastic development in the waters of Somalia. At this time the number of pirate attacks on merchant ships increased dramatically to about 110 attacks in a year. The more threatening development however was the extent of the attacks. Seizing cargoes was fast left behind as pirates concentrated on taking hostages, seizing high side ships and widening their range of action. These establishments caused the a major threat to the transit route that is being used by not only the EU but also China, Russia, India and Japan for trade and energy imports (Germond & Smith, 2009). When earlier a ship transporting food aid from the WFP was hijacked the UN Security Council made the first step towards fighting piracy and in October released the Resolution 1838 naming piracy on the high seas a world threat altogether. These involvements followed after there already have been missions engaging in the Gulf of Aden. The Operation Enduring Freedom (OEF), the anti-terrorism Combined Task Force 150 (CTF 150) and several NATO warships were already conducting their missions against the attacks at sea. However, this involvement alone was not enough (Weber, 2009). Such occurrences accompanied by high media coverage did manage it to bundle European interests in the economic and commercial field. To be able to protect its energy and commodity supplies during its transition through the Gulf of Aden the EU engaged in the deployment of naval assets as the US was not in the position to launch an anti-piracy operation. As the EU saw its possibility to take action preserving EU interest on a world -wide stage it established "a coordination cell in Brussels with the task of supporting the surveillance and protection activities carried out by some (EU) Member States off the Somali coast (EU NAVCO)" (Council of the European Union Joint Action 2008/851/CFSP, 2008). The deployment of the first-ever naval operation Atalanta however was not as easy as it constitutes as it does not have a coordinating role like EU NAVCO but rather a military orientation and due to that character is only an additional actor next to already deployed naval missions.

4.2.2 MANDATE AND OBJECTIVES

The European Union Naval Force Somalia Operation Atalanta (EU NAVFOR) was launched on the 10th November of 2008 in support of the UN Security Council Resolutions 1814, 1816, 1838 and 1846. It was to help to deter, prevent and repress acts of piracy and armed robbery off the coast of Somalia (EU NAVFOR Somalia, 2010). The main interest behind this wording however remained the protection of EU trade and not the dissolving of the existing conflict.

The objectives as they are formulated in the Council Joint Action 2008/851/CFSP include the tasks of first of all the protection of the vessels used by the WFP to deliver its food aid. The protection includes thereby the presence of armed units on board. The second task is the protection of merchant vessels that fall within the area of the mission. Third, the EU engages in the surveillance of maritime activities which are exposed to dangers in the area of the Somali coast. Fourth, the mission is involved in the deterrence, the prevention and the intervention of acts of piracy and armed robbery including the use of force. Fifth, the mandate also includes the arrest, the detention and the transfer of persons who have committed acts of piracy or armed robbery and the goods which those kept

with them. Sixth, the mission also is engaged in the cooperation with other organizations and states that are deployed and active for the same objectives in this area (Weber, 2009). These activities have been extended with the mandate on the 15th June of 2009 to be conducted till December of 2010.

4.2.3 ACTIVITIES

The activities conducted under the actual mandate have been divided into three phases that rotate the command of the mission between first, the UK, France and Greece, second, Spain, Germany and Italy and third, the Netherlands and Belgium. In those three initial phases the Atalanta mission was active in monitoring the sea area where pirates where present and deterring those (Helly, 2009). To be able to comply with its two main key tasks, protecting the WFP vessels and protecting merchant vessels, the mission coordinates its operations from the headquarters stationed in Northwood, the UK. The headquarters send out orders to the command at sea to coordinate the escorting of the WFP vessels which actually accounts to only 10% of the overall mission activity. Second an Internationally Recommended Transit Corridor (IRTC) has been established under the Northwood command in order to enable merchant ships to cross the area in transit groups. That has been made possible through the setting up of the Maritime Security Center-Horn of Africa (MSCHOA) which publishes information about current danger zones threatening merchant vessels and which adopted a collection of best management practices for vessels' self protection (EU NAVFOR Somalia, 2010).

4.2.4 IMPACT

The impact of the EU NAVFOR mission remains two fold. Concerning its task to protect WFP vessels the EU did manage to escort the vessels into port and to eliminate further attacks through the military accompanying of the ships. When it comes to the protection of merchant vessels the picture is less clear. The ratio of attacks compared to the increased number of ships passing the Gulf of Aden has dropped as more and more ships can be accompanied by the EU naval forces and similar present organizations and through that prevent the piracy attacks. That is a good evaluation for the use of the MSCHOA by merchants and for the adherence to the IRTC. However at the same time the actual number of attacks has increased, even though not proportionally with the number of trading ships and the area in which pirates operate has been widened. The mission also struggles with keeping up with the fast development of pirate attacks as they change their areas and invest highly in new technology. Therefore the mission's impact only addresses the symptoms of piracy and armed robbery (Weber, 2009). This however is not an easy task as the mission does not have sufficient assets to its use. It also cannot protect all merchant vessels as those are not entirely registered with MSCHOA. Plus, future prosecutions of arrested pirates will constitute a problem as the arrests increase in number (Helly, 2009).

4.2.5 CONCLUSION

The EU NAVFOR mission Atalanta has received the reputation of fighting symptoms and disregarding the roots. It however was the first naval mission and therefore a groundbreaking involvement of the EU. Through its activities the mission presented the EU as a strengthened security actor in the international framework (Weber, 2009). It has proved to be a good cooperator with actors such as China, the US and Russia whilst engaging in dialogues (Helly, 2009). This has been achieved by the EU through taking on an active and leading role within the Shared Awareness and Deconfliction (SHADE) mechanism which was established to regulate and organize the coordinating network between the multinational, national and regional actors that are involved in the naval operations in the Gulf of Aden (Council of European Union, 2010).

However, as Javier Solana stated at the UN-EU-AU Conference on Somalia in 2009 "we need to move forward and to look closer at the root causes of the phenomenon". This will include tasks focused on conflict prevention, rule of law and the improvement of the police and civil administration on land (EU NAVFOR Somalis, 2010). Only such measures can guarantee an effective action against piracy (Tarnogorski, 2009).

4.3 EULEX KOSOVO

4.3.1 BACKGROUND

In its beginning the EULEX mission had to stumble over many hurdles till it could be deployed. The challenging phase was triggered by the declaration of independence in which Kosovo separated itself from Serbia in 2008. Only two weeks before that the Council of the European Union adopted the Joint Action 2008/124/CFSP on the creation of the EULEX mission. However the decision on its mandate has been as challenging as the acceptance of Kosovo's independence in the world (de Wet, 2009). The US and a majority of EU member states recognized it right away whereas five remaining EU states, Serbia and mainly Russia were opposing the move. Russia used its veto power in the EU Security Council and blocked any new resolution concerning Kosovo. That only gave an unstable basis for the mission as the EU had to look for UN authorization and could not deploy its mission on the grounds of Kosovo's independence (Richter, 2009).

4.3.2 MANDATE AND OBJECTIVES

The decision about mandate was not easy to reach for the EU. On the one hand there were the UN and the majority of EU member states who argued that the EULEX mandate was grounded on UN Security Council Resolution 1244 and on the other side there were the remaining member states, Serbia and Russia who saw the EULEX mission illegally related to Kosovo's declaration of independence. Proposals were drafted but could not be decided due to inconsistencies and disagreements. Russia continued to block the full deployment of EULEX as it was planned for the 15th June of 2008 (de Wet, 2009). Only in November of 2008 after the acceptance of an agreement on the six mostly debated areas of activity by the Security Council gave the EULEX mission its mandate (Grevi, 2009). That however deviated greatly from the initial idea. The EU would now have to disclaim an autonomous leading role and follow Resolution 1244 and remain in a neutral status (Richter, 2009). Under this lead the EU set its objectives as mainly being the support of the Kosovo authorities in the police, judiciary, customs and correctional services. The main tasks would be the fight against organized crime and corruption. This was set out to be achieved through the assistance towards Kosovo's institutions in progressing towards sustainability and accountability. The mission did not receive any governing power it is instead meant to monitor, mentor and advise the police, the customs service and the judicial institutions.

4.3.3 ACTIVITIES

After reaching its operational phase in the beginning of December in 2008 the mission still struggled with the recruitment of personnel that was needed to conduct such a big mission. Half a year later only 80% of the envisaged capacities were available to the EULEX mission (Grevi, 2009). To be able to pull Kosovan population on its side the EU tried to separate itself somehow from the UN-Mission in Kosovo (UNMIK) by propagating a new and better approach. This support-establishing strategy backfired when the transfer of logistics and facilities from UNMIK to EULEX needed to take place. UNMIK at that stage delayed the hand-over and left the EULEX mission in a situation without necessary capacities.

Nonetheless the main tasks proved to be successful in the first six months already. The EU managed beforehand to draw up guidelines about the mentoring, monitoring and advising activities. The approach proved to be effective as in the justice, prosecution, police and customs field Kosovan and EU officials were cooperating and eliminating weaknesses. Next to those responsibilities EULEX as well received some executive tasks concerning the rule of law and especially corruption and organized crime. The fact that decisions made in this scope have to be executed through Kosovan authorities still proves to be problematic (Richter, 2009).

4.3.4 IMPACT

The impact of the mission remains kind of controversial regarding its divided responsibilities as described above. The first tasks have been implemented smoothly so far as the staff deployed by the EU was able to mentor, monitor and advise local officials in EU best practices. The success stems from the promotion of rule of law reforms and the stabilization of the region as it was pursued by the EU and decided upon in the European perspectives. The second part however still challenges EU authorities on the ground as they do not have any executive power but have to rely on their counterparts and their interest in fighting organized crime and corruption. The continuing discussion about the status of Kosovo kept involved actors divided. These ambivalent forces keep a clear strategy from being developed and concrete measures to be taken.

4.3.5 CONCLUSION

When the focus should have been mainly on the Kosovo crisis it somehow moved. Kosovo's status of independence divided the EU from the beginning depriving it of the ability to speak with a unified voice. This divide and heated discussion with Russia and the US developed the deployment of the mission into a lengthy process (Weller, 2008). During this development a gap appeared between the first ideas of the mission's role and the reality and grew massively. When the EU settled for operation in a status-neutral manner it disabled itself to play a leading role in the Kosovo crisis. This mandate harms the mission's strategic political level as it does hurt its practical operational level. The EU needs bigger political power on the one hand and on the other hand the ability to implement pressure on the Kosovan authorities to proceed with major changes (Richter, 2009)

5. COMPETENCES AND OBJECTIVES

5.1 EU COMPETENCES

After the description of the political development of the unified EU objectives in the field of the CFSP, the description of the civilian and military mission that were deployed by the EU in order to meet its objectives and the detailed evaluation of three case studies this chapter moves on to the interpretation. This section includes a critical analysis that is focused upon the response to the following sub question:

To which extend to the current treaty competences allow the EU to reach the objectives in relation to its role as an international security actor?

The civilian and military missions are carried out under the CSDP as a means to reach the new objectives of the Lisbon Treaty as well as the main strategic aims as outlined in the ESS. It is necessary therefore to develop this area

even further. As Javier Solana already stated in 1999, in order to stand up to the global challenge, the EU should have an effective foreign, security and defence policy".

As can be seen in chapter three the EU deployed multiple missions to meet its ambitions. What is striking in this case is that the civilian missions outnumber the military missions by far. From 23 conducted missions altogether only five were of a military nature. This can be partly explained by the bipolar world that emerged after the Cold War where the US acquired the role of the military actor who fights and wins wars. The EU took over the role of the actor who prevents conflicts and engages in post-war reconstruction (Moravcsik, 2003). This was mainly triggered by EU's strong economic power, its contribution to financial aid and its peace settlements that it spread throughout the world (Sangiovanni, 2003). It built up its credibility by spreading peace in its neighborhood, cooperating and engaging in accession talks with its direct neighbors. As the threats grow the EU sees a new and broader role for itself. The tasks it wants to include in its repertoire go beyond conflict prevention and civilian measures and include crisis management. The Lisbon Treaty opens the way for this development but the progress still needs to develop a direction, to receive an impetus. Without the essential drive behind the objectives there will be no progress (Sabathil, 2010).

However, as it is obvious to the EU, in order to become an international actor it needs to develop its military capabilities to engage in stronger in military operations on its own. Through that a strengthened role as an international crisis manager among other actors could be established. The first steps have already been taken as it is visible in the development of the legal documents in the military sphere. The EU decided on a Rapid Reaction Force, on the Helsinki Headline Goals and established the Berlin Plus Agreement with the NATO. Despite the efforts made the shortages are still existent (Salmon, 2005). The CSDP remains somehow limited in nature when regarding the military operations which are obviously largely not ambitious in their scope. As the main insufficiency Menon appoints the focus of the missions as those are addressing only consequences and not the issues in particular which disables them of reaching a meaningful outcome (Menon, 2009). This can be seen in chapter three section three where another interesting point comes to the fore. Military missions conducted under the CSDP are the follow-ups of accompaniers of missions deployed by other institutions. This fact again diminishes the role of a strong and independent international crisis manager as the EU till now did not prove to be able to work individually on military tasks.

Additionally, we can still detect multiple shortcomings when directing our view to the capabilities available to the EU missions. The Council of The European Union in 2007 published a Progress Report which stated that by 2010 they will have the full capability to cover the full spectrum of CSDP tasks. However at the same time it identified multiple shortfalls which include transportation, deployment, protection and acquiring information. Notwithstanding the insights already made, during this process as before the EU has to recognize more and more shortfalls as the member states still do not spend neither adequate amounts of money nor sufficient amounts of personnel (Consilium, 2010). Altogether the EU is far away from implementing the 60 000 combat-ready troops as set out in the Helsinki Headline Goals and it does not even reach the Saint Malo aim as the member states have no military capabilities which they can deploy rapidly (Lasheras et al., 2010).

This still is not the only point depending on the actions of the member states. The former ESDP mostly suffered from differing approaches of the member states. Those protected their interest and operated through their national natural instincts and pursued their national norms of judgment. This approach endangered the coherence behind the unified actions as they were supposed to be implemented (Bailes, 2008). The difficult mandate of the EULEX Kosovo mission as it is described in chapter four section three is a good example for the inconsistent inner decision-making of the EU. The conduction of this mission represents the challenge for the CFSP to unite the EU to

be able to speak with one voice which jeopardizes its determination of emerging as an entity which is able to form a rapid and tough strategic power.

Concluding this section outlines that the treaty competences conferred upon the EU do allow it to reach its objectives as they empower it through the introduction of needed governing factors. However as it is concretely stated within the Lisbon Treaty the main power remains rested within the individual members states and therefore it is still up to national interests to make use of the competences entrusted within the EU to reach the ambitions and objectives that will lead to a common defence.

5.2 MISSION REVIEW

This paper aimed at establishing whether the EU through the deployment of multiple diversified missions in order to be able to realize it's newly introduced CSDP objectives did manage to achieve this aim. The research question as it was provided in chapter one section two concentrates on the fact that the missions launched since the implementation of the ESDP and its transformation into the CSDP till now are one of the means of the EU to reach its objectives as they are included within the Lisbon Treaty, the ESS and other determining key documents. The case studies conducted above describe the extent to which the three individual missions managed it to comply with those aims and goals as they are included in their mandates.

When looking back at the missions in general it becomes visible that the EU does put a lot of effort into realizing its aims but the actions remain still inconsistent with the objectives. The EUFOR Althea mission for example had its positive impacts. First, as can be seen in the Table 1, it reaffirmed its commitment towards its close neighborhood by deploying its mission in BiH and included the fight against organized crime and corruption as one of its key supporting tasks. The mission confirms the objectives anchored within the ESS as it tries to establish close and cooperative relations through partnership. Thereby it has one main force driving the cooperation and that are the accession talks that BiH is open to and therefore maintains a good position towards the EU. The mission serves also as a good representative mission for the military area under the CSDP as it reached the objectives that have been implemented by its mandate. When looking closer at it one again discovers some shortcomings such as incoherent response and slow response as a follow-up mission. It needed a vast amount of time to transfer the assets and capabilities from the SFOR mission under its command even though those have already been in place. It also missed to prove that it could react to international crisis actively through robust intervention. This did not work out however as the situation in BiH was already stabilized through the US and the EU than only needed to be present.

Table 1. Summarized findings EUFOR Althea BiH

	EUFOR Althea BiH	Shortcomings	
Background	 NATO SFOR mission already had stabilized situation NATO assets remained in place for the EUFOR mission to be used (Berlin Plus Agreement) 	! Slow and uncoordinated handover of NATO assets	
Mandate	 Compliance with the Dayton Agreement (stable and secure environment) support the international community's High Representative/ EU Special Representative for Bosnia and Herzegovina and his Mission Implementation Plan combating of organized crime 		

Activities	 patrolling and simple presence tracking down smuggling and illegal timber cutting activities, building road-blocks and checking cars in coordination with the local police 	! overlap between the EUPM and the EUFOR mission mandates
Impact	 largest military mission so far maintained a stable and secure environment changed the persistent culture of impunity that cultivated crime gained credibility within the local population through accession talks 	! did not show any active military involvement but rather simple presence
Conclusion	 reinforcement of the commitment that the EU has towards BiH need for better coordination between the civilian and the military elements need for more coherence and streamlined procedures 	

The EU NAVFOR mission Atalanta addresses a very new appearance of a threat for the EU, namely piracy. Even though it is mainly directed at protecting EU member states trade interests it also it makes its big contribution to the strengthening of international security. It also manages it to engage in international cooperation with the various organizations and institutions that are deployed in the Gulf of Aden and fulfill its mission objectives. By taking a closer look at Table 2 it becomes apparent despite all the contributions the mission makes towards the fight of the symptoms of piracy it does not fight the cause effectively in any way. The only thing as it is criticized by Menon is the fact that it only heals the symptoms and does not provide the real cure (Menon, 2009).

Table2. Summarized findings EU NAVFOR Atalanta

	EU NAVFOR Atalanta	Shortcomings
Background	 first-ever naval operation in the fight against piracy deployed in a present network of other actors (OEF, CTF 150, NATO warships) 	! no ideal organized cooperation between individual existing actors
Mandate	 help to deter, prevent and repress acts of piracy and armed robbery off the coast of Somalia 	! real interest is the protection of EU trade
Activities	 protecting the WFP vessels and protecting merchant vessels establishing the Internationally Recommended Transit Corridor (IRTC) setting up of the Maritime Security Center-Horn of Africa (MSCHOA) 	! no binding participation leads to not registering in the systems
Impact	 protected WFP and merchant vessels ratio of attacks compared to the increased number of ships passing the Gulf of Aden has dropped 	! only addresses the symptoms of piracy and armed robbery not the cause
Conclusion	 groundbreaking involvement of the EU good cooperation with actors such as China, the US and Russia urgent need for further tasks focused on conflict prevention on land 	

The EULEX Kosovo mission again sheds rather negative light on the competences of the EU and their use. As can be seen in Table 3 the mission from the beginning on turned out to be a challenge. From the setting up of the declaration of independence the EU's member states have been divided about its legality as have been the big influential actors, Russia and the US. That disabled the EU to act as an entity and to speak with a unified voice. After a very long time span the mission was able to be deployed with a mandate that put the mission under a neutral-status umbrella and disposed it of a clear strategy and effective active involvement. By the time the mission was ready to start too many capabilities have been withdrawn and a big gap emerged. The transfer of assets and capabilities from UNMIK to the EULEX mission was not the rescue as was hoped as again the long-lasting transfer put the EU in an uncomfortable situation.

Table3. Summarized findings EULEX Kosovo

	EULEX Kosovo	Shortcomings
Background	 Kosovan declaration of independence in 2008 EU divided about legality of declaration Blockade of the UN Security Council through Russia 	! no coherence within the EU concerning the mission
Mandate	 Delayed mandate Mandate under a neutral status following UN Security Council Resolution 1244 support of the Kosovo authorities in the police, judiciary, customs and correctional services fight against organized crime and corruption 	! No autonomous leading role for the EU
Activities	 EU tried to separate itself s from the UN-Mission in Kosovo (UNMIK) Fight against corruption and organized crime carried out through Kosovan authorities EU actively only carries out mentoring, monitoring and advising activities 	! UNMIK at that stage delayed the hand-over of logistics and facilities ! Insufficient capacities
Impact	 divided responsibilities challenge the EU continuing discussion about the status of Kosovo 	! EU remains divided
Conclusion	 Kosovo's status of independence divided the EU Belated deployment of the mission No leading role in the Kosovo crisis through neutral status 	! The strategic political level and the practical operational level are harmed

All these disabilities that become apparent when reviewing the actual mission represent the inability of the missions conducted to fully comply with the objectives set out under the renewed CSDP. The civilian missions which are backed by sufficient capabilities are more successful so far in achieving the objectives included in their mandates. The military missions on the contrary are still not provided with sufficient capabilities and funds. This weakness is distorting them from reaching the ambitious aims. Mostly the unwillingness and incapability of the member states that are meant to build up the EU and really engage in building an effective CSDP is the cause for the above described shortcoming. They are not absolutely willing to fully engage in the CSDP as that demands their financial and personnel contribution as well as a unified position on external matters which is sometimes conflicting with their national interests.

6. CONCLUDING RECOMMENDATIONS

All in all the ESDP has been not developed to its full potential due to insufficient funding, a too small number of military capabilities and the missing commitment of the member states to participate and contribute to the CFSP (Venusberg Group, 2007). The ESDP has been more and better prepared for its civilian management role. The CSDP does not manage to leave this opinion totally behind. Lindstrom says that the NATO remains the main player when it comes to military aspect in missions and that the ESDP for the mist part depends on it (Lindstrom, 2007). CSDP gives way to engage to a high degree in civilian crisis management and to deploy missions using civilian instruments. Only a limited amount of low degree military missions should be conducted under the CSDP according to the power the EU. The competences conferred upon the CSDP by the treaties give way to establish a military power; however the member states contributions and actions are not supportive of this idea even though they as well have the idea of a unified EU crisis manager on a global stage (Sweeney, 2010). That is why the EU somehow remains a weak actor.

What would bring about the change is taking on the challenge and use the competences conferred upon the EU by the Lisbon Treaty and ensure stronger coherence and build up the needed capabilities. Only through the investment in capabilities and the willingness of the states will the EU be able to pursue a strategic culture. Strategic culture will provide the CSDP with consensus and unified ideas to stabilize the military force in Europe (Margaras, 2010).

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